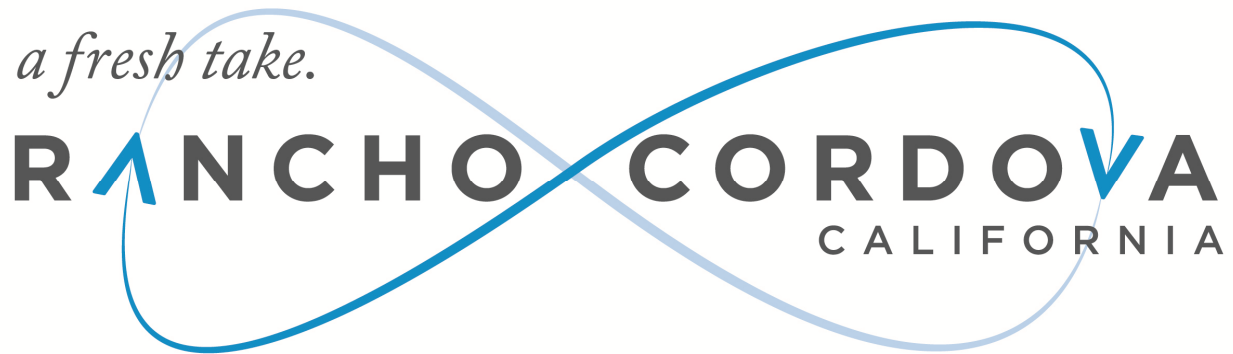


CITY OF RANCHO CORDOVA



CONCURRENT MEETING CITY COUNCIL/SUCCESSOR AGENCY TO THE CRA/RCFC

Monday, December 4, 2017

4:00 PM – Special Meeting

5:30 PM – Regular Meeting

AGENDA

Donald Terry, Mayor

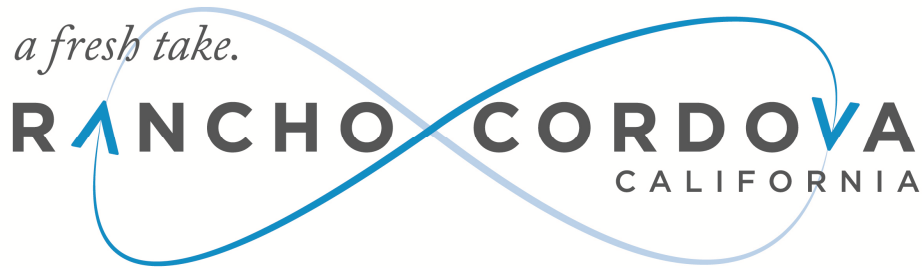
Linda Budge, Vice Mayor

Robert J. McGarvey, Council Member

David Sander, Council Member

Garrett Gatewood, Council Member

CITY OF RANCHO CORDOVA



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

City Hall
2729 Prospect Park Drive, Rancho Cordova

Monday, December 4, 2017

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

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

AGENDA

1. SPECIAL MEETING - CALL TO ORDER/ROLL CALL

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

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 ITEM

3.1 **Subject:** Proposed 2018 Neighborhood Traffic Management Program.

Recommendation: Receive a staff presentation and provide comments on the proposed 2018 Neighborhood Traffic Management Program (NTMP).

Result of Recommended Action: Staff will amend the project scope based upon City Council comments and proceed with the ballot process.

Staff Report: Albert Stricker, Public Works Director and Zach Bosch, Associate Civil Engineer.

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

4. ADJOURNMENT OF SPECIAL MEETING

Mayor Terry 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, McGarvey, Sander, and Mayor Terry.

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 Sunrise Elementary School and Robert J. McGarvey Elementary School Students to lead the pledge.

8. INVOCATION

Charles Sander, St. John Vianney School student, will give the invocation.

9. PRESENTATIONS

- 9.1 Performance by Sunrise Elementary School and Robert J. McGarvey Elementary School Choir students.
- 9.2 Introduction of New City Employee Diana Dushkova, Customer Service Representative, by Stacy Leitner, City Clerk.
- 9.3 Presentation by Jill LaVine, Registrar of Voters, County of Sacramento.
- 9.4 Community Enhancement Fund Grant Check Presentations, Stacy Delaney, Community Enhancement Analyst.

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 of November 20, 2017 Regular Meeting.
Recommendation: Adopt Minutes.
- 13.2 **Subject:** Resolution 141-2017 Authorizing the City Manager to Execute Contract Amendment 29-2013-5 for On-Call Services with Mark Thomas & Company Inc. to Increase the Contract Amount from \$650,000 to \$711,049 and Extend the Term to December 31, 2018.
Recommendation: Adopt Resolution No. 141-2017.
Result of Recommended Action: Adoption of Resolution 141-2017 will authorize the City Manager to execute contract amendment 29-2013-5 for on-call professional services with Mark Thomas & Company Inc., which will increase the contract amount from \$650,000 to \$711,049, and extend the term to December 31, 2018, to accommodate the engineering design services during construction for the Folsom Boulevard Streetscape Enhancement Project Phase IV.
Staff Report: Albert Stricker, Public Works Director and Chris Boyer, Associate Engineer.
Advances Goals: 1, 2, and 5.

14. CONSENT PUBLIC HEARING ITEMS - ROLL CALL VOTE

NONE.

15. PUBLIC HEARING ITEMS

NONE.

16. REGULAR CALENDAR ITEMS

- 16.1 **Subject:** Discussion and Direction Regarding Commercial Cannabis Uses.
Recommendation: Receive information from City staff and David McPherson, a consultant with HDL Companies, related to options for allowing commercial cannabis uses, excluding retail uses, in certain zones of the City. Provide direction to staff on whether to:
- 1) Continue the City's prohibition on commercial cannabis uses, or
 - 2) Return to Council with a regulatory ordinance allowing certain commercial cannabis uses in limited zones of the City. If Council gives this direction, staff also recommends giving direction on the following:
 - a) Staff's recommended "overlay" zones where cannabis businesses would be permitted (industrial areas south of White Rock Road, north of Douglas Road, and east of Sunrise Boulevard; and the Security Park industrial area north of Douglas Road and west of Grant Line Road);
 - b) The specific types of cannabis businesses to be permitted (indoor cultivation, manufacturing, distribution, testing, and/or microbusinesses);
 - c) Whether to limit the number of businesses in any category;
 - d) The application procedure for a commercial cannabis permit including whether Council approval is required, whether to use an RFP process or a traditional permit application; and

e) Whether there is a desire to impose the cannabis business tax at a certain rate.

Result of Recommended Action: If directed to do so by City Council, City staff will bring a regulatory Ordinance back to Council. At that time staff would also seek Council direction on proposed application and permit fees, and whether to impose the cannabis excise tax and if so, at what rate. If Council desires to continue the current prohibition on all commercial cannabis uses, no further action is necessary.

Staff Report: Adam Lindgren, City Attorney, Kate Cook, Deputy City Attorney, Darcy Goulart, Planning Department, and Curt Haven, Economic Development Director.

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

- 16.2 **Subject:** Ordinance Repealing and Replacing Chapters 19.04 and 19.12 within Title 19 of the Rancho Cordova Municipal Code relating to the Protection and Preservation of Private and Public Trees and Resolution Adopting Fees Relating to Permits.

Recommendation: Introduce and waive first reading of Ordinance No. 12-2017, "An Ordinance of the City Council of the City of Rancho Cordova Repealing and Replacing Chapters 19.04 and 19.12 within Title 19 of the Rancho Cordova Municipal Code Relating to the Protection and Preservation of Private and Public Trees"; and schedule December 18, 2017 for second reading of Ordinance No.12-2017; and consider adopting Resolution No.144-2017 establishing fees for Protected Tree Permits and Public Tree Permits, which would become effective upon the effective date of Ordinance No. 12-2017.

Result of Recommended Action: The recommended actions will result in significant revisions to Chapters 19.04 and 19.12 of the Municipal Code. The changes would provide regulations protecting private and public trees and will allow the City to establish fees for the permits required by Ordinance No. 12-2017.

Staff Report: Albert Stricker, Public Works Director.

Advances Goals: 1, 2, and 5.

- 16.3 **Subject:** Selection of 2018 Mayor and Vice Mayor.

Recommendation: That Council selects its next Mayor and Vice Mayor for 2018.

Result of Recommended Action: Council appoints its leadership officers, per Resolution No. 5-2004.

Staff Report: Stacy Leitner, City Clerk.

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

17. COUNCIL REQUESTS FOR FUTURE AGENDA ITEMS

18. ADJOURNMENT

ADDITIONAL INFORMATION

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

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

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

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

UPCOMING MEETINGS	
Tuesday, December 12, 2017	5:30 PM Special Meeting/Work Session
Monday, December 18, 2017	5:30 PM Regular Meeting
Tuesday, January 2	CANCEL REGULAR MEETING (Tuesday due to Holiday)
Tuesday, January 9	5:30 PM Special Meeting/Work Session
Tuesday, January 16	5:30 PM Regular Meeting (Tuesday due to Holiday)
Tuesday, January 30	1:00 PM Special Meeting/Work Session
Monday, February 5	4:00 PM Special Meeting/Study Session 5:30 PM Regular Meeting
Tuesday, February 20	5:30 PM Regular Meeting (Tuesday due to Holiday)
Tuesday, February 27	5:30 PM Special Meeting/Work Session (Budget)
Monday, March 5	4:00 PM Special Meeting/Study Session 5:30 PM Regular Meeting
Monday, March 19	5:30 PM Regular Meeting
Tuesday, March 27	5:30 PM Special Meeting/Work Session
Monday, April 2	4:00 PM Special Meeting/Study Session 5:30 PM Regular Meeting
Monday, April 16	CANCEL REGULAR MEETING
Tuesday, April 24	5:30 PM Special Meeting/Work Session
Monday, May 7	4:00 PM Special Meeting/Study Session 5:30 PM Regular Meeting
Tuesday, May 15	5:30 PM Special Meeting/Work Session (Budget Adjustments)
Monday, May 21	5:30 PM Special Meeting/Work Session (Budget Adjustments)
Tuesday, May 29	5:30 PM Special Meeting/Work Session - ONLY IF NEEDED

UPCOMING MEETINGS	
Monday, June 4	4:00 PM Special Meeting/Study Session 5:30 PM Regular Meeting
Monday, June 18	5:30 PM Regular Meeting
Tuesday, June 26	5:30 PM Special Meeting/Work Session
Monday, July 2	4:00 PM Special Meeting/Study Session 5:30 PM Regular Meeting
Monday, July 16	CANCEL REGULAR MEETING
Tuesday, July 31	CANCEL REGULAR MEETING
Monday, August 6	4:00 PM Special Meeting/Study Session 5:30 PM Regular Meeting
Monday, August 14	5:30 PM Special Meeting/Work Session
Tuesday, August 20	5:30 PM Regular Meeting
Tuesday, August 28	CANCEL WORK SESSION
Tuesday, September 4	4:00 PM Special Meeting/Study Session 5:30 PM Regular Meeting (Tuesday due to Holiday)
Monday, September 11	5:30 PM Special Meeting/Work Session
Tuesday, September 17	5:30 PM Regular Meeting
Tuesday, September 25	CANCEL WORK SESSION
Monday, October 1	4:00 PM Special Meeting/Study Session 5:30 PM Regular Meeting
Tuesday, October 9	5:30 PM Special Meeting/Closed Session for City Manager Evaluation
Monday, October 15	5:30 PM Regular Meeting
Tuesday, October 23	5:30 PM Special Meeting/Closed Session for City Manager Evaluation – ONLY IF NEEDED
Tuesday, October 30	CANCEL WORK SESSION
Monday, November 5	4:00 PM Special Meeting/Study Session 5:30 PM Regular Meeting
Monday, November 19	5:30 PM Regular Meeting
Tuesday, November 27	5:30 PM Special Meeting/Work Session
Monday, December 3	4:00 PM Special Meeting/Study Session 5:30 PM Regular Meeting
Tuesday, December 11	5:30 PM Special Meeting/Work Session
Monday, December 17	5:30 PM Regular Meeting

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

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

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

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

CERTIFICATION OF POSTING OF AGENDA

I, Stacy Leitner, City Clerk for the City of Rancho Cordova, declare that the foregoing agenda for the Monday, December 04, 2017 Special and Regular Meeting of the Rancho Cordova City Council/Successor Agency to the CRA/RCFC was posted and available for review on Thursday, November 30, 2017 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 Thursday, November 30, 2017 at Rancho Cordova, California.



Stacy Leitner, City Clerk

MEMORANDUM



DATE: December 4, 2017

TO: Honorable Mayor and Council Members

FROM: Albert Stricker, Public Works Director and Zach Bosch, Associate Civil Engineer

SUBJECT: PROPOSED 2018 NEIGHBORHOOD TRAFFIC MANAGEMENT PROGRAM

RECOMMENDATION

Receive a staff presentation and provide comments on the proposed 2018 Neighborhood Traffic Management Program (NTMP).

RESULT OF RECOMMENDED ACTION

Staff will amend the project scope based upon City Council direction and proceed with the ballot process.

BACKGROUND

City Council adopted the NTMP manual in 2006, which established a process for selecting and prioritizing neighborhoods and specific street locations for installation of traffic calming measures. The first step to initiating an NTMP project is resident submission of a petition to the City with a minimum of 10 signatures in support of traffic calming. Staff then collects vehicle speeds, traffic volumes, and accident history to report to the Neighborhood Traffic Safety Committee (NTSC). The NTSC consists of representatives of Rancho Cordova citizens, Sacramento Metropolitan Fire, Rancho Cordova Police and Public Works.

The NTSC reviews the proposed projects, recommends approval or denial, and prioritizes approved petitions based on criteria outlined in the NTMP. The final step in the NTMP approval process is mailing a ballot to affected residents. A minimum of 25% of the ballots must be returned with at least 67% approval for a specific traffic calming measure to proceed with bidding and construction.

The proposed 2018 traffic calming measures included in Attachments A and B were recommended for approval by the NTSC. On October 24th 2017, City staff convened a public meeting to present the proposed 2018 projects, solicit feedback, and answer questions. The majority of resident comments were supportive of the NTMP project, with some key concerns focused on the severity of speeding, enforcement and location of proposed devices. Staff incorporated resident comments into the proposed scopes shown in Attachment A.

The proposed improvements will complete all projects currently on the NTSC's approved list. Staff will incorporate direction provided by Council prior to mailing ballots to residents. Projects that are approved in the ballot process will proceed to final design, bidding and construction in 2018.

FISCAL IMPACT

The estimated value of the proposed 2018 neighborhood traffic management project is approximately \$375,000. The project will be funded through a combination of Community Enhancement Funds and Measure A.

ATTACHMENTS

1. Attachment A – Map of citywide traffic calming project
2. Attachment B – Proposed traffic calming features

NTMP Project Phase V

■ NTMP Project Street

Attachment A

AMBASSADOR DR /
ROSSMOOR DR

KLAMATH
RIVER DR

ARAMON DR

BENITA DR

CHARDONAY DR

CORDOVA LN

LAS CASAS WAY

FOLSOM BLVD

50

WHITE ROCK RD

MILLS PARK DR /
OLSON DR

MATHER FIELD RD

INTERNATIONAL DR

ZINFANDEL DR

SUNRISE BLVD

GLENMOOR DR /
ROCKINGHAM DR

OLD PLACERVILLE RD

MATHER AIRPORT

TIMBERLAND DR /
BORDERLANDS DR

DOUGLAS RD

GRANT LINE RD

APPOLON DR

RANCHO CORDOVA PKWY

COUNTRY
GARDEN DR

Sacramento
County

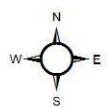
MATHER GOLF COURSE
MATHER REGIONAL PARK

16

JACKSON RD

AGENDA ITEM 3.1

0 0.5 1
Miles



a fresh take.
RANCHO CORDOVA
CALIFORNIA

Proposed Traffic Calming Measures*

Amabassador Dr and Rossmoor Dr

NTMP Project Street

Existing Features

-  Stop Sign
-  Crosswalk
-  Traffic Signal
-  Speed Hump
-  Speed Lump

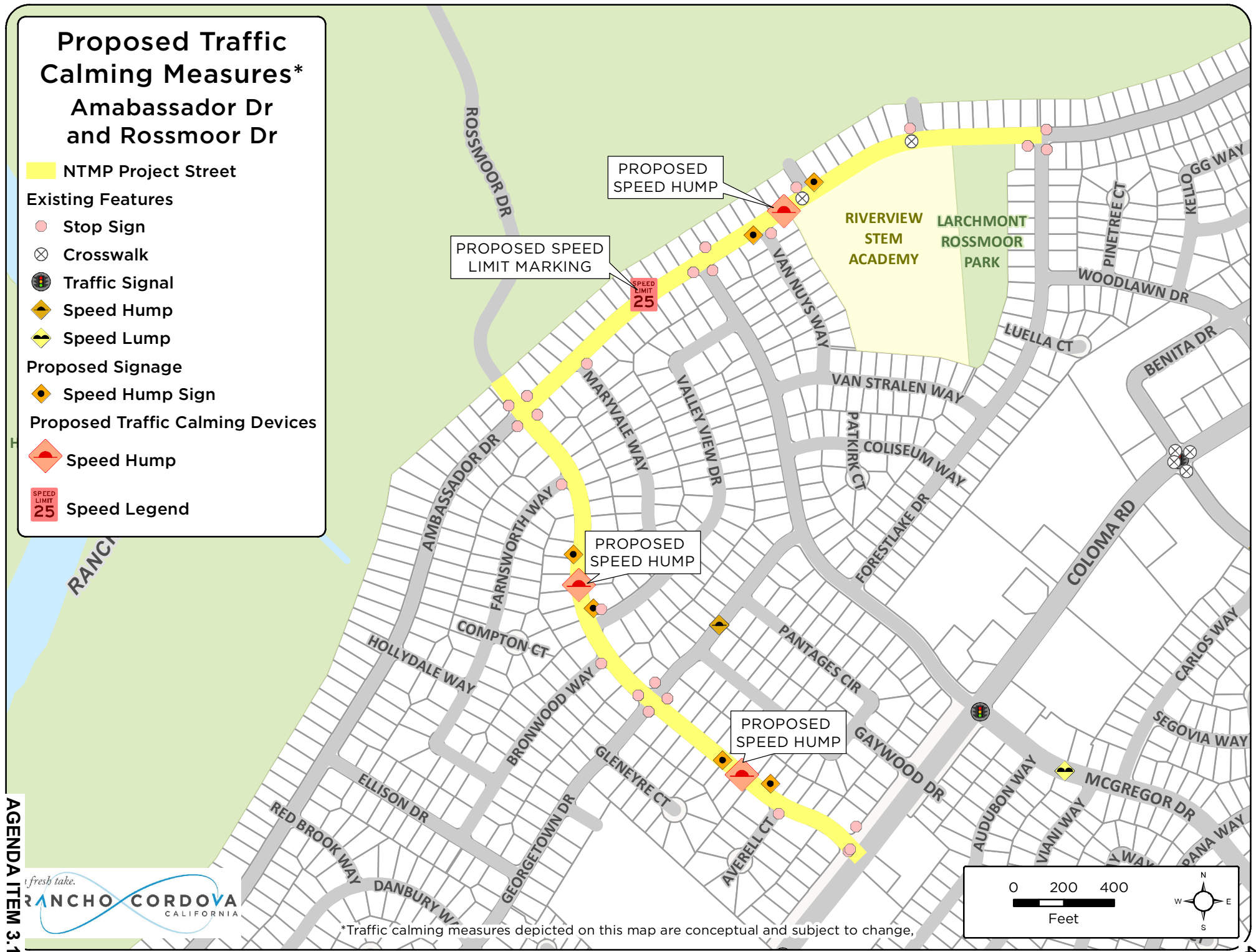
Proposed Signage

-  Speed Hump Sign

Proposed Traffic Calming Devices

-  Speed Hump

 Speed Legend



*Traffic calming measures depicted on this map are conceptual and subject to change.

Proposed Traffic Calming Measures* Aramon Dr

NTMP Project Street

Existing Features

-  Stop Sign
-  Crosswalk
-  Traffic Signal
-  Speed Lump

Proposed Signage

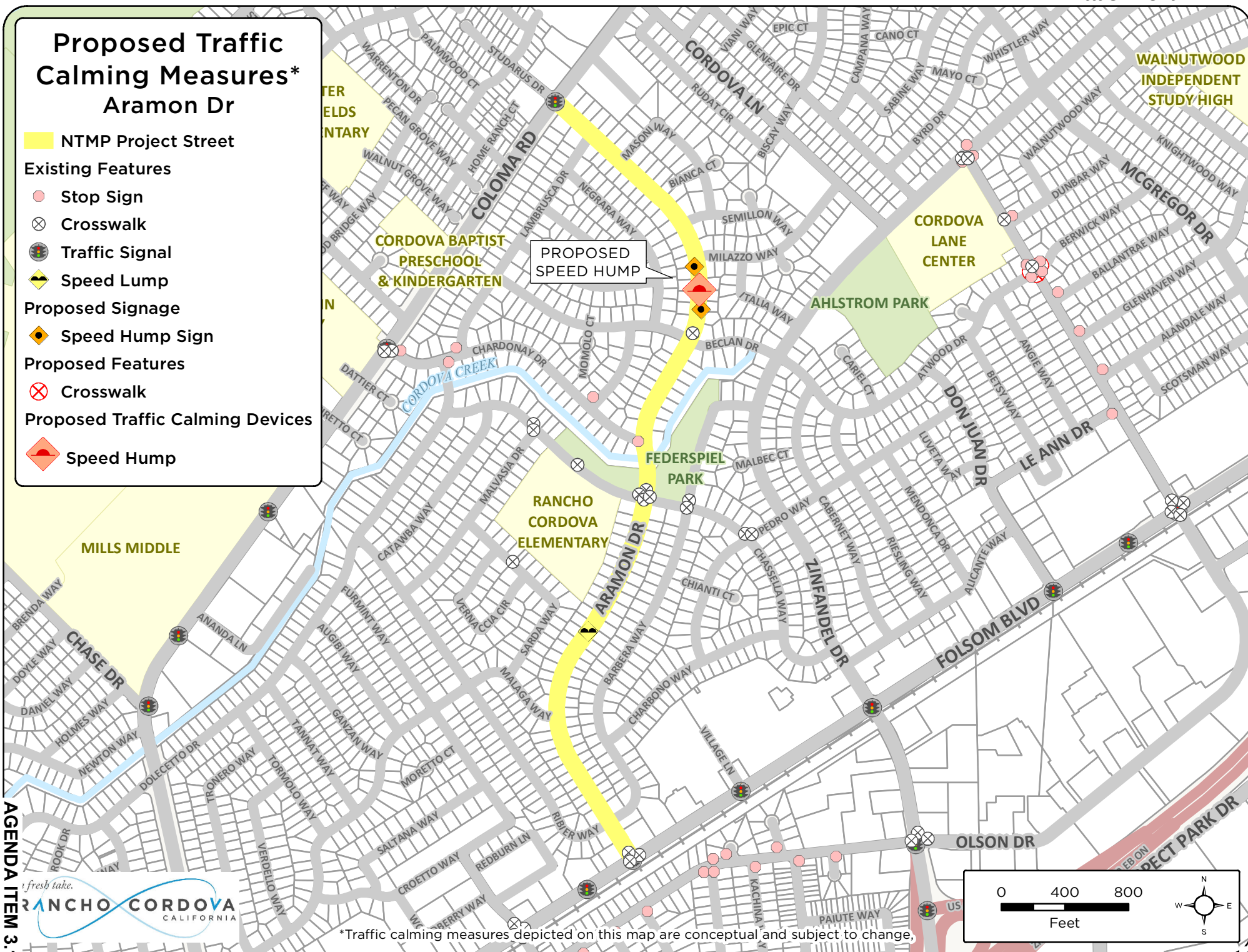
-  Speed Hump Sign

Proposed Features

-  Crosswalk

Proposed Traffic Calming Devices

-  Speed Hump



Proposed Traffic Calming Measures*

Mills Park Dr and Olson Dr

NTMP Project Street

Existing Features

-  Stop Sign
-  Crosswalk
-  Traffic Signal

Proposed Signage

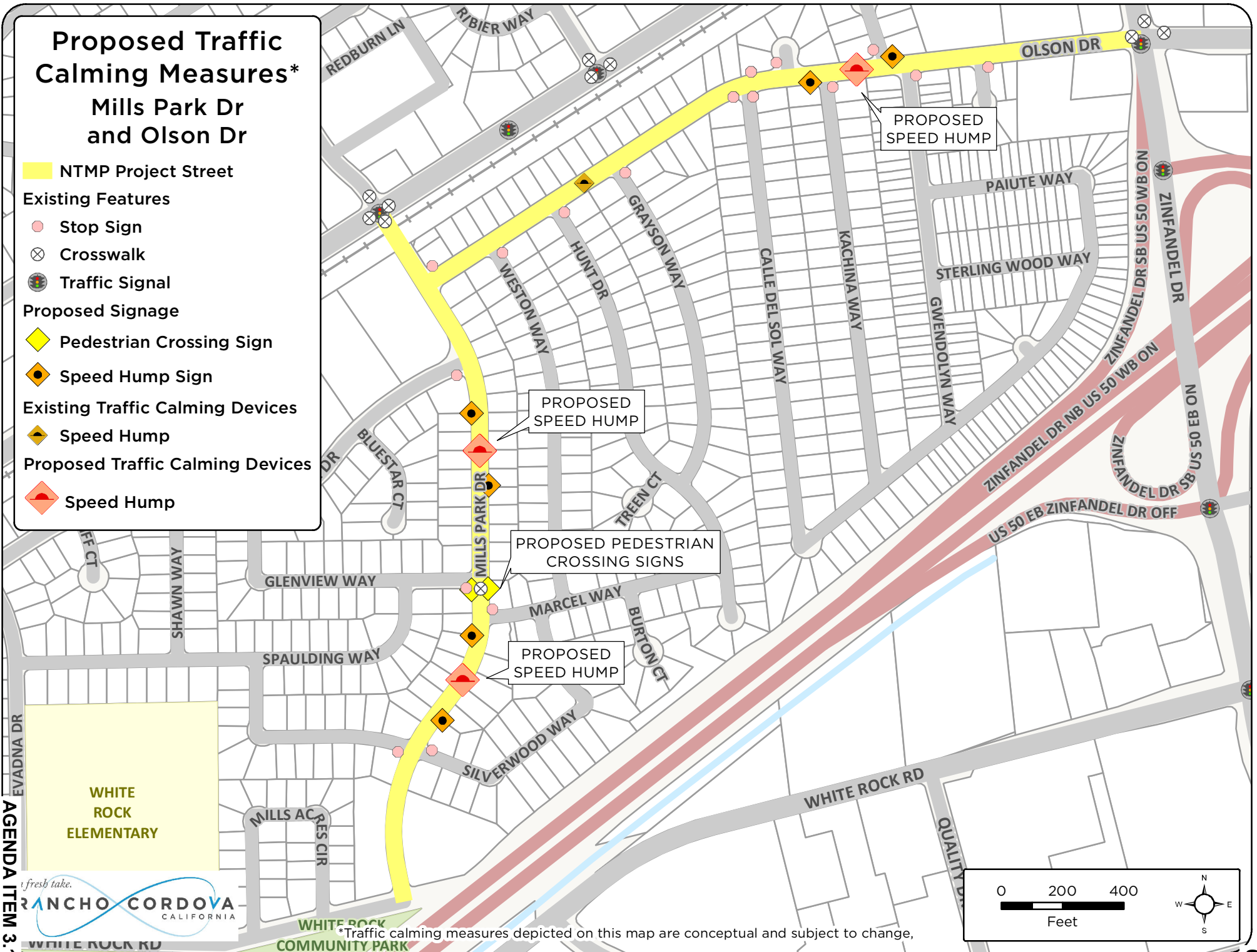
-  Pedestrian Crossing Sign
-  Speed Hump Sign

Existing Traffic Calming Devices

-  Speed Hump

Proposed Traffic Calming Devices

-  Speed Hump



*Traffic calming measures depicted on this map are conceptual and subject to change,

Proposed Traffic Calming Measures* Las Casas Way

NTMP Project Street

Existing Features

Existing Stop Sign

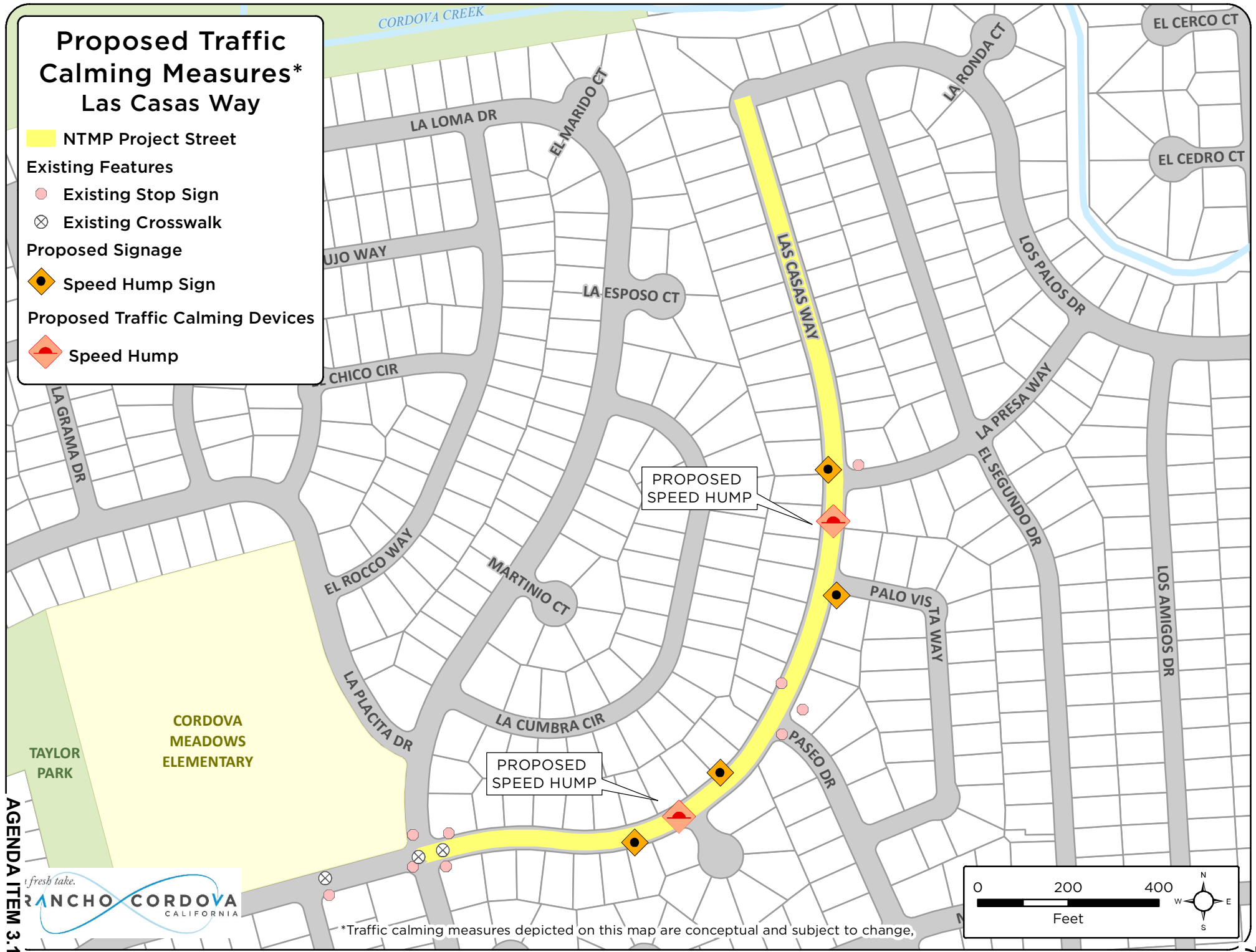
Existing Crosswalk

Proposed Signage

Speed Hump Sign

Proposed Traffic Calming Devices

Speed Hump



Proposed Traffic Calming Measures* Klamath River Dr

 NTMP Project Street

Existing Features

 Stop Sign

 Crosswalk

 Traffic Signal

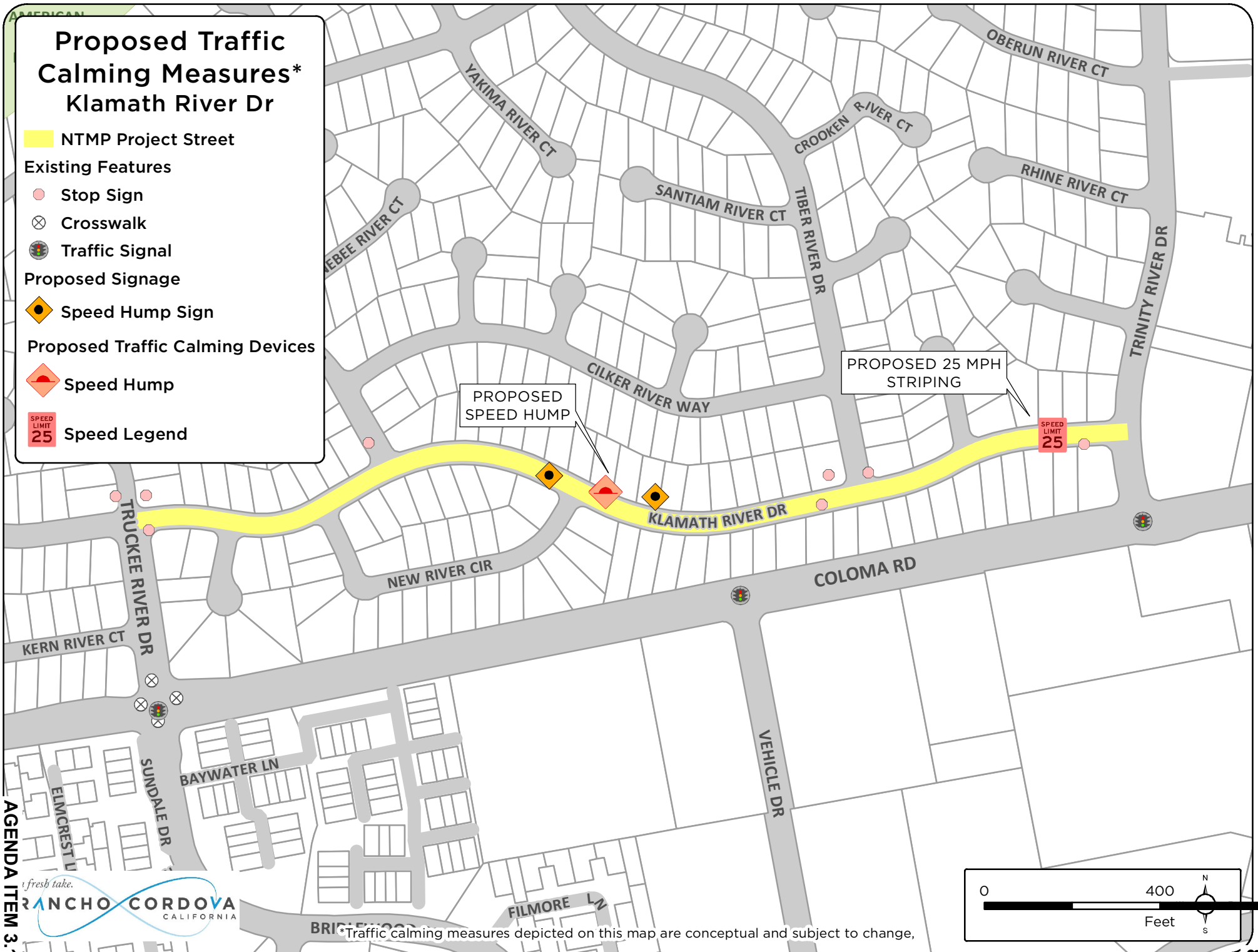
Proposed Signage

 Speed Hump Sign

Proposed Traffic Calming Devices

 Speed Hump

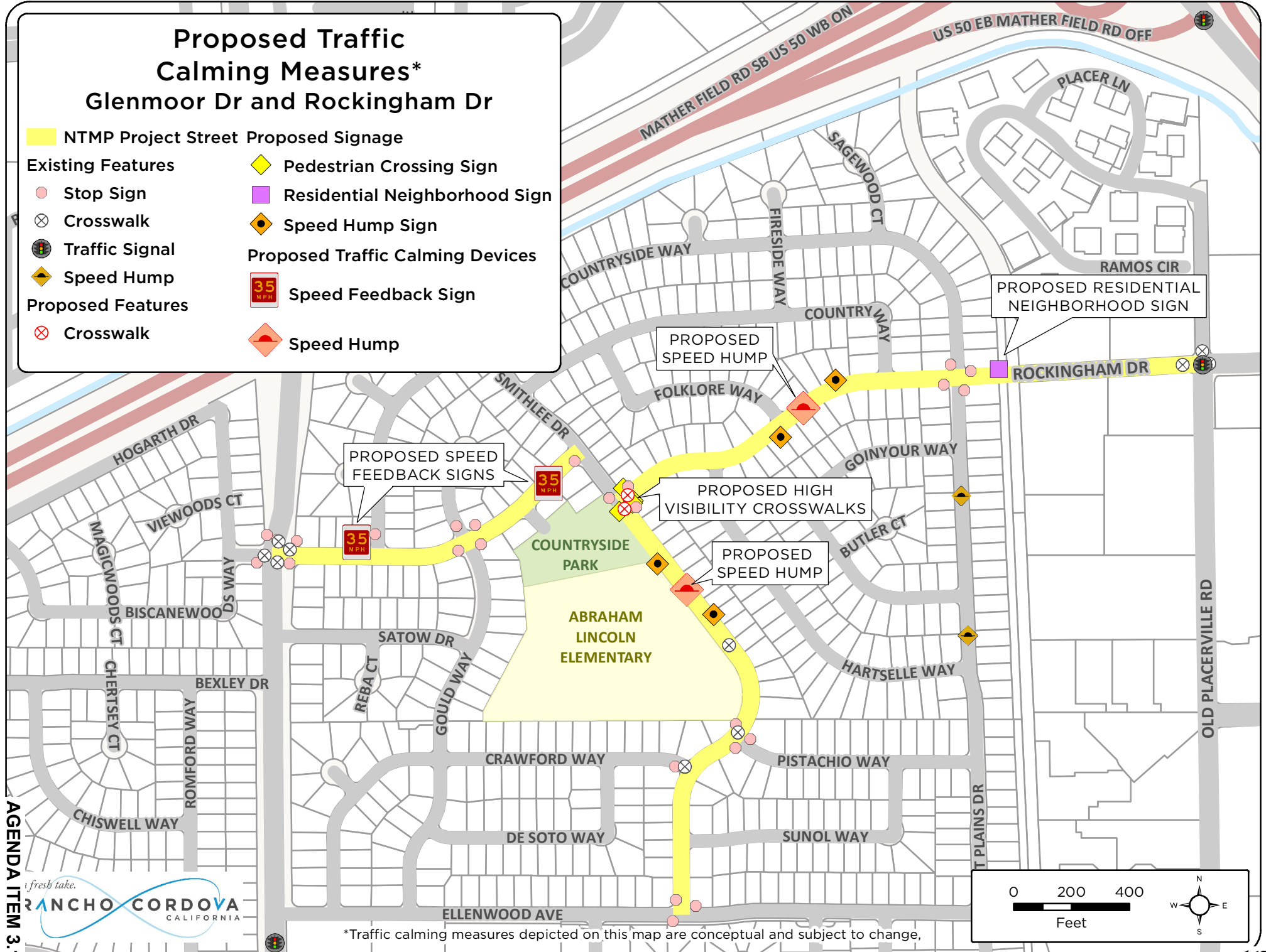
 Speed Limit 25



Traffic calming measures depicted on this map are conceptual and subject to change.

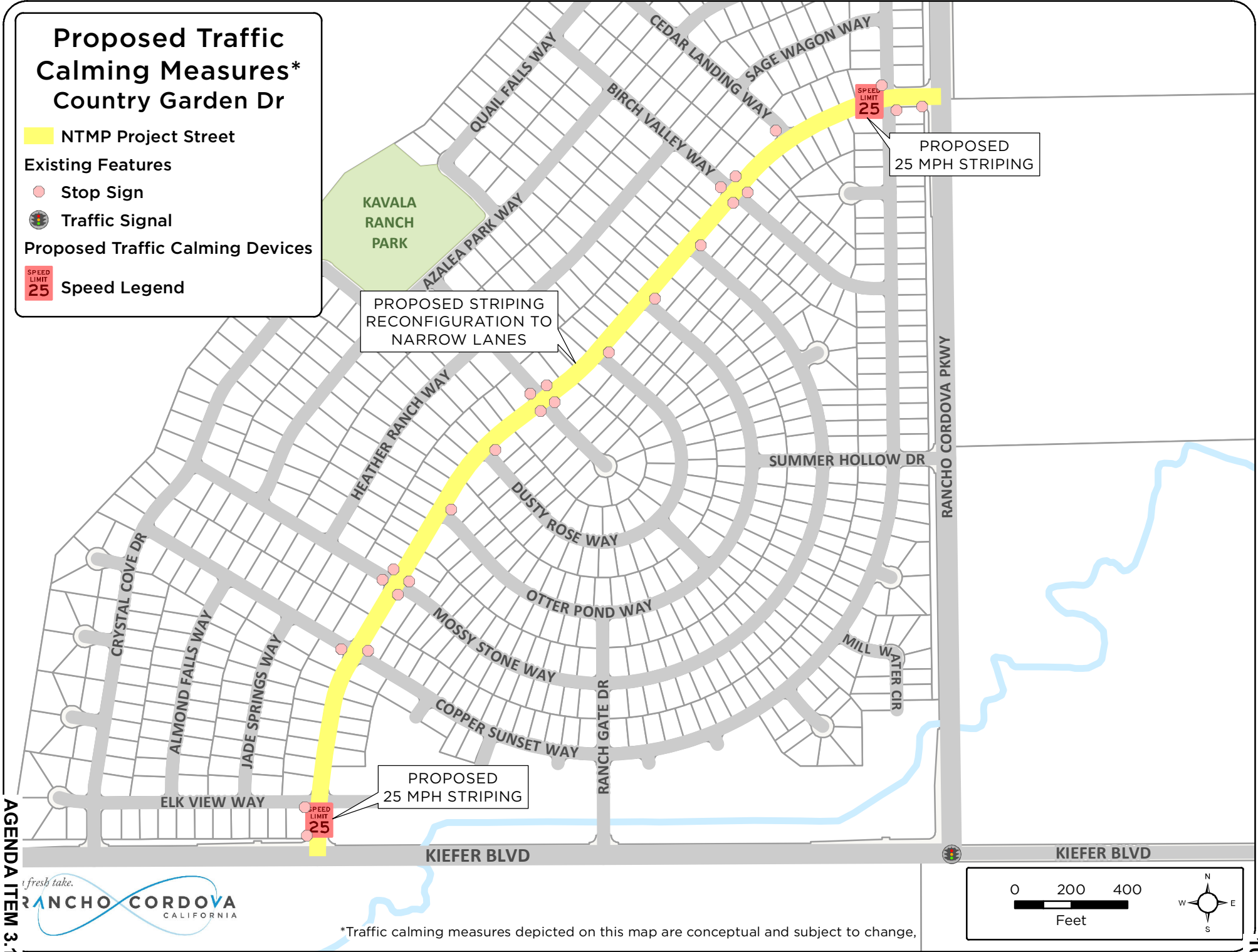
Proposed Traffic Calming Measures* Glenmoor Dr and Rockingham Dr

- | | |
|--------------------------------------|---|
| NTMP Project Street Proposed Signage | |
| Existing Features | Proposed Traffic Calming Devices |
| ● Stop Sign | ◆ Pedestrian Crossing Sign |
| ⊗ Crosswalk | ■ Residential Neighborhood Sign |
| 🚦 Traffic Signal | ◆ Speed Hump Sign |
| ◆ Speed Hump | 35 MPR Speed Feedback Sign |
| Proposed Features | ◆ Speed Hump |
| ⊗ Crosswalk | |



Proposed Traffic Calming Measures* Country Garden Dr

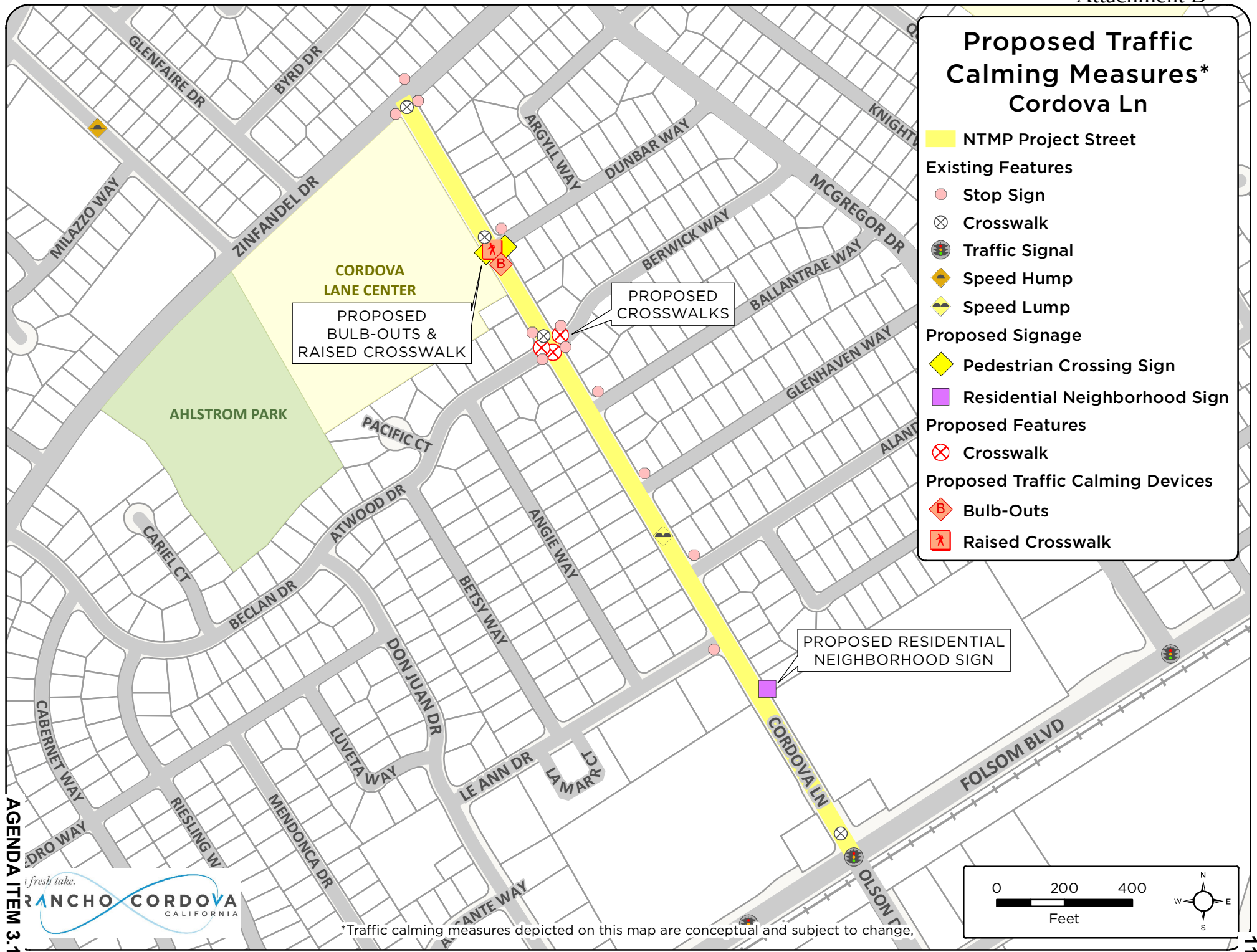
- NTMP Project Street
- Existing Features
 - Stop Sign
 - Traffic Signal
- Proposed Traffic Calming Devices
 - SPEED LIMIT 25 Speed Legend

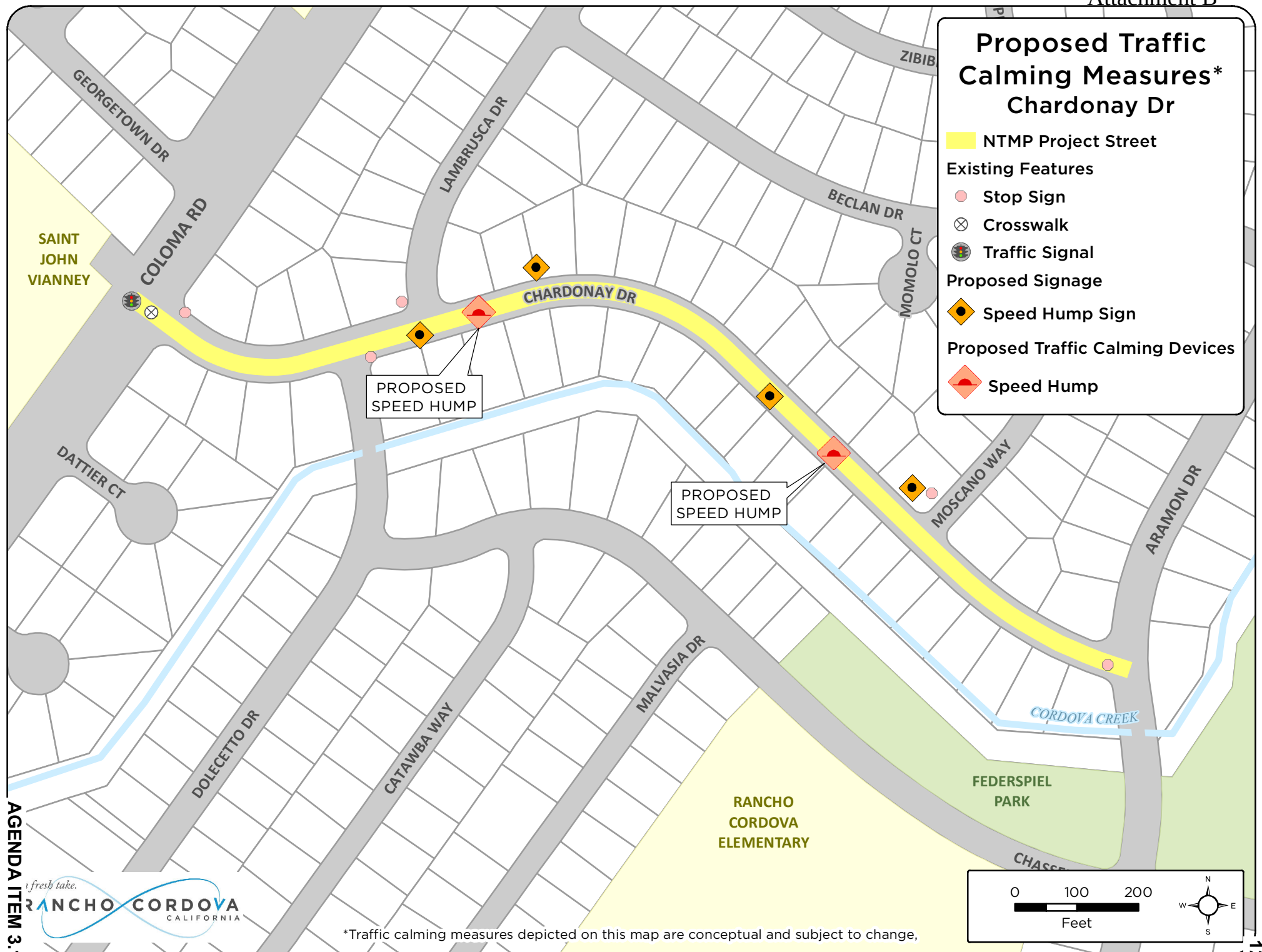


*Traffic calming measures depicted on this map are conceptual and subject to change,

AGENDA ITEM 3.1







*Traffic calming measures depicted on this map are conceptual and subject to change,

Proposed Traffic Calming Measures*

Borderlands Dr and Timberlands Dr

 NTMP Project Street

Existing Features

 Stop Sign

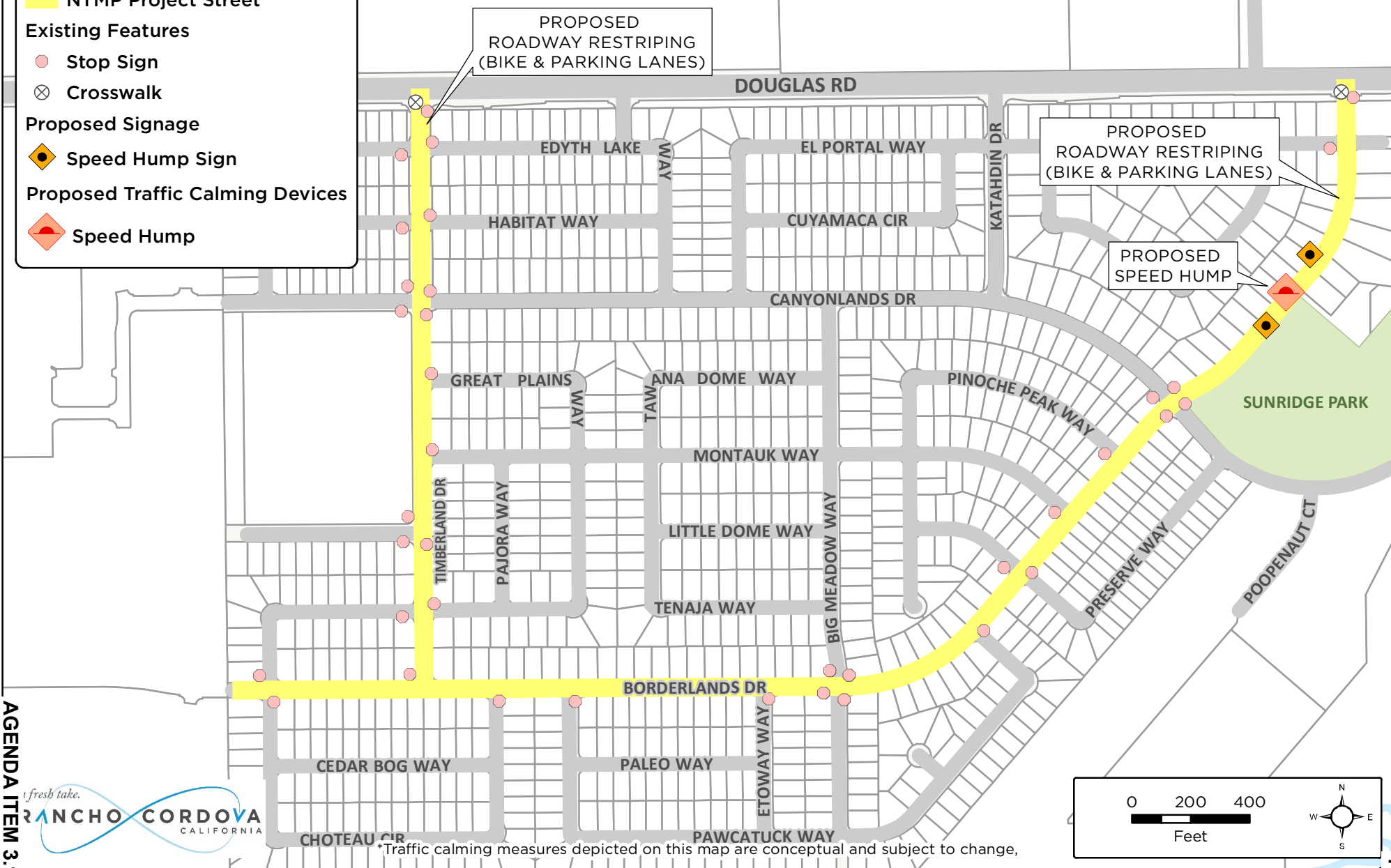
 Crosswalk

Proposed Signage

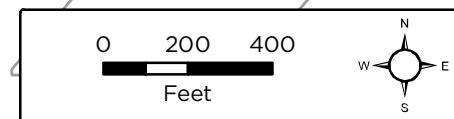
 Speed Hump Sign

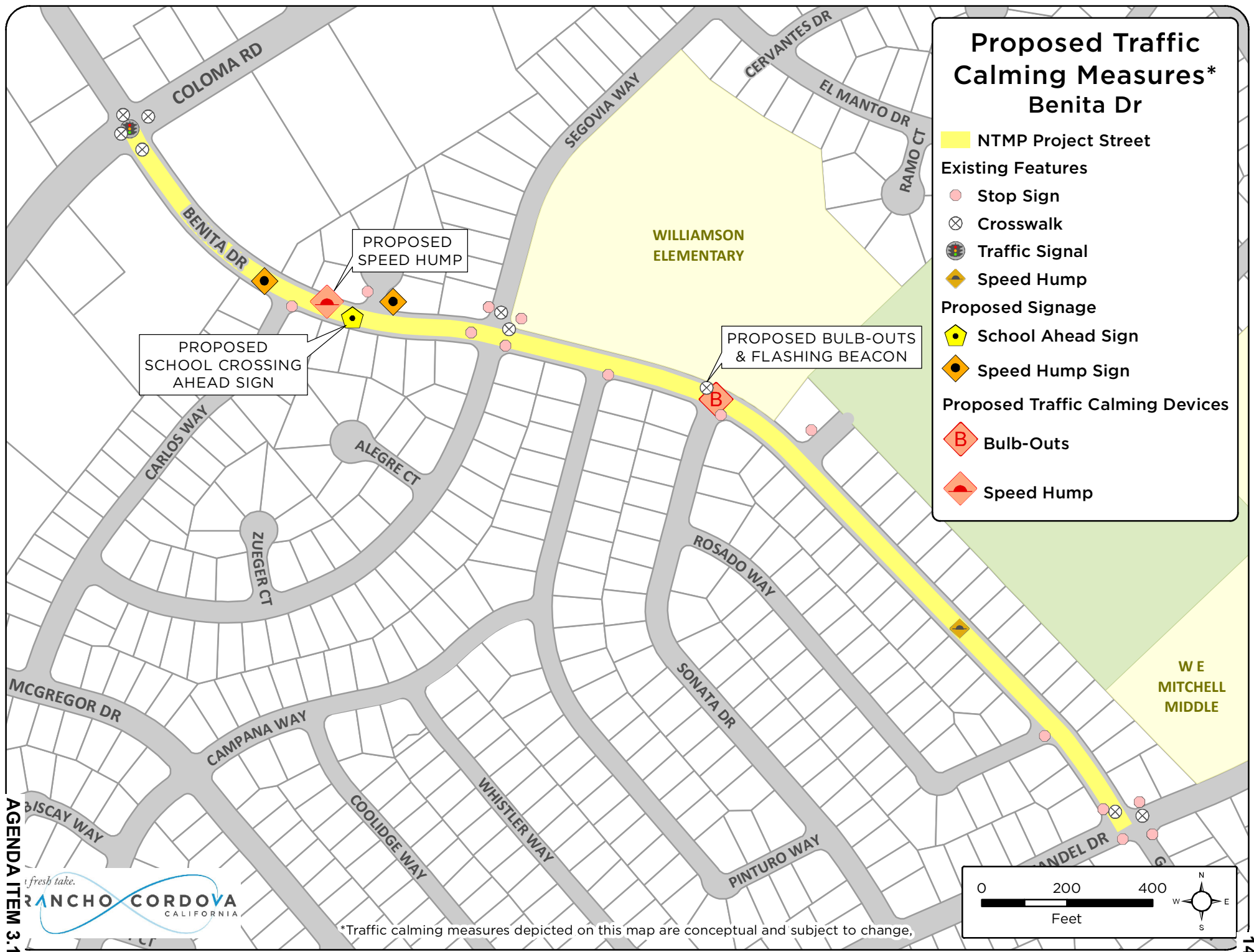
Proposed Traffic Calming Devices

 Speed Hump

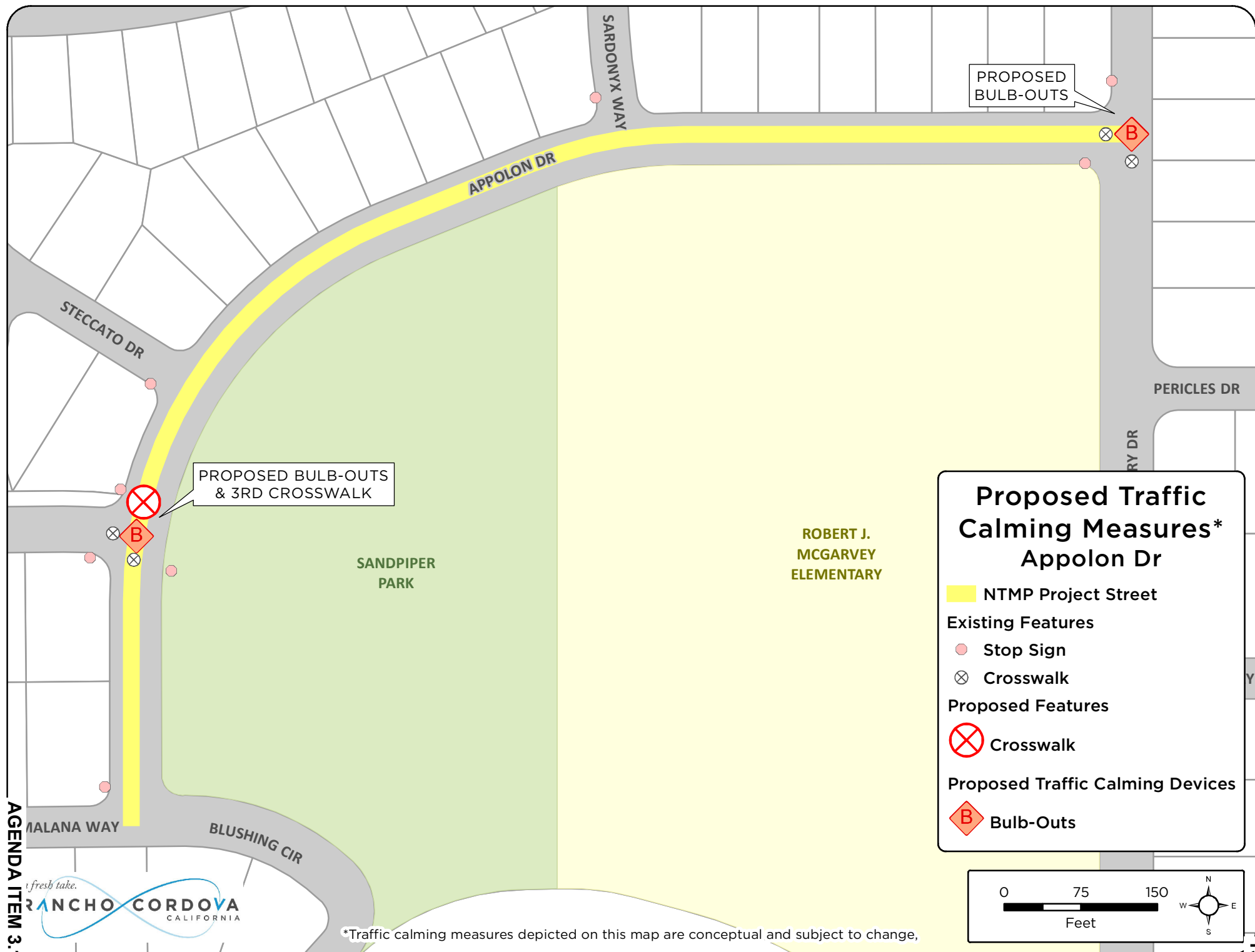


*Traffic calming measures depicted on this map are conceptual and subject to change.





*Traffic calming measures depicted on this map are conceptual and subject to change.



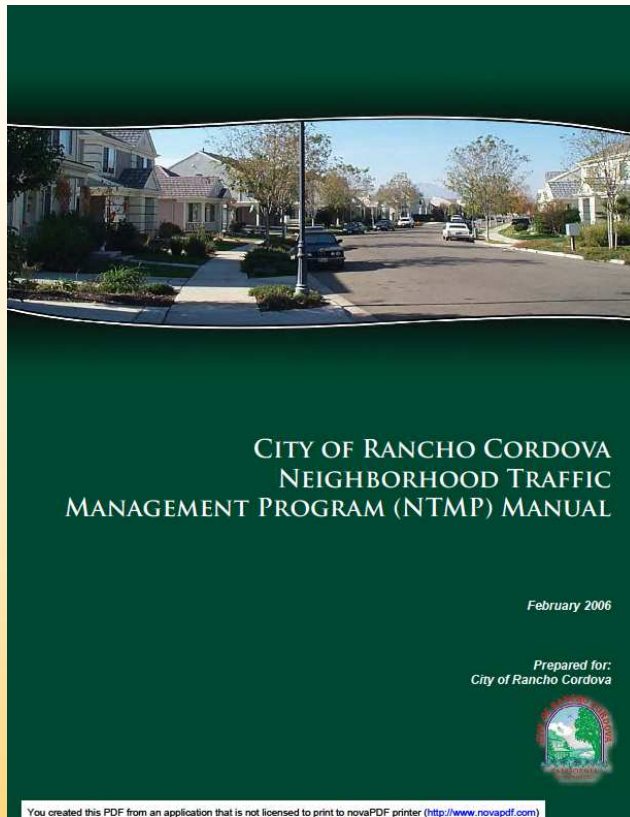
Neighborhood Traffic Management Project



Purpose

- Review NTMP process
 - How we got here. Who is involved.
- Review and Discuss Project
- Obtain Council Input

Neighborhood Traffic Management Program (NTMP) Background



- Provide a means for residents to request traffic calming.
- Establish a committee (NTSC) to review and prioritize requests.
 - NTSC comprised of Fire Dept, Police Dept, residents and City Staff.
- Sets threshold for ballots to insure the community has consensus prior to installation.
 - 25% min response rate, 67% approval rate.

Type of Treatments



High Visibility Crosswalk



Solar Powered
School Crossing Sign



Enhanced Striping



Bulbout



Speed Hump



Speed Feedback Sign

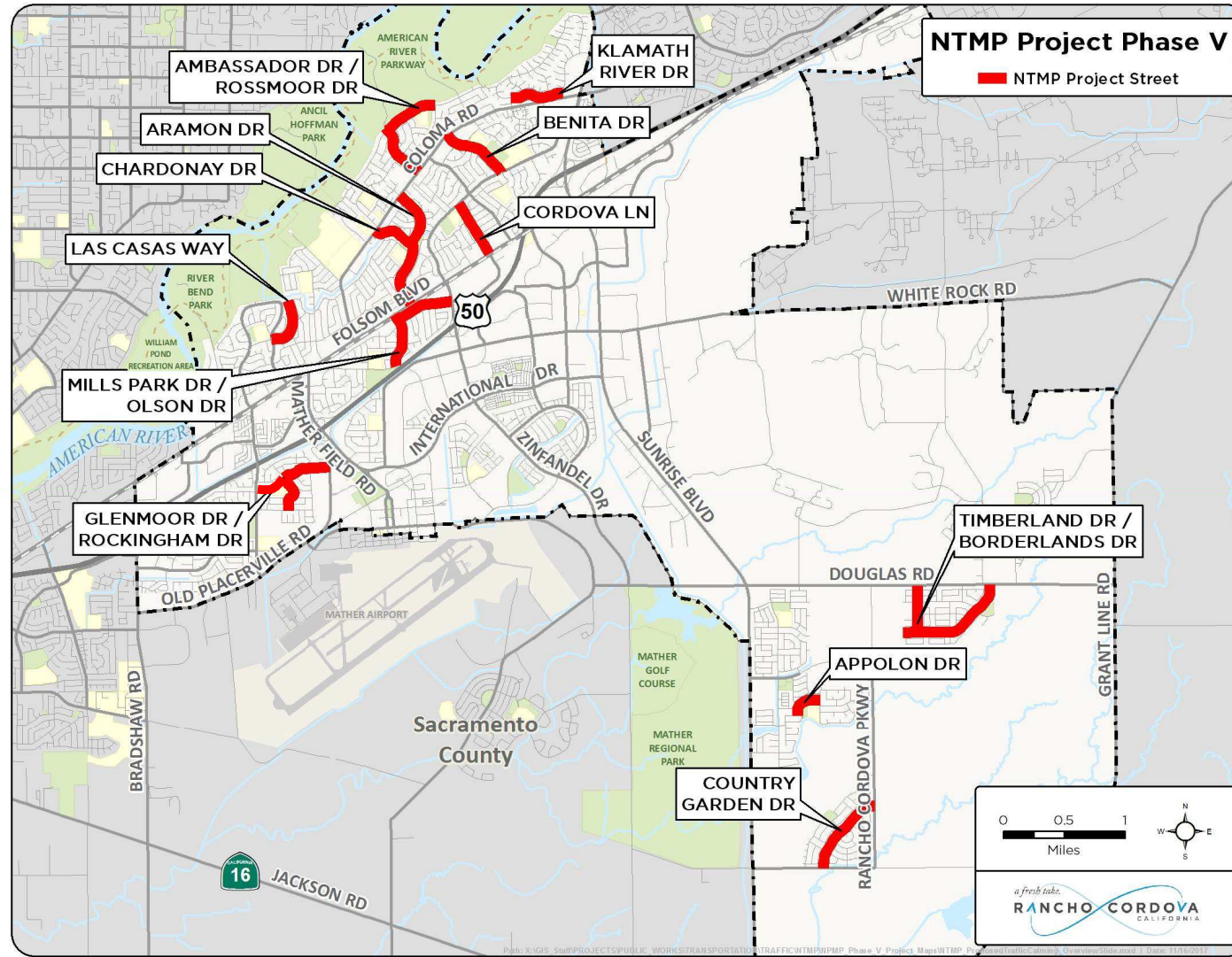
Pedestrian/Bicyclist/Traffic Calming/Safety Improvements

What Does This Mean to the Community?



- Slower vehicles
 - Better Pedestrian Connections
 - Safer neighborhoods
- ∇ Safe, Inviting, and Livable Communities.

City Wide Map



2017/18 NTMP Project Approved Streets

Cordova Lane	Mills Park Drive
Olson Drive	Rossmoor Drive
Country Garden Drive	Timberland Drive
Rockingham Drive	Benita Drive
Ambassador Drive	Borderlands Drive
Appolon Drive	Glenmoor Drive
Chardonay Drive	Klamath River Road
Las Casas Way	Aramon Drive*

* Mailers for the workshop were not mailed out on this street

2018 NTMP PROJECT

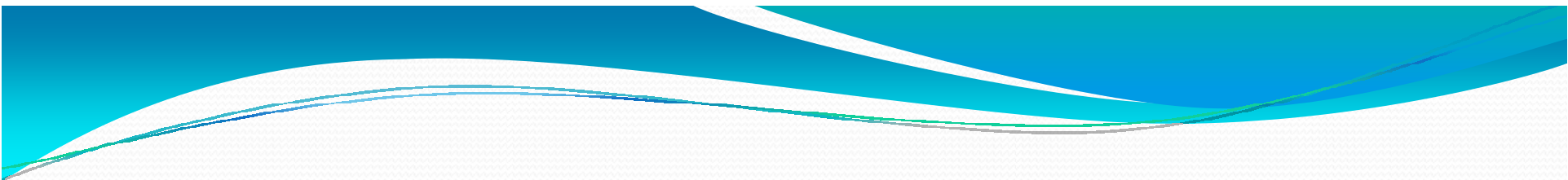
- Community Outreach
- Estimated Project Value
 - \$375,000
- Funding

Next Steps ...

- Incorporate Council Input
- Mail out ballots (1 Month to return)
- Collect Pre-Project Data
 - Speed and Volume.
- Finalize Construction Documents
- Construction expected in Spring 2018

Questions and Input



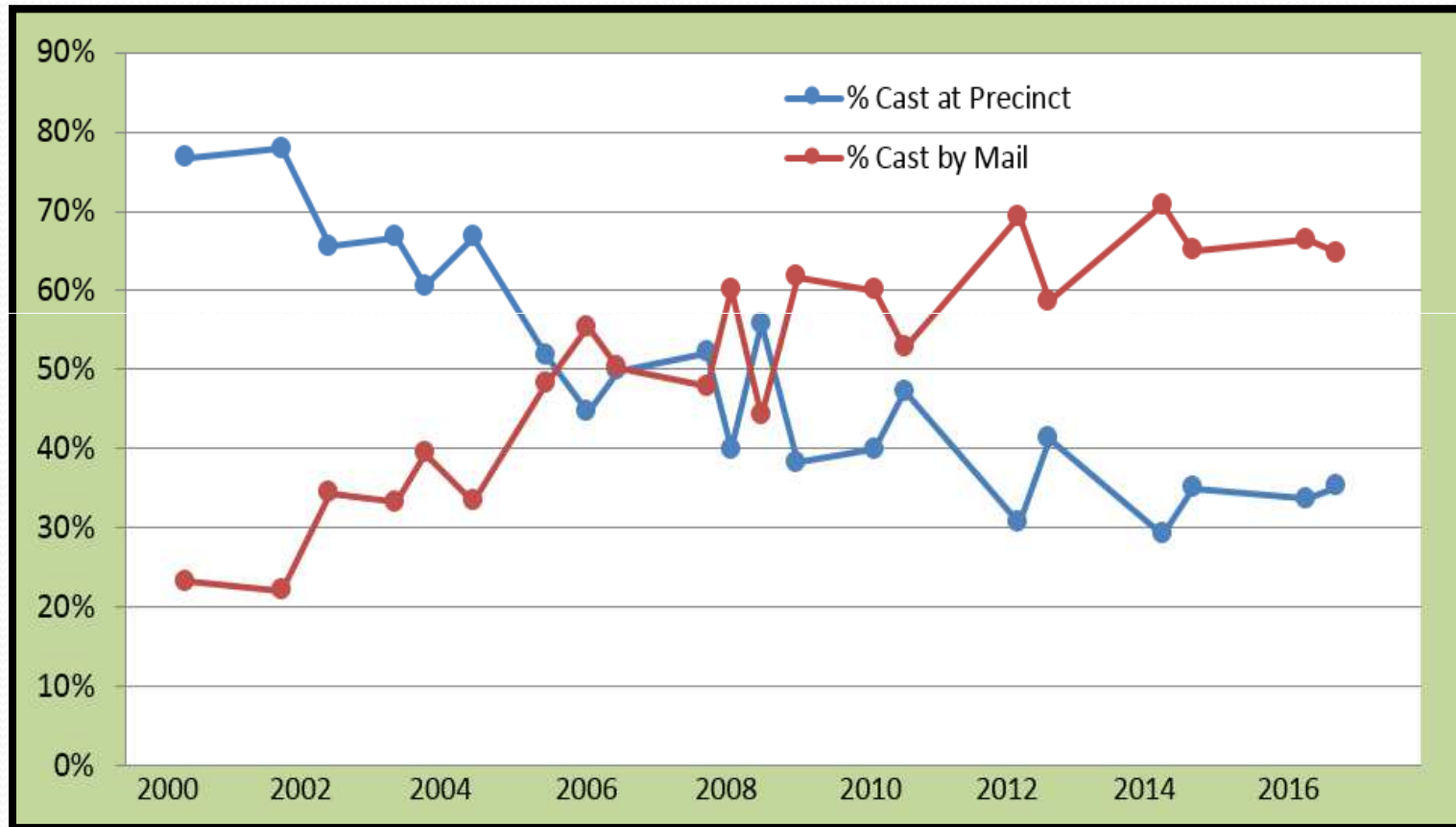


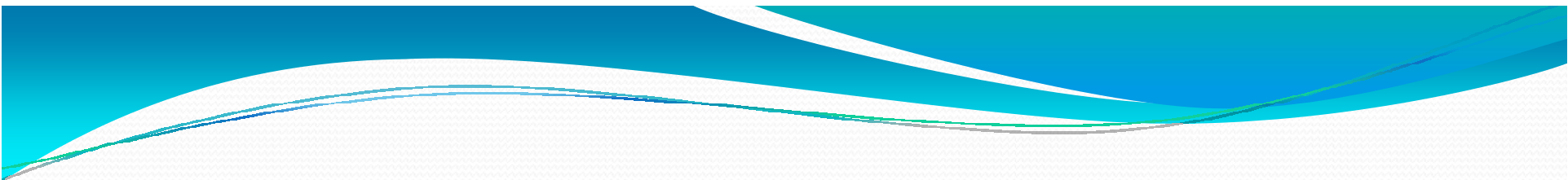
What is the Voter's Choice Act (VCA)?

Senate Bill 450 was signed by Governor Brown in 2016. This bill allowed selected counties to conduct all mail ballot elections and use full-service Vote Centers.

On June 6, 2017 the Sacramento County Board of Supervisors approved this new voting model for Sacramento County beginning with the June 2018 election.

Sacramento County VBM Trend

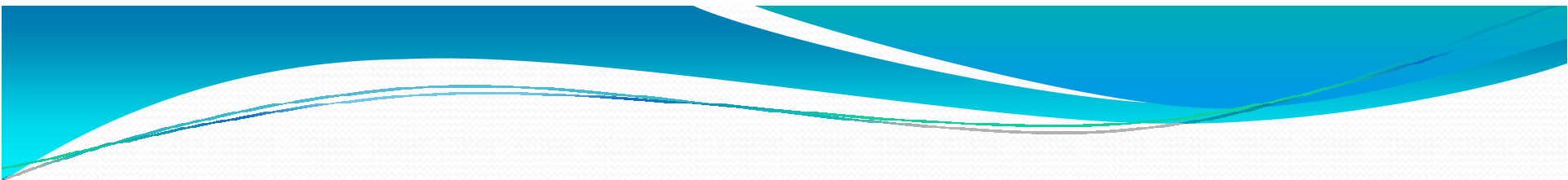




What does this mean to me?

VOTE BY MAIL

- Every registered voter in Sacramento County will receive a ballot in the mail
- It's easy to return your voted ballot
 - By mail
 - In a Drop Box
 - At a Vote Center
 - Even at the Elections Office at 7000 65th Street
- Ballots are processed beginning 10 days before Election Day
- Results are released at 8:00 p.m. Election Night



What does this mean to me?

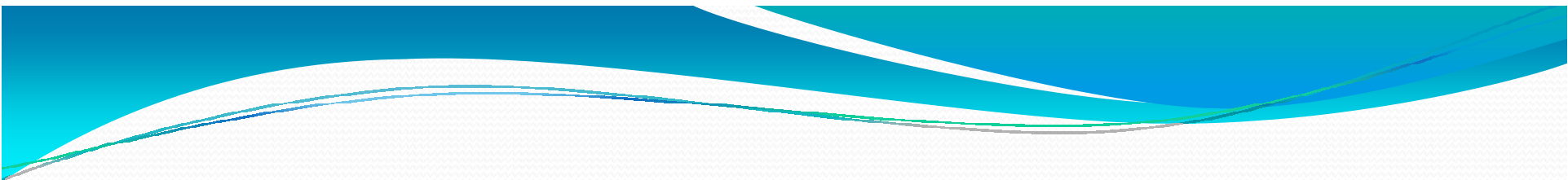
YOUR BALLOT COUNTS

Make sure your ballot counts:

- Mark your ballot clearly
- Sign your ballot envelope
- Return your ballot on or before Election Day

Check your ballot status at:

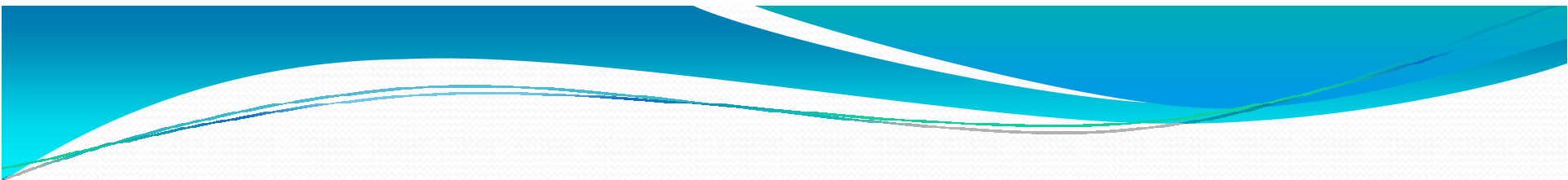
www.elections.sacounty.net



What does this mean to me?

VOTE CENTERS

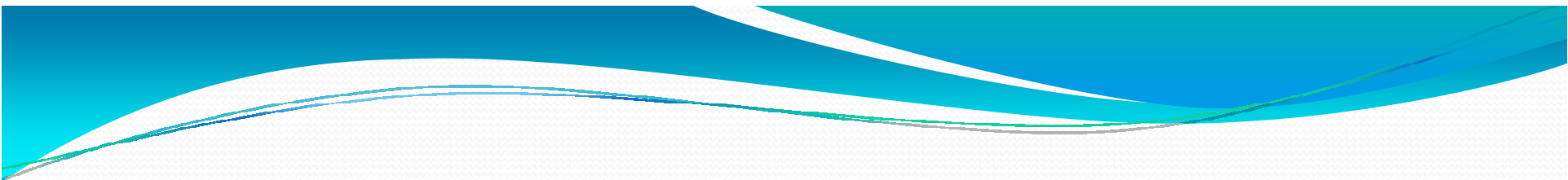
- Some locations are open 10 days before the election
- All locations are open the weekend before the election and will be open on Election Day
- Vote at any Vote Center – Your Choice



What does this mean to me?

VOTE CENTERS

- Services available at the Vote Center:
 - *Register, update address, or change your party*
 - *Vote in person or drop off your ballot*
 - *Get a replacement ballot*
 - *Get language assistance*
 - *Use the accessible ballot marking device*



What does this mean to me?

BALLOT DROP BOXES

Drop your ballot at a Ballot Drop-off location through Election Day

Drop Boxes are:

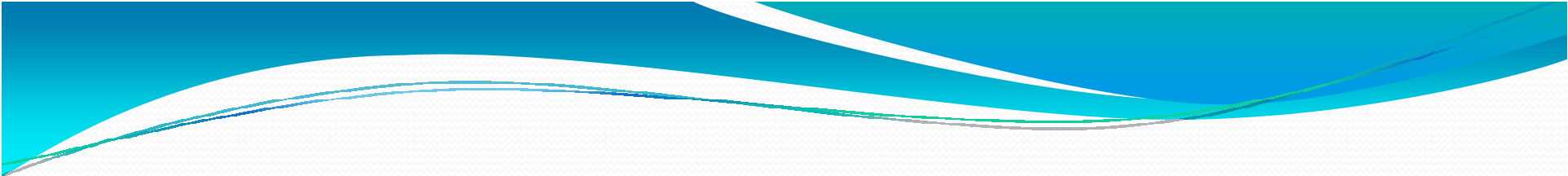
- Secure, accessible, and locked
- Conveniently located
- Open during regular business hours through Election Day

The drive-thru Ballot Drop Box at the Election Office is open 24 hours/day until 8:00 p.m. on Election Night at 7000 65th Street in Sacramento.



Why did Sacramento County adopt the Voter's Choice Act?

- More voting opportunities that fit everyone's lifestyle
- Cost savings, improved efficiency and use of resources
- 64% of our voters are already Permanent Vote by Mail voters



Polling Place Model vs. Vote Center Model

Polling Place	Vote Center
1 - Location to vote in person	78 - Locations to vote in person
1 - Accessible Voting Machine	3 - Accessible Voting Machines
13 - Available hours for voting in person at a polling place	93 - Available hours for voting in person at a Vote Center
5 - Poll Workers	8 - Vote Center Workers, extensive training
16 - Ballot Drop-off locations open	52 - Ballot Drop-off locations open



Sacramento County's Vote Center Location Requirements by law

- Vote Centers open for 11 days: **16**
- Vote Centers open for 4 days: **78**
(16 Original + 62 additional Vote Centers)
- Ballot drop-off sites open for 28 days: **52**

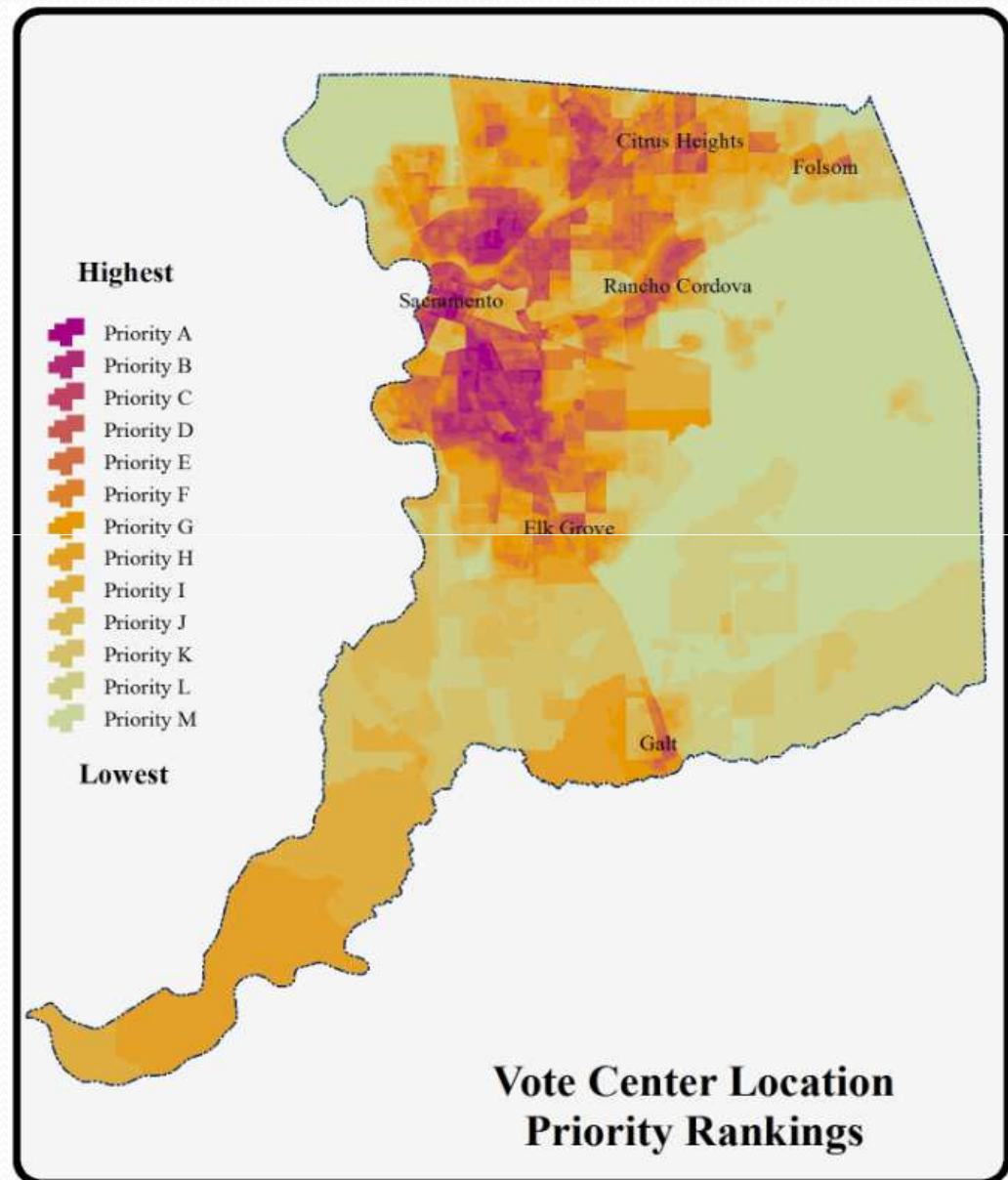
Potential VC locations are based on

Proximity to:

- Public transportation
- Communities with low Vote by Mail usage
- Population centers
- Language minority communities
- Voters with disabilities
- Low rates of vehicle ownership
- Low income communities
- Non-registered eligible voters
- Isolated communities

And

- Access to accessible and free parking
- Distance and time a voter must travel
- The needs of voters with disabilities
- The need for mobile vote centers



YOU CAN NOW VOTE:

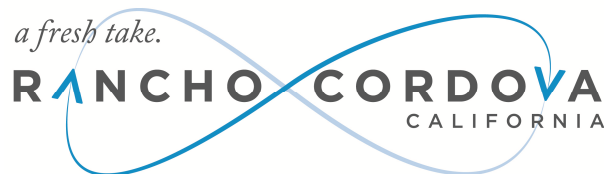
- How you want
- When you want
- Where you want



Questions

For more information, visit our website at:
www.elections.sacounty.net





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

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

Monday, November 20, 2017

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

DRAFT MINUTES

1. REGULAR MEETING - CALL TO ORDER / ROLL CALL

Mayor Terry called the regular meeting to order in the David B. Roberts Council Chambers at 5:38 PM.

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

Council Members Absent: None

Staff Members Present: Pittman, Kniestedt, Juran-Karageorgiou, Abhar, Haven, Stricker, Sparkman, Leitner, Harriman, Carr, Goulart, Van Buskirk, Schelldorf

2. METRO CABLE TV TELEVISION ANNOUNCEMENT

The City Clerk read the meetings and playback schedules.

3. PLEDGE OF ALLEGIANCE

Joshua Wood led the pledge.

4. INVOCATION

Michael Hughes from United Methodist Church gave the invocation.

5. PRESENTATIONS

- 5.1 New City Employee, Rod Van Buskirk, Business Systems Analyst, was introduced by Kim Juran-Karageorgiou, Administrative Services Director.

- 5.2 New Contract Employee, Darcy Goulart, Planning Manager, was introduced by Elizabeth Sparkman, Interim Community Development Director.
- 5.3 Mayor Terry presented a Proclamation declaring November 25, 2017 as Small Business Saturday to Diann Rogers, President & CEO, Rancho Cordova Chamber of Commerce.
- 5.4 Council Member David Sanders' Birthday on November 25 was recognized.

6. PUBLIC COMMENT

Mayor Terry opened the public comment period. The following individual addressed the Council:

- Carol Limbaga

Mayor Terry closed the public comment period.

7. COUNCIL REPORTS

Council reported on events since the last meeting.

8. CITY MANAGER'S REPORT

City Manager Cyrus Abhar gave his report.

9. CONSENT CALENDAR ITEMS - ROLL CALL VOTE

ACTION: Motion to approve items 9.1 and 9.3 through 9.5 by Budge second by McGarvey;
Carried by a 5:0 roll call vote.

- 9.1 **Subject:** Meeting Minutes of November 6, 2017 Special and Regular Meeting.
Recommendation: Adopt Minutes.

- 9.2 **Subject:** Quarterly Treasurer's Report.
Recommendation: This report is informational only. It is recommended that the City Council receive and file the September 30, 2017 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, 2017, and is in compliance with the State's reporting requirements.
Staff Report: Kim Juran-Karageorgiou, Administrative Services Director.
Advances Goals: 4.

ACTION: Motion to approve by Budge second by Sander;
Carried by a 5:0 roll call vote.

- 9.3 **Subject:** A Resolution authorizing the City Manager to execute Contract No. 161-2017, in the amount of \$2,658,131.80 with Pacific Infrastructure Construction, LLC. to construct the Mather Rails to Trails Project.
Recommendation: Adopt Resolution No. 139-2017.
Result of Recommended Action: Adoption of this Resolution will authorize the City Manager to execute Contract No. 161-2017, in the amount of \$2,658,131.80 with Pacific Infrastructure Construction, LLC to construct the Mather Rails to Trails Project.
Staff Report: Albert Stricker, Public Works Director.
Advances Goals: 1, 2, and 5.
- 9.4 **Subject:** A Resolution authorizing the City Manager to execute Contract No. 143-2017, in the amount of \$441,126 with Central Valley Engineering & Asphalt, Inc. to construct the Stone Creek Trail Pedestrian Signals Project.
Recommendation: Adopt Resolution No. 133-2017.
Result of Recommended Action: Adoption of this Resolution will authorize the City Manager to execute Contract No. 143-2017 in the amount of \$441,126 with Central Valley Engineering & Asphalt, Inc. to construct the Stone Creek Trail Pedestrian Signals Project.
Staff Report: Albert Stricker, Public Works Director and Chris Boyer, Associate Civil Engineer.
Advances Goals: 1, 2, and 5.
- 9.5 **Subject:** Resolution No. 137-2017 Approving the 2018 City Council Meeting Schedule.
Recommendation: Adopt Resolution No. 137-2017.
Result of Recommended Action: Establish the 2018 Rancho Cordova City Council meeting schedule.
Staff Report: Stacy Leitner, City Clerk.
Advances Goals: 1, 3, and 5.

10. CONSENT PUBLIC HEARING ITEMS - ROLL CALL VOTE

NONE.

11. PUBLIC HEARING ITEMS

NONE.

12. REGULAR CALENDAR ITEMS

- 12.1 **Subject:** Resolution No. 132-2017 authorizing the City Manager to grant non-exclusive franchises and execute agreements with multiple waste hauling companies for the collection of solid waste, recyclables and organic materials from businesses and multi-family properties.
Recommendation: Adopt Resolution No. 132-2017.
Result of Recommended Action: Resolution No. 132-2017 authorizes the City Manager to grant non-exclusive franchises and execute agreements with multiple waste hauling companies for the collection of solid waste, recyclables and organic materials from businesses and multi-family properties for the term beginning January 1, 2018.
Staff Report: Steve Harriman, Operations and Maintenance Division Manager.
Advances Goals: 1, 2, and 5.

ACTION: Motion to approve item 12.1, with the addition of language requiring haulers that the City contracts with to cooperate in securing facilities, by Budge second by Sander;
Carried by a 5:0 roll call vote.

12.2 **Subject:** Responsible Investments for a Stronger Economy (RISE) proposal.
Recommendation: Discuss and provide direction to staff on Responsible Investments for a Stronger Economy (RISE) proposal.
Result of Recommended Action: The direction provided will determine next steps in response to the Responsible Investments for a Stronger Economy (RISE) proposal.
Staff Report: Kim Juran-Karageorgiou, Administrative Services Director.
Advances Goals: 3 and 5.

ACTION: Motion to approve item 12.3 and direction given to staff to negotiate certain aspects of the program, develop internal criteria, and appoint Gatewood and Sander to a subcommittee to work with staff on this proposal by Budge second by Gatewood;
Carried by a 5:0 roll call vote.

12.3 **Subject:** Employee Home Loan Program.
Recommendation: Discuss timing and parameters for the possible establishment of an employee home loan program for the purchase of a primary residence in the City of Rancho Cordova.
Result of Recommended Action: The direction provided will determine whether the City will move forward with an employee home loan program.
Staff Report: Kim Juran-Karageorgiou, Administrative Services Director.
Advances Goals: 3 and 5.

The following individual addressed the Council regarding this item

- Derald Langwell

ACTION: Unanimous Council direction was given to staff to bring the Employee Home Loan Program back to Council for further discussion.

13. COUNCIL REQUESTS FOR FUTURE AGENDA ITEMS

Council had no requests for future agenda items.

14. ADJOURNMENT

Mayor Terry adjourned the meeting at 8:28 PM.

Stacy Leitner, City Clerk

MEMORANDUM

DATE: December 4, 2017

TO: Honorable Mayor and Council Members

FROM: Albert Stricker, Public Works Director and Chris Boyer, Associate Engineer

SUBJECT: **RESOLUTION 141-2017 AUTHORIZING THE CITY MANAGER TO EXECUTE CONTRACT AMENDMENT 29-2013-5 FOR ON-CALL PROFESSIONAL SERVICES WITH MARK THOMAS & COMPANY INC. TO INCREASE THE CONTRACT AMOUNT FROM \$650,000 TO \$711,049 AND EXTEND THE TERM TO DECEMBER 31, 2018.**



RECOMMENDATION

Adopt Resolution 141-2017.

RESULT OF RECOMMENDED ACTION

Adoption of Resolution 141-2017 will authorize the City Manager to execute contract amendment 29-2013-5 for on-call professional services with Mark Thomas & Company Inc., which will increase the contract amount from \$650,000 to \$711,049, and extend the term to December 31, 2018, to accommodate the engineering design services during construction for the Folsom Boulevard Streetscape Enhancement Project Phase IV.

BACKGROUND

Folsom Boulevard is a major arterial running east-west through the City of Rancho Cordova that was underutilized for many years prior to City incorporation. The City has successfully implemented three phases of improvements that enhance safety, attract pedestrians and bicyclists, connect neighborhoods, aesthetically improve the area, and are a catalyst for the City's growth.

The Folsom Boulevard Streetscape Enhancement Project - Phase IV improvements will extend generally from Rod Beaudry Drive to Horn Road and from Kilgore Road to Sunrise Boulevard. Improvements include a new multi-use bicycle and pedestrian path on the north side and south side of Folsom Boulevard, on-street bicycle lanes, a landscaped median, street frontage and lighting. This project will make important connections between the center of the City and key destinations, including the library and future Horn Road light rail station.

The City previously entered into an on-call consultant services agreement with Mark Thomas & Company, Inc. to provide professional engineering services for design of the Folsom Boulevard Streetscape Enhancement Project - Phase IV. This Fifth Amendment will provide compensation to allow Mark Thomas & Company, Inc. to assist the City during construction activities including bidding support, submittal approvals, and as-built drawings.

FISCAL IMPACT

The total project cost is approximately \$8,500,000. Funding for this project consists of \$4,000,000 from the SACOG Community Design Program and \$4,668,629 new Measure A. The additional \$61,049 for Mark Thomas & Company's engineering design services on this project will be covered out of Measure A funds.

This project is included in the City's current approved Capital Improvement Plan (CIP) and is included in the Fiscal 2016/2017 budget.

ATTACHMENTS

1. Resolution 141-2017
2. Exhibit 1, Contract 29-2013-5
3. Scope of Work and Fees

2819167.1

CITY OF RANCHO CORDOVA

RESOLUTION NO. 141-2017

RESOLUTION 141-2017 AUTHORIZING THE CITY MANAGER TO EXECUTE CONTRACT AMENDMENT 29-2013-5 FOR ON-CALL PROFESSIONAL SERVICES WITH MARK THOMAS & COMPANY INC. TO INCREASE THE CONTRACT AMOUNT FROM \$650,000 TO \$711,049 AND EXTEND THE TERM TO DECEMBER 31, 2018

WHEREAS, the Parties entered into Professional Services Agreement (“PSA”) 29-2013 dated April 30, 2013 for the purpose of providing on-call civil engineering and surveying services in the amount of \$100,000; and

WHEREAS, contract amendments 29-2013-1; 29-2013-2; 29-2013-3; 29-2013-4, were previously approved increasing the contract to the current value of \$650,000; and

WHEREAS, contract amendment 29-2013-5 increases the contract amount from \$650,000 to \$711,049; and

WHEREAS, contract amendment 29-2013-5 extends the contract expiration date from June 30, 2018 to December 31, 2018; and

WHEREAS, this agreement will provide compensation to allow Mark Thomas & Company, Inc. to assist the City during construction activities including bidding support, submittal approvals, and as-built drawings; and

WHEREAS, the contract will be paid through the SACOG Community Design Program and New Measure A funds. The contract does not impact the 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 amendment 29-2013-5 with Mark Thomas & Company Inc., Consultant, to increase the contract amount from \$650,000 to \$711,049 and to extend the contract expiration date from June 30, 2018 to December 31, 2018 attached as Exhibit 1.

PASSED AND ADOPTED by the City Council of the City of Rancho Cordova on the 4th day of December, 2017 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Donald Terry, Mayor

ATTEST:

Stacy Leitner, City Clerk

**FIFTH AMENDMENT TO THE PROFESSIONAL SERVICES AGREEMENT BETWEEN THE CITY
OF RANCHO CORDOVA AND MARK THOMAS & COMPANY INC., FOR THE FOLSOM
BOULEVARD STREETScape ENHANCEMENT PHASE IV PROJECT**

This Fifth Amendment to the Agreement for Professional Services ("Amendment") is made by and between the City of Rancho Cordova ("City") and Mark Thomas & Company, Inc. ("Professional") as of December 4, 2017. City and Professional are hereinafter collectively referred to as the "Parties."

RECITALS

WHEREAS, the Parties entered into a Professional Services Agreement ("PSA") dated April 30, 2013 for the purpose of providing on-call civil engineering and surveying services; and

WHEREAS, this Amendment will increase the contract compensation amount by \$61,049 bringing the total contract amount to \$711,049; and

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

NOW, THEREFORE, the Parties hereto agree as follows:

AGREEMENT

1. The Parties agree to modify the end date of the PSA from June 30, 2018 to December 31, 2018. The first sentence of Section 1.1 of the PSA, "Term of Service," is amended to read as follows:

"The term of this Agreement shall begin on the date first noted above and shall end on December 31, 2018, and Professional shall complete the work described in Exhibit A prior to that date; unless the term of the Agreement is otherwise terminated or extended, as provided in Section 8."

2. Section 2 of the PSA, "Compensation," provides for the City to pay Professional a sum not to exceed \$650,000. The Parties agree to amend Section 2 of the PSA in order to increase the compensation amount to pay Professional for additional services. The first sentence of Section 2 of the PSA is amended to read as follows:

"City hereby agrees to pay Professional a sum not to exceed Seven Hundred Eleven Thousand Forty-Nine Dollars (\$711,049), notwithstanding any contrary indication that may be contained in Professional's proposal, for services to be performed and reimbursable costs incurred under this Agreement."

3. The document entitled "Scope of Work," attached hereto as **Exhibit A**, shall replace and supersede the PSA's **Exhibit A**.
4. The document entitled "Compensation Schedule," attached hereto as **Exhibit B**, shall replace and supersede the PSA's **Exhibit B**.

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

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

Mark Thomas & Company
 Attn: Matt Brogan
 7300 Folsom Blvd, Suite 203
 Sacramento, CA 95826
 Email Address (for Insurance Update Requests): mbrogan@markthomas.com

Any written notice to City shall be sent to:
 City of Rancho Cordova
 Attn: Chris Boyer, Public Works Department
 2729 Prospect Park Drive
 Rancho Cordova, CA 95670

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

CITY OF RANCHO CORDOVA

PROFESSIONAL

Cyrus Abhar, City Manager

Matt Brogan, Principal/Division Manager

Date:_____

Date:_____

Attest:

Stacy Leitner, City Clerk

Date:_____

Approved as to Form:

Adam U. Lindgren, City Attorney

Date:_____

SCOPE OF WORK – FINAL DESIGN AND CONSTRUCTION SUPPORT

PROJECT UNDERSTANDING

Mark Thomas is providing ongoing support to the City of Rancho Cordova to finalize Folsom Boulevard (Phase 4) project. In addition to efforts already completed to coordinate with utilities, update the plats and legal descriptions for the easements with Regional Transit (RT), and layout the improvements in the field to support relocation of the ITS conduit recently installed, Mark Thomas has received additional comments on the Final PS&E from Sacramento County, City of Rancho Cordova, and RT. The following scope of work covers out of scope tasks already completed and new tasks required for completing the design phase. At the request of the City, we have included new budgets to cover bidding and construction support budgets previously reallocated to other tasks.

TASK 1. PROJECT MANAGEMENT

Task 1.1. Additional Project Management

Mark Thomas' Project Manager will plan, organize, direct and monitor project work activities and resources needed to deliver the scope of services below. This task includes continuing general project management with the City, subconsultants and stakeholders, including preparing contract paperwork, memo's, letters and email, making phone calls, maintaining project files, and updating the project schedule. This task also includes three (3) additional Project Development Team (PDT) meetings to discuss changes to the design and comments on the Final PS&E.

TASK 1 DELIVERABLES

- Meeting Agendas & Minutes 3 meetings

TASK 2. UTILITIES AND RIGHT OF WAY SUPPORT

Task 2.1. Utility Coordination

Mark Thomas has prepared revised Notice to Owner (NTO) documents and coordinated with the utilities regarding changes to the anticipated construction schedule and the needed utility relocations and adjustments. Revised NTO's were sent to Caltrans Local Assistance for approval on June 26, 2017.

Task 2.2. Acquisition Documents – RT Easements

Mark Thomas has prepared modifications to the legal descriptions and plat maps for the Folsom Boulevard Streetscape project for the City to use in acquiring easements for the Phase 2, 3 and 4 project areas. These plats and descriptions have been included with the final agreement with RT for construction and maintenance of the improvements. Final plats and legal descriptions were submitted to the City on April 28, 2017.

Task 2.3. Construction Surveying – ITS Conduit Staking

Mark Thomas has provided construction surveying services to locate the ITS fiber optic communication conduits that have been installed by the City's contractor in conflict with the planned Phase 4 project improvements on the

north side of Folsom Boulevard between Horn Road and Rod Beaudry Drive. One additional mobilization was required for Mark Thomas' surveyors on April 6, 2017, to mark construction stakes for the relocation of the ITS conduits.

TASK 2 DELIVERABLES

- Revised NTO's (SMUD, AT&T Local, AT&T Legacy, Comcast, PG&E, SASD, CalAm Water)
- Legal Descriptions and Plat Maps for RT Landscape and Pedestrian Easements (PDF and Wet Signed Hard Copies)
- Construction stakes for relocation of the ITS conduits by the City's contractor

TASK 3. DESIGN

Task 3.1. Final PS&E Updates

Mark Thomas has revised the final design plans for the "Horn Road" portion of the project to address comments provided by the City, County and RT on the 100% PS&E. The updated Final PS&E were submitted to the County and RT for approval on May 26, 2017. Since that time, additional reviews and comments have been provided by RT and the County to update signing and striping at the railroad crossings and regarding street light installation and maintenance concerns. Additional comments are expected from the County prior to approval of the traffic signal, planting and irrigation plans. Mark Thomas, Y&C and HLA will coordinate with the City, County and RT to resolve the additional comments and prepare an updated Final PS&E that will be signed and stamped for use by the City for bidding and award of a Contract to construct the project improvements. Mark Thomas will also facilitate the routing of plans for signature by RT and the County.

TASK 3 DELIVERABLES:

- Updated Final PS&E (PDF and Wet Signed Hard Copies)

TASK 4. BIDDING AND CONSTRUCTION SUPPORT

Once the project is approved for advertisement, Mark Thomas and subconsultants will provide services to facilitate the successful advertisement, award, and construction of the project. An estimated budget has been provided based on an assumed number of construction meetings, requests for information (RFI) and Contract Change Orders (CCO). Once the budget is exhausted, the assistance will be on a time and materials basis. This work includes:

Task 4.1. Bidding Assistance

Mark Thomas and subconsultants will provide assistance to the City to attend the pre-bid meeting and answer questions, as required, during bidding of the project. An allowance has been provided for Bidding Assistance. The actual level of effort will depend on the issues and questions that arise during advertisement.

Task 4.2. Construction Support

This task assumes that the City will hire a Construction Management firm with qualifications that include past experience with signalized intersections and rail coordination. The construction management firm will be responsible for managing the project through construction including overseeing the Contractor and day-to-day construction activities. This task also assumes that the City will hire a Resident Engineer that is a licensed Civil

Engineer in the State of California and that engineer also has past experience with signalized intersections and rail coordination.

During the construction phase, Mark Thomas, Y&C and HLA will work with the Resident Engineer (RE) that is hired by the City to assist and advise the RE in order to minimize construction conflicts and to expedite project completion.

Mark Thomas, Y&C and HLA will prepare Contract Change Order (CCO) plans, respond to Request for Information (RFIs) and review shop drawings, if necessary. For this scope of work, a budget has been specified. After the budget is exhausted, the assistance will be on a time and materials basis.

Task 4.3. Record Drawings

Mark Thomas, Y&C and HLA will provide Record Drawings to the City after construction is complete. These drawings will be based on red-lined as-builts provided by the City construction manager or City contractor.

TASK 4 DELIVERABLES:

- Meeting attendance and participation including Pre-Bid, Pre-Construction and up to four (4) regular construction status meetings
- Preparing responses to Contractor RFI's
- Preparing CCO Plans
- Review of Shop Drawings
- Record Drawings (PDF and Hardcopies)

EXHIBIT B
COMPENSATION SCHEDULE

COST PROPOSAL FOR PROJECT SCOPE - RANCHO CORDOVA FOLSOM BLVD COMPLETE STREETS ENHANCEMENT PH. 4

		Mark Thomas												Subconsultants		TOTAL COST	
														Y&C DBE	HLA Group Non-DBE		
		Project Manager \$172	Sr. Project Engineer \$145	Design Engineer II \$111	Sr. Technician \$106	Intern \$52	Survey Manager \$185	Project Surveyor \$145	Survey Technician \$90	2 Person Field Crew \$240	Project Coordinator \$86	Project Assistant \$58	Total Hours				Total MT Cost
		JMP	DB	JE	RO/JD	AA	BB	RM	TP		MH/FJ	SN					
1.0	PROJECT MANAGEMENT																
1.1	Additional Project Management	12	20								6	2	40	\$5,587	-	-	\$5,587
	Subtotal Phase 1	12	20	0	0	0	0	0	0	0	6	2	40	\$5,587	\$0	\$0	\$5,587
2.0	UTILITIES & RIGHT OF WAY SUPPORT																
2.1	Utility Coordination		4	2		2							8	\$905	-	-	\$905
2.2	Acquisition Documents - RT Easements						4	2	6				12	\$1,570	-	-	\$1,570
2.3	Construction Surveying - ITS Conduit Staking							12		8			20	\$3,660	-	-	\$3,660
	Subtotal Phase 2	0	4	2	0	2	4	14	6	8	0	0	40	\$6,135	\$0	\$0	\$6,135
3.0	DESIGN																
3.1	Final PS&E Updates		40	80	40	60							220	\$22,034	-	-	\$22,034
	Subtotal Phase 3	0	40	80	40	60	0	0	0	0	0	0	220	\$22,034	\$0	\$0	\$22,034
4.0	BIDDING & CONSTRUCTION SUPPORT																
4.1	Bidding Assistance	4	12	8									24	\$3,307	400	200	\$3,907
4.2	Construction Support	24	40	24									88	\$12,558	3,000	1,560	\$17,118
4.3	Record Drawings	2		4	32								38	\$4,188	600	780	\$5,568
	Subtotal Phase 4	30	52	36	32	0	0	0	0	0	0	0	150	\$20,053	\$4,000	\$2,540	\$26,593
TOTAL HOURS		42	116	118	72	62	4	14	6	8	6	2	450				450
OTHER DIRECT COSTS													\$700	\$0	\$0		\$700
TOTAL COST		\$7,207	\$16,779	\$13,050	\$7,657	\$3,252	\$740	\$2,030	\$540	\$1,920	\$519	\$116		\$54,509	\$4,000	\$2,540	\$61,049

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 ▶
------------------	----------------------------	--------

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

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

²However, 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 ⁴
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 _____

For Privacy Notice, get form FTB 1131.

7061103

Form 590 c2 2009 (REV 03-10)

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



DATE: December 4, 2017

TO: Honorable Mayor and Council Members

FROM: Adam Lindgren, City Attorney
 Kate Cook, Deputy City Attorney
 Darcy Goulart, Planning Department
 Curt Haven, Economic Development Director

SUBJECT: Discussion and Direction Regarding Commercial Cannabis Uses

RECOMMENDATION

Receive information from City staff and David McPherson, a consultant with HDL Companies, related to options for allowing commercial cannabis uses, excluding retail uses, in certain zones of the City. Provide direction to staff on whether to:

- 1) Continue the City's prohibition on commercial cannabis uses, or
- 2) Return to Council with a regulatory ordinance allowing certain commercial cannabis uses in limited zones of the City. If Council gives this direction, staff also recommends giving direction on the following:
 - a) Staff's recommended "overlay" zones where cannabis businesses would be permitted (industrial areas south of White Rock Road, north of Douglas Road, and east of Sunrise Boulevard; and the Security Park industrial area north of Douglas Road and west of Grant Line Road);
 - b) The specific types of cannabis businesses to be permitted (indoor cultivation, manufacturing, distribution, testing, and/or microbusinesses)'
 - c) Whether to limit the number of businesses in any category;
 - d) The application procedure for a commercial cannabis permit, including whether Council approval is required, whether to use an RFP process or a traditional permit application; and
 - e) Whether there is a desire to impose the cannabis business tax at a certain rate.

RESULT OF RECOMMENDED ACTION

If directed to do so by City Council, City staff will bring a regulatory Ordinance back to Council. At that time staff would also seek Council direction on proposed application and permit fees, and

whether to impose the cannabis excise tax and if so, at what rate. If Council desires to continue the current prohibition on all commercial cannabis uses, no further action is necessary.

BACKGROUND

Introduction

The City of Rancho Cordova currently prohibits all commercial cannabis uses in all zones of the City. This ban includes both medical and nonmedical (recreational) cannabis businesses. This means that no retail dispensaries, or commercial cultivators, manufacturers, testing labs, or other cannabis-related businesses are permitted in the City. Individuals 21 and older may cultivate up to six cannabis plants for *personal* use within a private residence in the City. Under State law, the City must allow this. The City recently enacted stringent penalties for violations of this cultivation regulation.

Medical cannabis has been legal in California since 1996. Medical cannabis dispensaries (retail) operations have been legal for more than a decade under State law. Numerous manufacturing and cultivation businesses have been operating in the State, legally, under the medical cannabis laws as “cooperatives” or “collectives” of cannabis patients and caregivers. California voters passed Proposition 64 in November 2016, legalizing recreational cannabis use and commercial ventures. Starting in 2018, the State will begin issuing licenses to medical and recreational cannabis business. The State will also adopt detailed regulations for all of these businesses. Some 300 pages of draft regulations were recently released by the State.

The City may regulate these businesses however it desires—continue to prohibit them entirely, prohibit some but not others, and regulate any it does allow by dictating where and how they may operate. The City may also enact application and annual permit fees to cover all staff time related to these businesses. If the Council were to implement the cannabis tax, any revenue from it would be in addition to the fees collected from these businesses.

Prior City Council Discussions

Since December 2016, the Council has held three workshop discussions on commercial cannabis uses in the City. Staff has presented information on the various use types, updates in State law, public safety impacts, and zoning and regulatory options for these businesses.

Council has consistently and unanimously agreed that no retail cannabis businesses (storefront or delivery) should be allowed in the City. At the last workshop discussion in October 2017, a majority of the Council expressed interest in further discussions on non-retail cannabis businesses, and a desire to review options for a regulatory ordinance and more details on possible locations for these businesses.

Land Use and Regulatory Options for the City

The following chart outlines the options for the types of commercial cannabis uses the City could allow. Based on prior direction, retail uses and outdoor cultivation are not included in the chart.

STATE LICENSE TYPE	MEDICAL	NON-MEDICAL
Indoor Cultivation	YES / NO	YES / NO
Manufacturing (oil, food production)	YES / NO	YES / NO
Testing (quality control)	YES / NO	YES / NO
Distribution (between licensees)	YES / NO	YES / NO
Microbusiness (vertical integration of 3 or more uses)	YES / NO	YES / NO

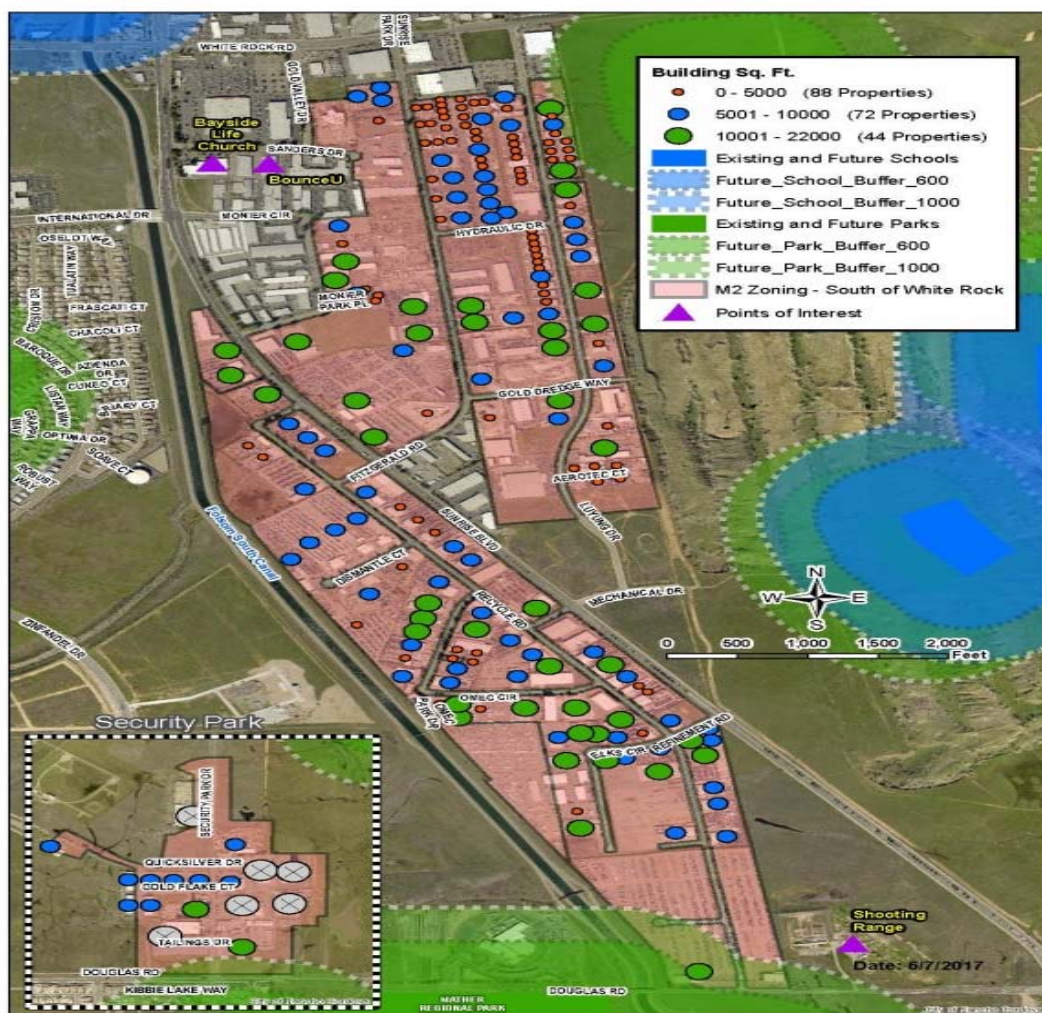
As stated above, State laws pertaining to medical and nonmedical cannabis businesses give the City broad land use authority to regulate these uses. The City may, through a regulatory ordinance:

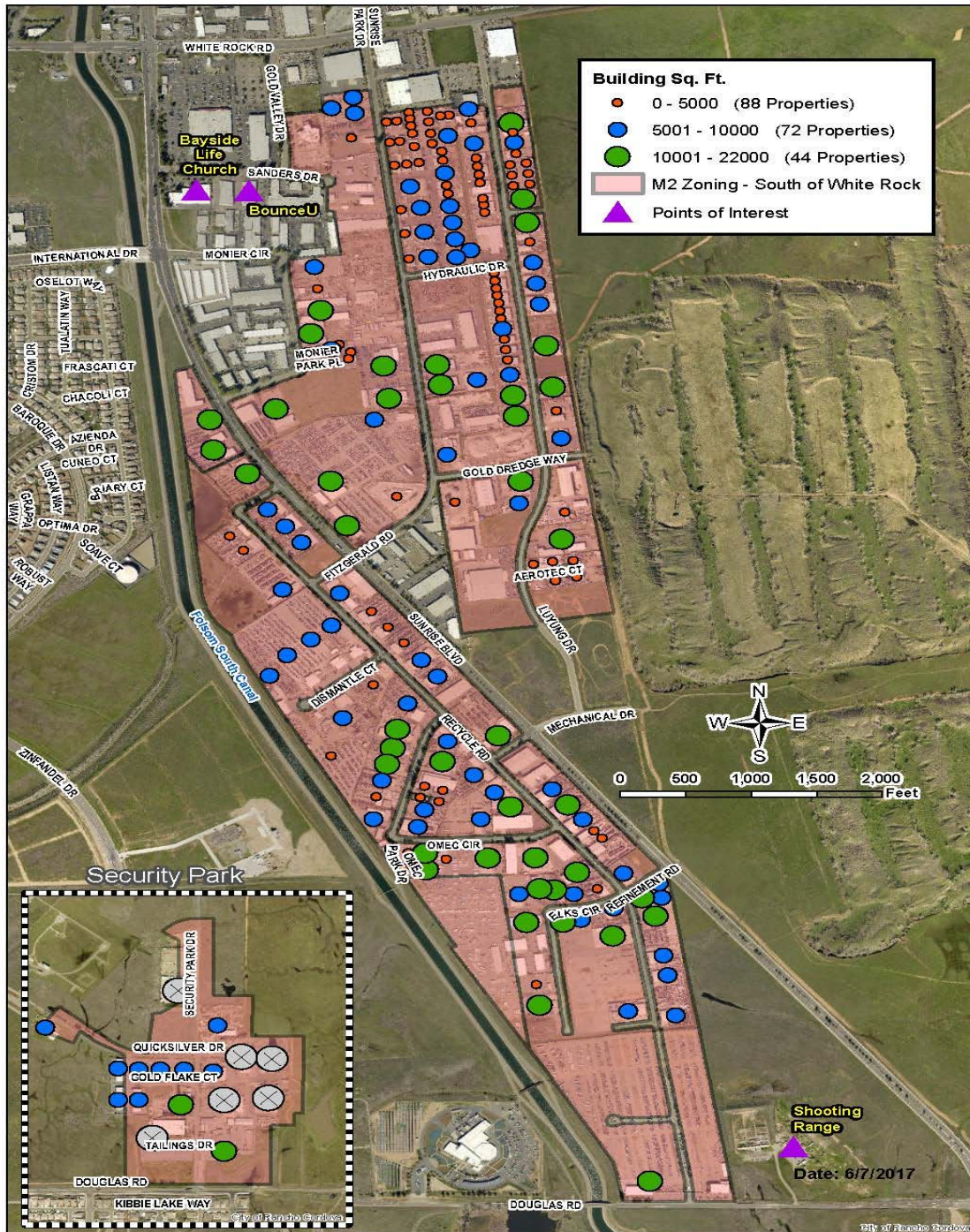
- Prohibit all commercial cannabis businesses;
- Allow some commercial cannabis uses but not others (i.e. allow commercial medical uses but not commercial recreational uses; and only allow only specific types of medical businesses, such as allowing manufacturers and testing labs only)
- Limit the businesses to a particular area of the City and require distance requirements from sensitive uses, such as schools, daycares, youth centers, parks and libraries;
- Impose development and operational standards on the businesses (security, noise, odor, hours, lighting, records, audits and inspections, etc.), including detailed requirements for security surveillance cameras, alarms, site design, City inspections, security plans to be approved by the City, etc.;
- Require all operators and employees of the cannabis businesses undergo a background check by Police;
- Require commercial cannabis businesses to enter a development agreement with the City;
- Impose fee requirements to ensure all staff time is covered;

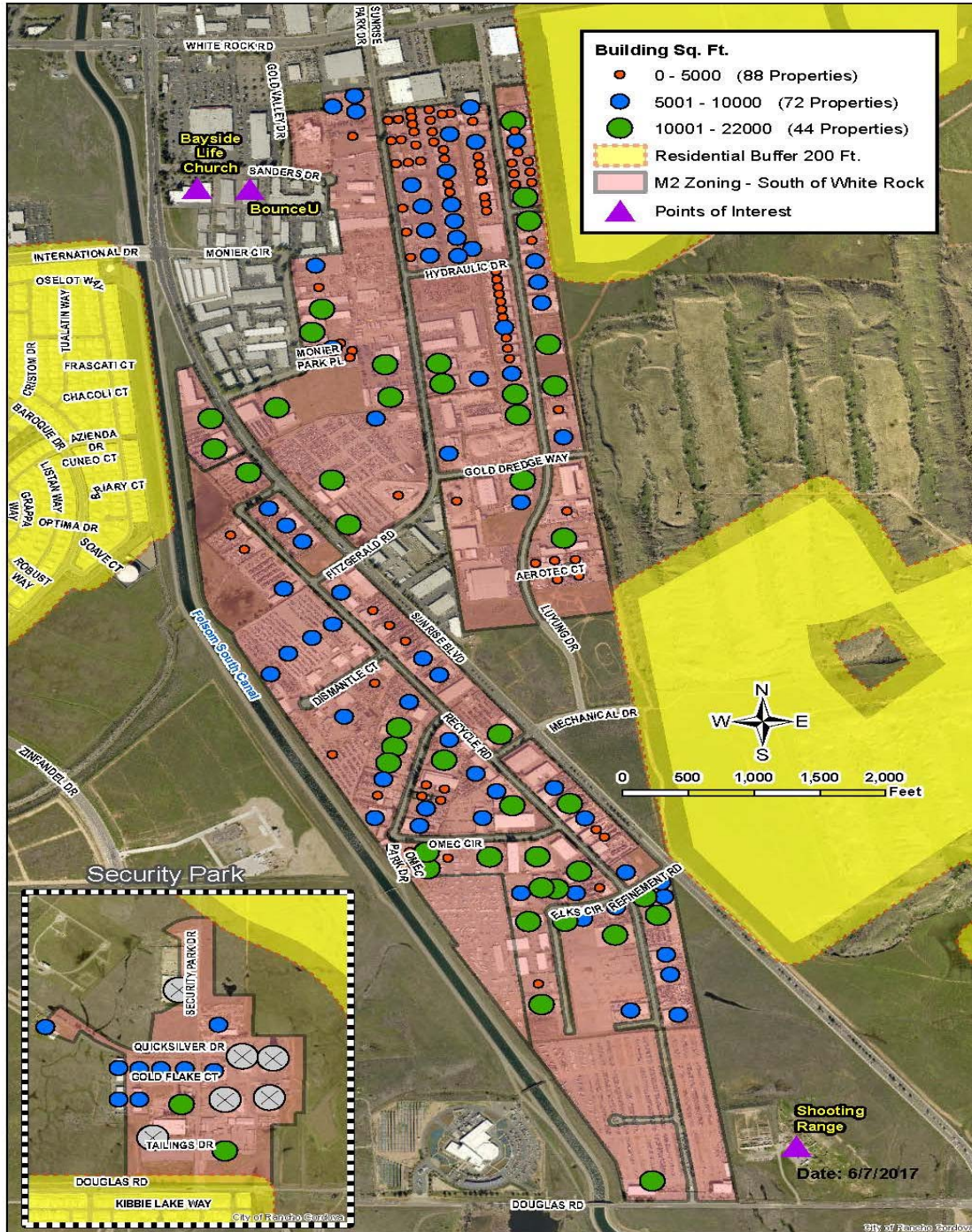
- Require the businesses to obtain a special use permit that may be suspended or revoked if regulations are not followed and which does not run with the land so that operators may be thoroughly vetted; and/or
- If the number of permits for categories of businesses are limited, require a request for proposal (RFP) process whereby applicants submit business and operational plans, proof of funding, etc. allowing the City to select the top operators.

Location

In previous Council discussions, direction was given to focus on two particular areas where cannabis businesses could potentially locate in the City: 1) The area south of White Rock Road, north of Douglas Road and primarily east of Sunrise Boulevard; and 2) The area known as "Security Park," north of Douglas Road and west of Grant Line Road. These areas are zoned for industrial uses and are generally separated from sensitive uses, such as schools, parks, and residential zones.







California Law

California is expected to begin issuing commercial licenses to medical and recreational cannabis businesses in early 2018. Newly enacted laws create a licensing and regulatory structure for cannabis businesses, including retail storefronts as well as cultivators, manufacturing operations, testing laboratories, and distributors. Some 300 pages of proposed emergency regulations for these businesses were recently released by the State Bureau of Cannabis Control.

The current model for cannabis operations in California is a “non-profit” cooperative or collective of medical cannabis patients and caregivers who grow, manufacture, and sell cannabis products to each other. This model will be phased out as the new, for-profit commercial licenses are issued to both medical and nonmedical cannabis businesses.

A state budget trailer bill (SB 94) was passed in June 2017 related to cannabis laws and regulations. The purpose of the legislation was to better align the requirements and license types for medical and nonmedical cannabis businesses. It also retains local control regarding these businesses.

The California Bureau of Medical Cannabis Regulation (renamed the Bureau of Cannabis Control under the trailer bill) within the Department of Consumer Affairs, will oversee the state licensing and regulatory processes for retail, distribution, and testing laboratory businesses. Licenses and regulations for cultivation businesses will be issued by the Department of Food and Agriculture. The Department of Public Health will oversee licensing and regulations for manufacturing businesses (extraction and edibles).

Marijuana remains an illegal “Schedule 1” drug under federal law. However, the federal government has previously stated it will not focus enforcement efforts on law-abiding medical cannabis activities. Additionally, the federal Drug Enforcement Agency does not currently receive funding for enforcement of medical cannabis operations. Following the 2016 election, the new administration has made very limited statements regarding this issue, but did indicate that medical cannabis operations would not be an enforcement target.

Fees for Cannabis Businesses and Current Rancho Cordova Cannabis Business Tax

If the City permitted any cannabis businesses, staff recommends that the Council approve a fee schedule addressing permit application fees as well as an annual fee for each type of cannabis business. The annual permit fees vary greatly in other jurisdictions and can range from \$2,000 (for a testing business) to more than \$25,000 (for an indoor cultivation permit). The purpose of the fees is to cover all staff time necessary to process an application, issue a permit, and then to monitor the business for compliance with the City's regulations.

The cannabis business tax is found at Chapter 3.80 of the Rancho Cordova Municipal Code (“RCMC”) and imposes a tax on all cannabis business licensees which are defined as cannabis businesses, which have been issued a special business license pursuant to RCMC Title 4. A cannabis business includes any business involving the planting, cultivation, harvesting, transporting, manufacturing, compounding, converting, processing, preparing, storing, packaging, testing, or wholesale and/or retail sales of marijuana.

Chapter 3.80 establishes the following maximum tax rates:

	Tax for first \$1,000,000 in sales	Tax over \$1,000,000 in sales	
For Profit Cannabis Businesses	\$120.00 for each \$1,000 of gross receipts for the first \$1,000,000 (12%)	\$120.00 for each \$1,000 of gross receipts for the first \$1,000,000 and \$150.00 for each \$1,000 of gross receipts over \$1,000,000 (15%)	—
Nonprofit Cannabis Businesses (dispensaries under current regulations)*	—	—	\$100 per square foot on all business improvements occupied by the business

**The nonprofit dispensary model for medical marijuana sales will be phased out as the new state regulatory and licensing structure comes online. Individuals will simply have a license allowing for retail sales of medical marijuana.*

If the City were to allow any cannabis businesses, the City Council could pass a resolution imposing the tax and setting the rate. Revenue estimates from the tax depend greatly on the type, size, and number of businesses allowed.

2861912.1



RANCHO
CORDOVA
CHAMBER OF COMMERCE

Mayor Donald Terry
Vice Mayor Linda Budge
Honorable Garrett Gatewood
Honorable Robert McGarvey
Honorable David Sander
Mr. Curt Haven, City of Rancho Cordova

24 November 2017

Dear Mayor Terry and Councilmembers,

At a recent council meeting, I spoke on behalf and at the request of our Rancho Cordova Board of Directors in support of developing an ordinance allowing for cannabis and cannabis related industries to locate within Rancho Cordova. As I am unable to attend this council meeting, I respectfully submit this letter on behalf of our Chamber members on this same topic.

Cannabis manufacturing provides significant economic development opportunity for the Rancho Cordova business community. This industry, beyond its own scope, extends into dozens of related and supporting businesses – all benefiting and all growing within our City. Chamber members and other Rancho Cordova businesses stand to prosper when working in cooperation with legal, financial, and real estate institutions engaged with cannabis. This is in addition to support industries such as security, lighting, plumbing, transportation, software development, and insurance to name just a few.

The cannabis industry also offers opportunity for Rancho Cordova including:

- Attraction of talent and jobs – employment opportunities for Rancho Cordova residents are excellent
 - Hourly jobs may pay \$25-\$35 per hours (\$52,000-\$72,000)
 - Draw highly a skilled and educated workforce to Rancho Cordova – scientists, botanists, engineers, perhaps real opportunities for displaced Aerojet employees
- Creative ingenuity – new industries fosters invention and creativity. Our community is full of amazing and talented individuals who just may be the innovators and entrepreneurs who impact this industry and, as a result, our city.

We also see the extended benefits of capitalizing on this industry.

- Existing buildings/structures needed for manufacturing could be refurbished, updated and repurposed to better showcase our community. Our standards are high and should remain so.
- Help attract other, desirable businesses – lab equipment, management software, light manufacturing, technology, etc.

We do want to be clear the Chamber is an advocate of responsible business practices and cares about the impact cannabis will have on Rancho Cordova. We have great confidence in our City leaders and talented staff to ensure such an ordinance is managed and implemented with accountability in mind.

Respectfully submitted,

Diann H. Rogers, President & CEO

December 1, 2017

The Honorable Mayor Terry & City Council
2729 Prospect Park Drive
Rancho Cordova, CA 95670

Re: Discussion Regarding Cannabis-Related Businesses in Rancho Cordova

Mr. Mayor, Councilmembers,

I see that there will be a discussion by the council on Monday, December 4th regarding the question of potential acceptance of cannabis-related businesses into the Rancho Cordova community. Regrettably, business travel will take me away from the City Monday night, but I feel strongly about the matter and would like to share my feelings with you for your consideration.

The use of Marijuana (and in all its various names) is a detriment to society, and unfortunately for us, there remains the question of legality. State Law says individuals may use it. Federal law disagrees. Who is right? Who ultimately decides? I'm leaving that up to the constitutional attorneys. Regardless of the legal status of the matter, I strongly believe that making a controlled substance more available to our citizens will only degrade the community that we live in and love.

I am working with a family in our community who has a daughter (a minor), who was a straight-A student, until she started experimenting with marijuana, which led to experimenting with more dangerous drugs, which led to experimenting in some other immoral matters – these choices she has made have destroyed her, and there is a good chance she doesn't graduate from high school this fall. Her prospects for the future have gone up in smoke... quite literally. Her family has struggled to get her clean and in a position where she desires to seek help. I use her situation as an example of a real problem being faced by real residents in our City.

I ask the following – by making dispensaries or other types of related businesses more readily available in the community, how many more youth will have access to Marijuana, whether directly or indirectly (buying direct or stealing from parents or other family members)? How many more lives will be troubled and put at risk?

I would strongly urge the council to give direction to staff to proceed with the stated option number 1, continuing the city's prohibition on commercial cannabis use. There is no benefit to our community by having these types of businesses in our City... and to the few that argue that they need access to medical marijuana, I say that the benefits to a few are outweighed by the risks to the many.

I appreciate your service to our community, and your continued efforts to keep my five children drug free and safe.

Sincerely,



Brian Cutting
12433 Kibbie Lake Way
Rancho Cordova, CA 95742

Stacy Leitner

From: Cyrus Abhar
Sent: Monday, December 04, 2017 9:22 AM
To: Stacy Leitner
Subject: FW: [EXTERNAL] RE: Monday's Staff Report Item 16.1

-----Original Message-----

From: LaFortune, Michael [<mailto:Michael.LaFortune@EastonLLC.com>]
Sent: Friday, December 01, 2017 1:25 PM
To: Price Walker; Cyrus Abhar; Elizabeth Sparkman
Cc: Darcy Goulart
Subject: RE: [EXTERNAL] RE: Monday's Staff Report Item 16.1

Cyrus and Elizabeth,

Thank you for the clarification. In reviewing the presentation, my preference is to exclude those sites that are adjacent to residential development. For example, there are residential homes immediately to the south and very close to the east of Security Park and there are sites adjacent to Elliott's property. Can there be a required large setback from any residential areas? Maybe allow the zoning west of Sunrise Park Dr./Fitzgerald Rd and remove Security Park?

The section below is an excerpt from the staff report:

"Prior City Council Discussions

Since December 2016, the Council has held three workshop discussions on commercial cannabis uses in the City. Staff has presented information on the various use types, updates in State law, public safety impacts, and zoning and regulatory options for these businesses.

Council has consistently and unanimously agreed that no retail cannabis businesses (storefront or delivery) should be allowed in the City. At the last workshop discussion in October 2017, a majority of the Council expressed interest in further discussions on non-retail cannabis businesses, and a desire to review options for a regulatory ordinance and more details on possible locations for these businesses"

Is the Council still committed to no retail for recreational and medical? Or is this still open to discussion in the overlay area?

Thanks,

Mike

Michael LaFortune
 Senior Development Director
 Easton Development Company, LLC

Kelli Carr

From: Stacy Leitner
Sent: Monday, December 04, 2017 2:19 PM
To: Kelli Carr
Subject: FW: City Council Meeting Agenda Item 16.1 Dec. 4, 2017 Cannabis

I have printed and made copies of this for the meeting.

Stacy Leitner, CAP-OM

City Clerk and Senior Executive Assistant
 City of Rancho Cordova
 2729 Prospect Park Drive
 Rancho Cordova, CA 95670
Phone: (916) 851-8805, **Cell:** (916) 342-6633
www.cityofranhocordova.org

From: Rancho Cordova, CA [mailto:webmaster@cityofranhocordova.org]
Sent: Monday, December 04, 2017 2:17 PM
To: Stacy Leitner
Subject: City Council Meeting Agenda Item 16.1 Dec. 4, 2017 Cannabis

Message submitted from the <Rancho Cordova> website.

Site Visitor Name: Rick Maness

Site Visitor Email: rickmaness@earthlink.net

I am requesting that my email be placed on the meeting's public record and considered by the City Council.

As a 40 year resident of Rancho Cordova, I oppose commercial cannabis uses in Rancho Cordova, and so support the continued ban on such uses. Increased crime is highly likely, yet few benefits to the city would occur for the city if it is permitted. Assembling large amounts of cannabis in known places such as manufacturing or warehouse facilities, in a largely cash industry, would become a magnet for criminals. This would be dangerous anywhere in the city, but especially in locations near residential neighborhoods.

Please do not eliminate the current ban. Thank you.

Kelli Carr

From: Stacy Leitner
Sent: Monday, December 04, 2017 3:49 PM
To: Kelli Carr
Subject: FW: Tonight's Council Meeting- Cannabis- Letter

From: katherine@coxphotolab.com [<mailto:katherine@coxphotolab.com>]
Sent: Monday, December 04, 2017 3:39 PM
To: David Sander; Robert McGarvey; Donald Terry; Linda Budge; Garrett Gatewood
Cc: Cyrus Abhar
Subject: Tonight's Council Meeting- Cannabis- Letter

December 4, 2017

Dear Rancho Cordova City Council Members,

What's the hurry? We are generating very nice tax revenue from our Measure H funding. Do we need to jump on the cannabis bandwagon just now?

Here are my concerns:

1. How is it **really** going in other cities? I understand that some are having trouble collecting money from the cannabis businesses. Are you willing to spend time and money time trying to collect from these operations?
2. How will you handle the cash? How will you monitor the accounting? It's still illegal for banks to accept money from cannabis sales.
3. Have you gone to some of the cities where recreational businesses exist and talked to their law enforcement, residents and council members?
4. Have you directly informed the businesses and residents within the **Security Park** area about your plans? What do they think about this idea? *(Yes, you've had a few workshops on this topic. Unfortunately, it's hard for most residents to attend these afternoon meetings.)*
5. I suggest you wait to see what happens with Sacramento & West Sacramento over this next year and learn from their experience. Here is an article with great information on what others are experiencing: [PEW Trust- article on marijuana Businesses and Banks](#)
6. Lastly, how do we explain this to our children? It's legal, it's not legal? That one stumps me!

Thank you,

Katherine Weedman-Cox

Stacy Leitner

From: Maureen Nelson
Sent: Monday, December 04, 2017 5:01 PM
To: Donald Terry; Robert McGarvey; David Sander; Linda Budge; Garrett Gatewood; Cyrus Abhar; Stacy Leitner
Cc: Angel Ball; Jeanette Galloway; Maureen Nelson
Subject: Marijuana

Hello,

My husband and I want to tell you that we don't want any Marijuana shops in Rancho Cordova. I know that you are going to be discussing this issue tonight at the City Council meeting.

I realize that there will be a lot of tax revenue from these sales but I don't think Rancho Cordova needs that money. As far as I am concerned, it is "dirty money".

At one of our workshops, a letter was read from a Police Chief in Colorado. He told of all the problems that Colorado has had since Marijuana was made legal. Our Code Enforcement and the Police Dept already have enough to deal with.

As Linda Budge told us, we have worked too hard to change the image of Rancho Cordova. We don't need to be known as a city where you can buy drugs. Plus, you are going to have a lot of cash floating around.

We don't care of "everyone is doing it", as I heard at a meeting. As Meade Cashatt said, "would you let your child jump off a bridge because everyone was doing it".

Our police have enough to do. This would be added work for them, esp with DUI's. How many deaths would it take to acknowledge that the "DUI" was caused by the taking of Marijuana? We have enough problem with drugs that are given legally by doctors.

Rancho Cordova should stand out by being the city that refused to allow Marijuana to be sold here, not the city where you can get your daily fix.

Yesterday, we had dinner with a friend whose son, Hugh, is a chef at a ski lodge in Colorado. His dad told us that Hugh talked about the change in the clientele of the ski lodge. After the legalization of Marijuana, he saw a change in the alertness of the skiers. I sure wouldn't want to be on a ski lift with one of them or in a car. They could have a car accident or fall off the ski lift.

Please stand up and say that Rancho Cordova does not want any stores selling Marijuana in the city. Our people, esp. our kids, are far too important to us. They need their brains to be clear and alert at all times so that they can learn and function in our society.

We also don't need the "Dirty Money" that would be from the taxes. We don't need that type of revenue. Please consider what we have said when you make your decision.

Thanks you,

Maureen and Steve Nelson

Commercial Cannabis Policy Discussion

Rancho Cordova City Council
December 4, 2017



Discussion Roadmap

- ▶ **Current landscape**
- ▶ **Prior Council direction**
- ▶ **Commercial cannabis license types**
- ▶ **Lessons learned- examples of other cities**
- ▶ **Zoning and regulatory options**
- ▶ **Public comment**
- ▶ **Council Direction on the following:**
 - ▶ *Should the City allow limited, non-retail commercial cannabis activities in limited zones of the City?*
 - ▶ *If so:*
 - ▶ *Which license types?*
 - ▶ *Where?*
 - ▶ *How many?*
 - ▶ *Provide feedback on draft regulatory ordinance and tax rate*

California Cannabis Laws:

State now regulating and licensing the commercial cannabis industry

2015

2016

2017

Medical Cannabis
Regulation and Safety
Act (MCRSA)

Proposition 64
Adult Use of Marijuana
Act (AUMA)

Trailer Bill SB 94:
Medical & Adult Use
Cannabis
Regulation and
Safety Act; and AB 133

SB 94 Local Control Authority

- Local agencies shall have the right to ban any or all commercial cannabis businesses activity in the City.
- The law shall not limit local jurisdictions to adopt and enforce local ordinances to regulate businesses from local zoning and land use requirements.
- The law does not supersede or limit existing local authority for law enforcement activity, enforcement of local zoning requirements or local ordinances.

Status of Local Agencies in the Region and Cannabis Businesses

- City of Citrus Heights: Prohibits all
- City of Elk Grove: Prohibits all
- City of Folsom: Prohibits all
- City of Roseville: Prohibits all
- City of Sacramento: Allows retail, indoor cultivation, manufacturing, distribution, testing
- City of West Sacramento: Allows limited manufacturing, distribution, indoor cultivation, delivery, and testing
- City of Davis: Retail (4 max), manufacturing, distribution, testing allowed
- County of Sacramento: Prohibits all

Prior Council Direction

- ▶ Prohibit retail sales of cannabis (dispensaries and delivery)
- ▶ Examine location and regulatory options for other uses:
 - ▶ Manufacturing
 - ▶ Testing
 - ▶ Indoor cultivation
 - ▶ Distribution

City of Rancho Cordova Community Priorities



Public Safety



City Image



Neighborhood/ Land Use
Protection; Reinvestment

Commercial Cannabis License Types

- ▶ **Types 1-5B: Cultivation**
 - ▶ Indoor, mixed-light, or outdoor cultivation
- ▶ **Types 6 and 7: Manufacturing**
 - ▶ Oil extraction, production of foods, lotions, topicals
- ▶ **Type 8: Testing laboratories**
- ▶ **Type 10: Retail storefronts/dispensaries where cannabis sold**
 - ▶ Can be open to the public or not open to the public
- ▶ **Type 11: Distributor, transport cannabis and products between licensees**
- ▶ **Type 12: Microbusiness**
 - ▶ Vertically integrated business with up to 4 uses: retail, cultivation, distribution, manufacturing

For all types, license will be for “medical” or “adult use” business

Lessons Learned – Impacts and Benefits of Cannabis Businesses

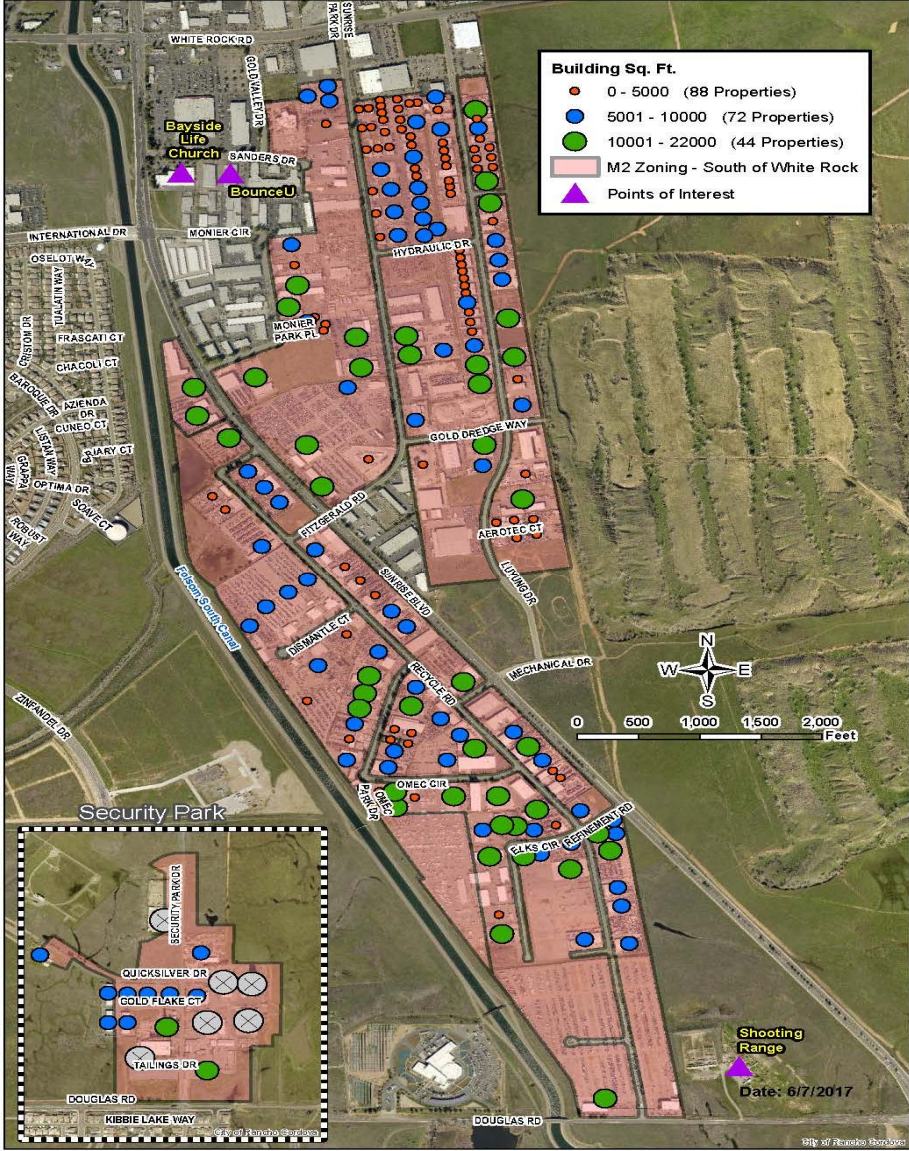
- ▶ Northern California jurisdictions
- ▶ Southern California jurisdictions
- ▶ Colorado jurisdictions

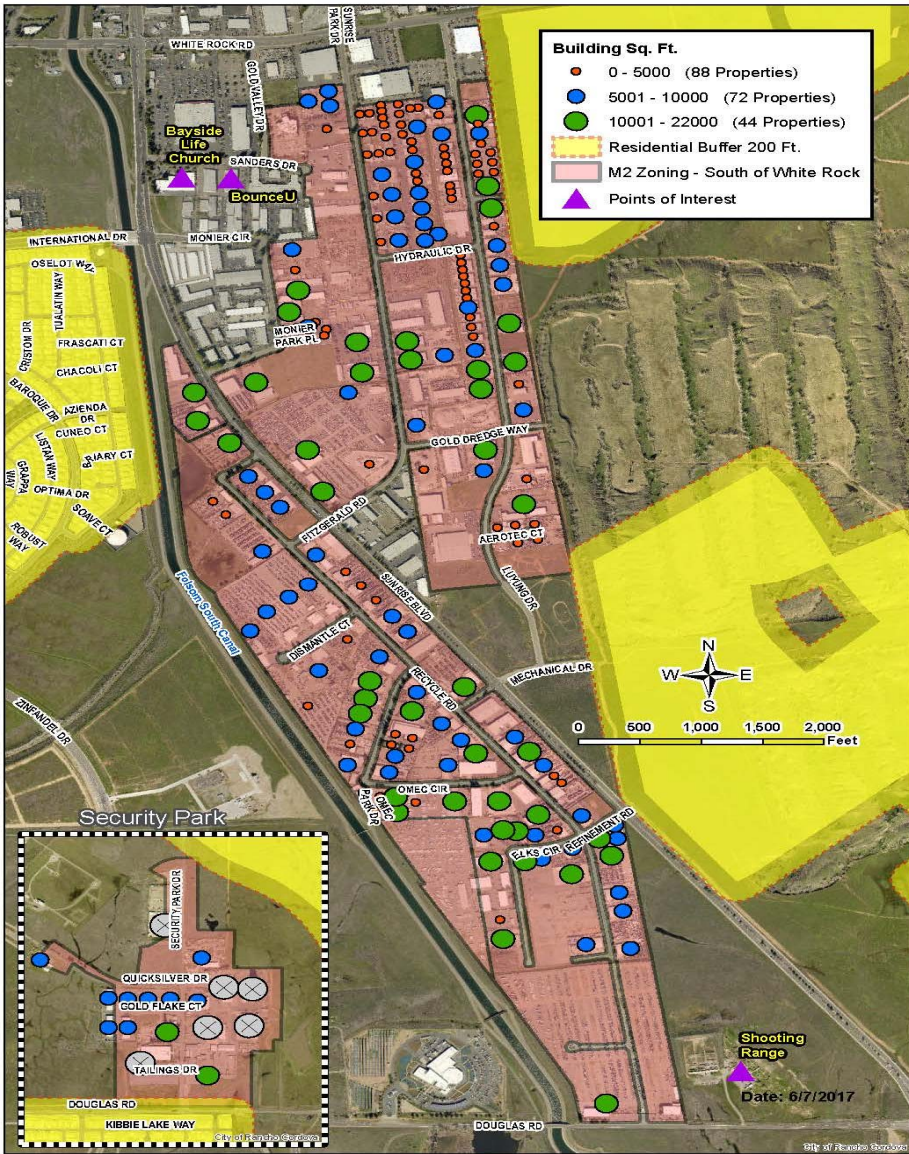
Potential Impacts	Potential Benefits
Staff time administering program	Impose fees to recover internal costs
Nuisance Issues - odor, traffic, etc.	Tax revenue for General Fund
Property values / rents	Reinvestment in blighted properties; replace undesirable uses
Crime risk for businesses	Focus on innovative businesses (particular need for manufacturing in region, for example; state testing hub in Rancho)

A Regulatory Ordinance Can:

- ✓ Give the local agency authority and control over licensing
 - ✓ Who, what, where, how
- ✓ Require applicants to comply with robust requirements
- ✓ Require background checks, Police access, inspections, detailed security regulations
- ✓ Enhance accountability for security and product safety
- ✓ Include a good neighbor policy
- ✓ Ensure full cost recovery for staff time with application and permit fees
- ✓ Suspend and revoke permits for noncompliance







LOCAL TAX REVENUE PROJECTIONS

Annual Revenue Estimates Based on a Gross Receipts Tax of 3.5%:

- ▶ Very Conservative: \$245,000
 - ▶ *Assumes 2 manufacturers with an average of \$2 million in gross receipts.*
 - ▶ *Assumes 2 testing labs with an average of \$1.5 million in gross receipts.*

LOCAL TAX REVENUE PROJECTIONS

Annual Revenue Estimates Based on a Gross Receipts Tax of 3.5%:

- ▶ Moderate: \$315,000
 - ▶ *Assumes 2 manufacturers with an average of \$2.5 million in gross receipts.*
 - ▶ *Assumes 2 testing labs with an average of \$2 million in gross receipts.*

LOCAL TAX REVENUE PROJECTIONS

Annual Revenue Estimates Based on a Gross Receipts Tax of 3.5%:

- ▶ Aggressive: \$385,000
 - ▶ *Assumes 2 manufacturers with an average of \$3 million in gross receipts.*
 - ▶ *Assumes 2 testing labs with an average of \$2.5 million in gross receipts.*

SUMMARY OF LOCAL TAX REVENUE PROJECTIONS

Annual Revenue Estimates Based on a Gross Receipts Tax of 3.5%:

- ▶ Very Conservative: \$245,000
- ▶ Moderate: \$315,000
- ▶ Aggressive: \$385,000

City Council Direction

Option 1	Option 2
Continue ban commercial cannabis uses in the City of Rancho Cordova	Allow for certain commercial uses with regulations; Establish a permitting process for cannabis uses (discretionary)

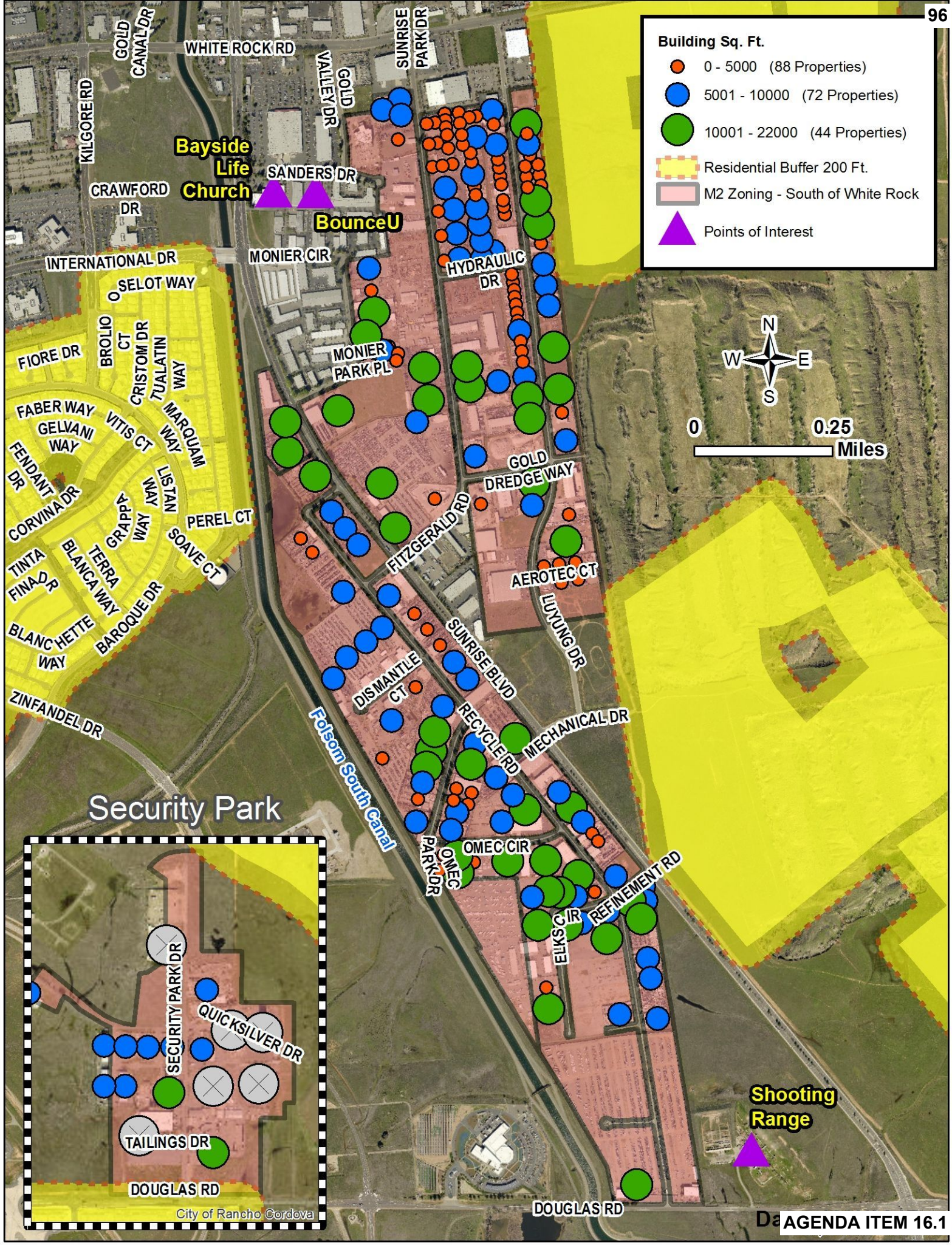
CATEGORIES OF USES (Option 2)

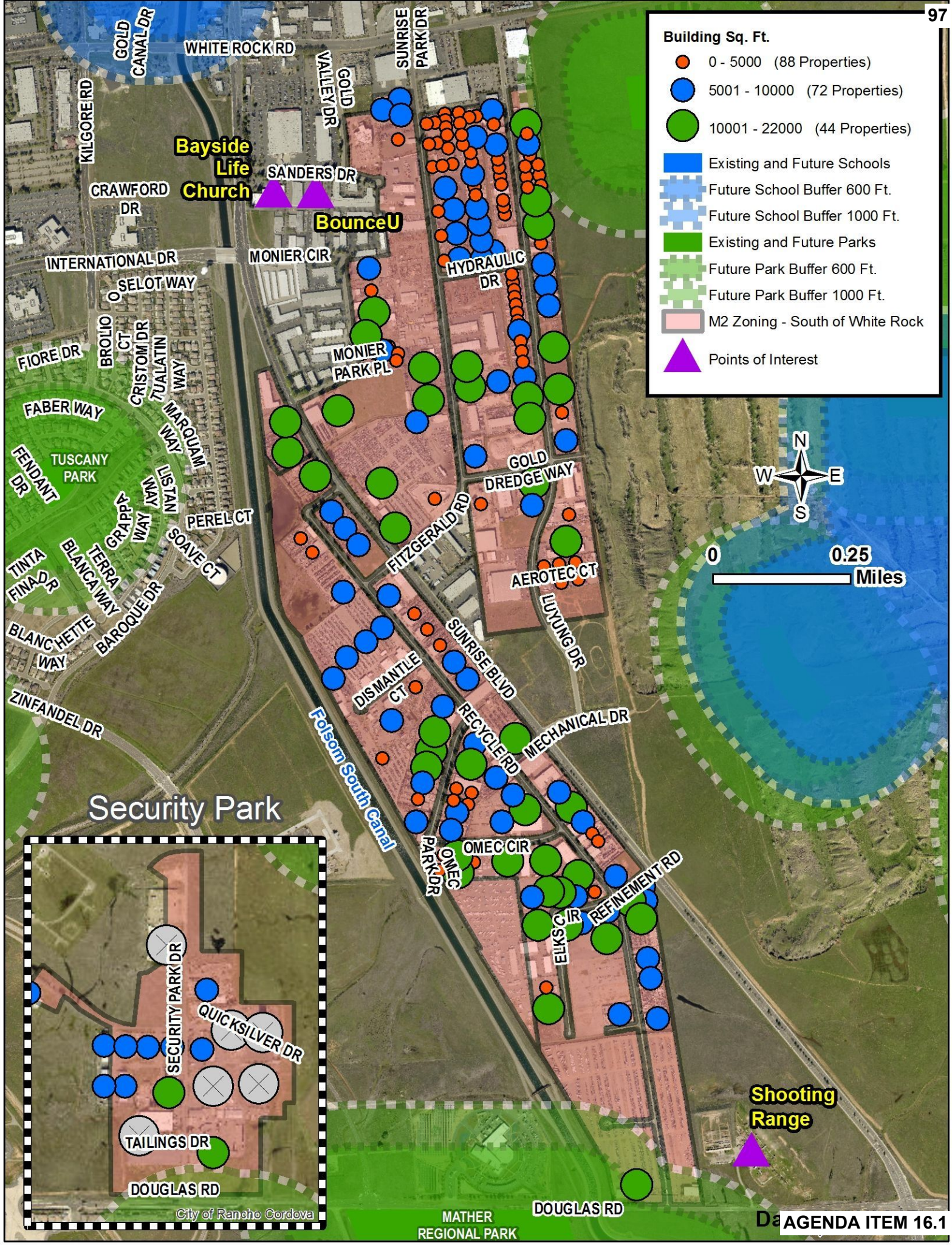
	MEDICINAL	ADULT-USE
Cultivation (Indoor/enclosed mixed light)	YES / NO	YES / NO
Manufacturing (oil, food production)	YES / NO	YES / NO
Testing (Quality Control)	YES / NO	YES / NO
Distribution Facility	YES / NO	YES / NO
Microbusiness	YES / NO	YES / NO

Council Direction (Option 2)

- ▶ **Where? Staff recommendation:**
 - ▶ Industrial area south of White Rock, north of Douglas, and east of Sunrise
 - ▶ Security Park area (see maps on prior slides)
- ▶ **Limit on number of businesses in each use category?**
- ▶ **Use permit require Council approval?**
 - ▶ Regular discretionary permit process or RFP?
- ▶ **Tax rate?**
- ▶ **Desired elements in regulatory ordinance? (security, site plans, development standards to mitigate impacts, background checks, etc.)**







MEMORANDUM



DATE: December 4, 2017

TO: Honorable Mayor and Council Members

FROM: Albert Stricker, Public Works Director

SUBJECT: **ORDINANCE REPEALING AND REPLACING CHAPTERS 19.04 AND 19.12 WITHIN TITLE 19 OF THE RANCHO CORDOVA MUNICIPAL CODE RELATING TO THE PROTECTION AND PRESERVATION OF PRIVATE AND PUBLIC TREES AND RESOLUTION ADOPTING FEES RELATING TO PERMITS**

RECOMMENDATION

1. Introduce and waive first reading of Ordinance No. 12-2017, "An Ordinance of the City Council of the City of Rancho Cordova Repealing and Replacing Chapters 19.04 and 19.12 within Title 19 of the Rancho Cordova Municipal Code Relating to the Protection and Preservation of Private and Public Trees"; and
2. Schedule December 18, 2017 for second reading of Ordinance No.12-2017; and
3. Consider adopting Resolution No.144-2017 establishing fees for Protected Tree Permits and Public Tree Permits, which would become effective upon the effective date of Ordinance No. 12-2017.

RESULT OF RECOMMENDED ACTION

The recommended actions will result in significant revisions to Chapters 19.04 and 19.12 of the Municipal Code. The changes would provide regulations protecting private and public trees and will allow the City to establish fees for the permits required by Ordinance No. 12-2017.

BACKGROUND

The City of Rancho Cordova (City) adopted Chapter 19 of the Municipal Code upon incorporation. The focus of the Chapter is preservation of certain trees on public and private properties generally as follows:

- 1) Within public right-of-way and City grounds, all trees are protected and parties other than City forces may not impact those trees without a permit.
- 2) On non-residential private properties protected trees include, but are not limited to, all trees planted with a discretionary permit, and four varieties of native oaks with trunks greater than 6-inches diameter (valley oak, interior live oak, blue oak, and oracle oak).
- 3) Single family residential lots smaller than 10,000 square feet are generally exempt from the regulations.

The City's current tree preservation ordinance does not have significant protection for trees other than native oaks on non-residential lots. This has resulted in cases where multiple trees have been removed from non-residential lots, thus reducing the City's overall urban canopy.

To evaluate options for increased protection of the City's urban forest, staff reviewed multiple tree preservation ordinances including those from the County of Sacramento, the City of Sacramento and the City of Davis. While the County of Sacramento's code mirrors the City's code with protection for four varieties of native oaks, both the cities of Sacramento and Davis have expanded lists of trees that are protected. For example, the City of Sacramento protects six native trees over 12-inches diameter and all trees over 24-inches diameter on non-residential properties. The City of Davis protects 68 varieties of trees over 5-inches diameter on non-residential property.

At a public workshop on April 25, 2017, Council directed staff to return with a proposed ordinance that includes greater protection for the City's urban canopy. At the November 6, 2017 City Council meeting, staff presented an updated draft ordinance for Council consideration including, but not limited to, the following:

- Elimination of the 10,000 square foot residential lot exemption.
- Continued protection of native oaks over 6-inches.
- Protection of non-residential trees over 12-inches diameter.
- Protection of residential trees over 24-inches diameter.
- Require stumps to be removed within one year of ordinance adoption.
- Prohibit topping of protected trees.
- Violations: Require inch per inch replacement or payment in-lieu.
 - Per proposed Municipal Code sections 19.12.120 and 19.12.240, non-permitted removal of healthy trees could result in required replacement on an inch per inch basis in addition to a misdemeanor. For example, non-permitted removal of one 12-inch diameter tree would require replacement with 12, 15-gallon trees, or payment in-lieu to the City's tree fund at the City's contract tree installation price (Currently \$165 per tree). In this example the price would be \$165 times 12 trees for a total of \$1,980.

At the time of the November 6th meeting, City Council discussed the draft ordinance and directed staff to revise sections 19.12.170 and 19.12.180. Those sections have been revised. In addition, the proposed tree list and ordinance establishing the fee for the permit are attached. The permit fee is \$31.00, which is in line with the County of Sacramento.

The implementation of the proposed ordinance would be overseen primarily by Public Works. In addition, Neighborhood Services will provide assistance on enforcement of the proposed ordinance.

FISCAL IMPACT

There may be additional costs relating to regulation and enforcement. The permit fees will allow the City to recover costs relating to the administration of the Protected Tree Permit and the Public Tree Permit. The fees are based on the reasonable cost to the City for the acceptance, review and issuance of the Permits. There may also be some recovery by the City, through fines and fees, if enforcement is increased. However, any money that is received from in lieu fees under the proposed ordinance shall be deposited into a Tree Program Fund, which is a

continuation of the current Tree Preservation Fund, for tree planting and preservation programs and certain public education programs. Tree Program Fund monies may also be directed by the City Council to nonprofit organizations for the implementation of programs consistent with the purposes of the Tree Program Fund.

ATTACHMENTS

1. Ordinance No. 12-2017
2. Resolution No. 144-2017
3. Tree List

2890249.1

CITY OF RANCHO CORDOVA

RESOLUTION NO. 144-2017

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RANCHO CORDOVA
ESTABLISHING FEES RELATING TO
PUBLIC TREE PERMIT AND PROTECTED TREE PERMIT**

WHEREAS, the City of Rancho Cordova anticipates adopting Ordinance 12-2017 at its December 18, 2017 City Council meeting, which amends Chapters 19.04 and 19.12 within Title 19 of the Municipal Code and contains regulations regarding tree protection and preservation of both public and private trees; and

WHEREAS, pursuant to Ordinance 12-2017, fees associated with public tree permit and a protected tree permit may be adopted by Council; and

WHEREAS, the City may impose fees that do not exceed the reasonable cost of providing the service or regulatory activity for which the fees are charged and which are not levied for general revenue purposes are not special taxes as defined in Article 3.5 of the Government Code; and

WHEREAS, the City has evaluated the cost of certain services related to the functions of reviewing a permit application and the issuance and monitoring of a public tree permit and a protected tree permit and has determined an amount that does not exceed the reasonable cost of providing the service, which shall assist the City in recovering costs related to the service. The City now wishes to establish a fee for those permits.

NOW, THEREFORE, BE IT HEREBY RESOLVED THE CITY COUNCIL OF THE CITY OF RANCHO CORDOVA does hereby establish the following fees, to be enacted upon the effective date of Ordinance 12-2017, or 30 days following its second reading and adoption by the City Council:

- 1. Public Tree Permit shall be \$31.00 per application.**
- 2. Private Tree Permit shall be \$31.00 per application.**

PASSED AND ADOPTED by the City Council of the City of Rancho Cordova on the 4th day of December, 2017 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Donald Terry, Mayor

ATTEST:

Staci Leitner, City Clerk
2890080.1

CITY OF RANCHO CORDOVA

ORDINANCE NO. 12-2017

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RANCHO CORDOVA
REPEALING AND REPLACING CHAPTERS 19.04 AND 19.12 WITHIN TITLE 19 OF THE
RANCHO CORDOVA MUNICIPAL CODE RELATING TO THE PROTECTION AND
PRESERVATION OF PRIVATE AND PUBLIC TREES**

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

SECTION 1. Repeal: Chapter 19.04, "Regulations" and Chapter 19.12, "Tree Preservation and Protection" within Title 19, "Trees" of the Rancho Cordova Municipal Code are hereby repealed in their entirety.

SECTION 2. Replace: Chapters 19.04 and 19.12 of Title 19 of the Rancho Cordova Municipal Code are hereby replaced and shall hereinafter read as follows:

"Chapter 19.04 PROTECTION OF PUBLIC TREES

Sections:

- 19.04.010 Purpose.
- 19.04.020 Word Construction.
- 19.04.030 Definitions.
- 19.04.040 Conserving Public Trees.
- 19.04.050 City Responsible for Public Trees.
- 19.04.060 Public Utilities and Easements.
- 19.04.070 Public Tree Permits.
- 19.04.080 General Regulations.
- 19.04.090 Tree Stumps Prohibited.
- 19.04.100 Clearance Requirements.
- 19.04.110 Exemption of City from Solar Shade Control Act.
- 19.04.120 Public Nuisances.
- 19.04.130 Violations.
- 19.04.140 Enforcement.
- 19.04.150 Appeals and Abatement Procedures.
- 19.04.160 Interference with Authorized Personnel.

19.04.010 Purpose and Intent.

In order to promote health and safety and enhance the beauty and general welfare of Rancho Cordova, it is hereby declared to be the policy of the city to plant, maintain, protect, preserve, and to regulate the planting, maintaining, protecting and preserving of all public trees growing on public property; to eliminate dangerous conditions caused by trees, shrubs and tree stumps that may result in injuries to persons or property; and to protect all public trees within the city from the spread of disease or pests.

19.04.020 Word Construction.

Unless the provisions or the context otherwise requires, the following rules of construction and definitions shall govern the construction of this chapter. The singular number includes the plural,

and the plural, the singular. The masculine gender includes the feminine. The present tense includes the past and future tenses, and the future, the present. "Shall" is mandatory and "may" is permissive.

19.04.030 Definitions.

For the purpose of this chapter the following words and terms have the following meanings:

- A. "Certified Arborist" means an Arborist certified by the International Society of Arboriculture with current certification standing, meeting all current renewal requirements and continuing education requirements; or an ASCA Registered Consulting Arborist with current membership standing, meeting all continuing education requirements; or a Society of American Foresters (SAF) Certified Urban Forester in good standing.
- B. "City" means the city of Rancho Cordova.
- C. "City council" means the city council of the city of Rancho Cordova.
- D. "Easement" means any utility easement, drainage easement, sanitary sewer easement or other legal easement within the city boundaries.
- E. "Maintain" or "maintenance," when used in reference to public trees, shall mean and include pruning, spraying, mulching, fertilizing, cultivating, supporting, treating for disease or injury, promoting public safety, or any other similar act which promotes the life, growth, health or beauty of public trees.
- F. "Permittee" means a person who has been granted a public tree permit as provided in this chapter.
- G. "Person" includes a natural person, legal owner, firm, association, corporation, co-partnership, trustee, receiver, utility, or an agent or employee thereof.
- H. "Planning Director" means the Planning Director of the city of Rancho Cordova, or his or her designee.
- I. "Planting easement" means an area of land, usually a strip of land adjoining a street right-of-way, which has been dedicated for the purpose of growing trees, shrubs, or other vegetation.
- J. "Public nuisance tree" means any tree or shrub that is maintained in violation of this chapter.
- K. "Public premises" includes city-owned properties, including but not limited to properties in the right of way and owned or managed by the city.
- L. "Public tree" means a tree or shrub whose trunk is planted in a street, planting easement, public premises, public sidewalk, median, traffic island or any other right of way owned or controlled by the city through an easement, license, fee title, or other permissive grant of use and maintained by the city.

M. "Public Works Director" means the Director of the Department of Public Works of the city of Rancho Cordova, or his or her designee.

N. "Street" includes the right-of-way width of any city-maintained street, avenue, boulevard, line, walk, road, parkway, alley, or other right-of-way for highway purposes, as determined by the Department of Public Works.

O. "Tree" includes shrub.

P. "Tree permit" means an authorization by the Public Works Director for the planting, pruning, treatment, or removal of a public tree.

Q. "Tree protection plan" shall be submitted for approval by the Public Works Director for protecting trees during any site development as requested by the Planning Director. A plan shall be prepared by a Certified Arborist stating the protection, steps required and approved work within the dripline or other designated protected areas near protected trees. The tree protection plan shall be included on all construction documents, specification documents, and explained to all contractors and subcontractors working on the subject project.

R. "Tree stump" means any portion of the base or trunk of a tree and its roots that remain after a tree is removed. For purposes of this chapter, a "tree stump" must be have a diameter of at least six (6) inches or greater.

19.04.040 Conserving Public Trees.

The Public Works Director, in his or her discretion, may modify standard street sections and make changes in street alignment to avoid the removal or damage of public trees.

19.04.050 City Responsible for Public Trees.

The planting, maintenance, and removal of public trees shall be under the supervision and control of the Public Works Director.

A. The planting, maintenance and removal of all trees and shrubs, on all public premises, planting easements, or streets are under the supervision and control of the Public Works Director.

B. No person shall plant, transplant, move, separate, trim, prune, cut above or below the ground, disrupt, alter or take any other action upon any public tree or other plant life on all public premises unless a tree permit is obtained pursuant to section 19.04.070 that authorizes the action.

C. In selecting plantings for public premises, the Public Works Director may select any trees or shrubs that he or she determines to be appropriate for such areas.

D. Architects and others preparing plans for the landscaping of public premises, including city buildings, shall consult with the Public Works Director during the preparation of such plans for review and approval prior to advertising for bids.

19.04.060 Public Utilities and Easements.

The Public Works Director may prohibit and otherwise regulate the planting of trees upon any city utility easement, drainage or sanitary sewer right-of-way if he or she considers such planting detrimental to their use. Trees shall not be planted upon any such right-of-way or easement without first obtaining a permit from the Public Works Director as provided in RCMC 19.04.070. Each permit of this type shall be subject to the condition that if on any future date the Public Works Director determines that a tree planted pursuant to the permit is detrimental to the use of the right-of-way or easement, the tree shall be considered a public nuisance and be subject to abatement as provided in RCMC 19.04.150.

19.04.070 Public Tree Permits.

A public tree permit shall be required before any person shall plant, transplant, move, separate, trim, prune, cut above or below the ground, disrupt, alter or do surgery upon any public tree located on a planting easement, street, or public premises, irrespective of whether the tree is alive or dead. The public tree permit shall also include the following:

- A. The Public Works Director shall prescribe the form of the permit, which shall be valid for a period of six months;
- B. The fee for the issuance of the permit shall be set by Council by resolution and may be amended from time to time;
- C. Permits shall be signed by the Public Works Director, or his or her designee, and shall be subject to such conditions as he or she determines to be necessary taking into consideration the safety, health and general welfare of the public, the location of utilities, driveways, traffic and street lights and other characteristics of the area;
- D. The Public Works Director may require that a permittee plant one or more trees in place of the one removed, in the same location or vicinity;
- E. If the tree or shrub is to be removed, grinding out the stump to a depth of four (4) inches below grade or removal of the entire tree stump shall be required;
- F. The Public Works Director may require a permittee to furnish a satisfactory bond, cash deposit or other security to ensure that the conditions of the permit will be fulfilled;
- G. Except where public safety is involved, a permit shall not be issued to trim or remove a public tree for the singular purpose of providing better visibility;
- H. Permits shall not be issued for the planting of any tree which is not in accordance with the master tree list unless the Public Works Director determines that the characteristics of the substituted tree are substantially the same as those of a tree permitted by the plan;
- I. Each tree or shrub planted pursuant to a permit shall be designated a public tree. The permit shall contain a statement to this effect; and
- J. It is unlawful for a permittee to fail, refuse, or neglect to plant a tree required by a permit or to fail to fulfill any condition imposed by the director when issuing the permit.

19.04.080 General Regulations.

No person shall, without a written permit from the Public Works Director, do or cause to be done by others any of the following acts:

- A. Secure, fasten or run any rope, wire, sign, unprotected electrical installation or other device or material to, around, or through a public tree;
- B. Break, injure, deface, kill or destroy a public tree or permit any fire to burn where it will injure any public tree;
- C. Permit any chemical, gas, smoke, salt brine, oil or other injurious substance to seep, drain or be emptied upon, above or below any public tree;
- D. Excavate any ditch, tunnel, or trench or lay any drive within a radius of ten (10) feet from any public tree;
- E. Erect, alter, repair or raze any building or structure without placing suitable guards around all nearby public trees which may be injured by such operations; or
- F. Remove any guard, stake or other device or materials intended for the protection of a public tree or close or obstruct any open space about the base of a public tree designed to prevent soil compaction or physical damage.

19.04.090 Tree Stumps Prohibited.

Any tree stump that is visible from the public right of way is hereby declared a public nuisance and maintenance of a tree stump is prohibited. Any tree stump shall be ground down to a depth of four (4) inches below grade or the entire tree stump shall be removed one year from the date of adoption of this ordinance and thereafter.

19.04.100 Clearance Requirements.

No tree or shrub shall be planted or maintained contrary to the provisions of RCMC chapter 12.12 to preserve appropriate clearance and sight-distance.

19.04.110 Exemption of City from Solar Shade Control Act.

The city of Rancho Cordova shall be exempt from the provisions of the Solar Shade Control Act pursuant to California Public Resource Code section 25985(a), or as amended.

19.04.120 Public Nuisances.

Any violation of the provisions of this chapter is unlawful and a public nuisance and the fully constituted authorities of the city shall immediately commence an action proceeding for the abatement and enjoinder thereof and shall take other steps in the manner provided by law. The city may pursue any and all legal and equitable remedies related to the enforcement of the provisions of this chapter, including criminal, civil, and administrative remedies and penalties pursuant to RCMC 1.01.190.

19.04.130 Violations.

Each person shall be guilty of a separate offense for each and every day during any portion of which any violation of any provision of this code is committed, continued or permitted by any such person, and he or she shall be punished accordingly. A violation of this chapter is a misdemeanor and is punishable by imprisonment in the county jail for a period up to six months or by a fine of up to one thousand dollars (\$1,000.00) or both.

19.04.140 Enforcement.

The Department of Public Works, or its designee, is charged with the responsibility of enforcing the provisions of this chapter. The remedies provided for herein shall be cumulative and not exclusive. The Public Works Director, or his or her designee, may upon the presentation of his or her credentials go upon any premises at any reasonable time for the investigation and inspection of any tree which is suspected to be in violation of this chapter, after having given the owner or occupant thereof at least five days' prior notice of the date of inspection or sooner if the owner or occupant consents to said inspection.

19.04.150 Appeals and Abatement Procedures.

The following procedures shall be followed when abating or correcting a condition relative to a public nuisance tree:

- A. The owner or occupant of property on which the tree is located shall be notified in writing by certified mail that the tree and tree stump shall be removed, pruned, treated or otherwise abated;
- B. The owner or occupant of property on which the tree is located shall have the right to appeal the determination of the Public Works Director;
- C. The owner or occupant of such premises shall have 15 days from the time of the mailing of the aforesaid notice to either comply with the terms of the notice of abatement or corrective action or to file an appeal with the city concerning the contemplated action of the Public Works Director. The City Manager, or his or her designee, shall appoint a hearing officer. The appeal hearing shall be conducted pursuant to RCMC 16.18.205(F)(8), or as may be amended;
- D. If the owner of such premises or his agent refuses or neglects to comply with the notice or to appeal the order of the Public Works Director within the time specified, the Public Works Director shall cause the tree to be treated, pruned, removed or otherwise abated;
- E. The Public Works Director shall keep an account of the cost of abatement and shall recover delinquent fees, penalties, charges and costs by lien or special assessment pursuant to RCMC 1.01.200.

19.04.160 Interference with Authorized Personnel.

It is unlawful for any person to prevent, delay or interfere with any work being done under the provisions of this chapter whether the work is done by an employee of the city or a person or firm performing work for the city pursuant to contract, hire or assignment.

Chapter 19.12 PRESERVATION AND PROTECTION OF PRIVATE TREES

Sections:

- 19.12.010 Purpose and Intent.
- 19.12.020 Word Construction.
- 19.12.030 Definitions.
- 19.12.040 Protected Tree Permit Required.
- 19.12.050 Application Procedure.
- 19.12.060 Protected Tree Permit Provisions.
- 19.12.070 Decision Criteria.
- 19.12.080 Emergency Conditions.
- 19.12.090 Prohibited Acts Relating to Protected Trees.
- 19.12.100 Activity Allowed Near Protected Trees.
- 19.12.110 Appeal of Denial of Protected Tree Permit.
- 19.12.120 Tree Replacement Plan.
- 19.12.130 Replanting Security.
- 19.12.140 Grading Beneath Tree Drip Lines.
- 19.12.150 Development Control Measures.
- 19.12.160 Tree Protection Plan.
- 19.12.170 Protected Tree Reports for Tentative Tract Maps.
- 19.12.180 Protected Tree Reports for Parcel Maps.
- 19.12.190 Stop Work Order.
- 19.12.200 Fees.
- 19.12.210 Exemption of City from Solar Shade Control Act.
- 19.12.220 Tree Stumps Prohibited.
- 19.12.230 Public Nuisances.
- 19.12.240 Violations.
- 19.12.250 Enforcement.
- 19.12.260 Appeals and Abatement.
- 19.12.270 Interference With Authorized Personnel.

19.12.010 Purpose and Intent.

A. Native oak trees grew naturally in Rancho Cordova. As the area has been developed, many types of trees have been planted. Trees are a community asset that cannot provide benefits without human maintenance, care, and protection. A clearly defined, reasonable, and effective ordinance guides the growth of a long term community tree canopy that provides improved air quality, public and mental health, welfare, safety and environmental benefits to the residents, businesses, and visitors of Rancho Cordova. Trees on both public and private properties contribute to the community tree canopy and the growing of trees on both public and private property are necessary to sustain a community-wide tree canopy. Furthermore, it is recognized that the preservation of trees enhances the natural scenic beauty, sustains the long-term potential increase in property values, which encourages quality development, maintains the original ecology, retains the original tempering effect of extreme temperatures, increases the attractiveness of the city to visitors, helps to reduce soil erosion, and increases the oxygen output of the area which is needed to combat air pollution. For these reasons, in order to promote the health, safety, and general welfare, to preserve and protect significant historical heritage values, to enhance the beauty of the city of Rancho Cordova, and to complement and strengthen zoning, subdivision and land use standards and regulations, while at the same time

recognizing individual rights to develop private property, the City Council adopts this chapter, establishing basic standards and measures for the preservation and protection of trees.

B. It shall be the policy of the city to preserve all trees possible through its development review process.

C. It is the intent of this chapter to establish regulations for the protection, removal, and preservation of landmark trees and protected trees, as defined herein, within the city in order to retain as many trees as possible consistent with the purpose hereof and the reasonable economic enjoyment of all property in the city.

D. In order to promote health and safety and enhance the beauty and general welfare of Rancho Cordova, it is hereby declared to be the policy of the city to eliminate dangerous conditions caused by trees, shrubs and tree stumps that may result in injuries to persons or property; and to protect all public trees within the city from the spread of disease or pests.

19.12.020 Word Construction.

Unless the provisions or the context otherwise requires, the following rules of construction and definitions shall govern the construction of this chapter. The singular number includes the plural, and the plural, the singular. The masculine gender includes the feminine. The present tense includes the past and future tenses, and the future, the present. "Shall" is mandatory and "may" is permissive.

19.12.030 Definitions.

For the purpose of this chapter the following words and terms have the following meanings:

A. "Approving body," as used in this chapter, shall be any one of the following: City Council, Public Works Director, Planning Commission, or the Planning Director.

B. "Business Day" means a day the city of Rancho Cordova City Hall is open for business.

C. "Certified Arborist" means an Arborist certified by the International Society of Arboriculture with current certification standing, meeting all current renewal requirements and continuing education requirements; or an ASCA Registered Consulting Arborist with current membership standing, meeting all continuing education requirements; or a Society of American Foresters (SAF) Certified Urban Forester in good standing.

D. "City" means the city of Rancho Cordova.

E. "City Council" means the City Council of the city of Rancho Cordova.

F. "City Arborist" is any certified arborist designated by the Public Works Director, or his or her designee, to act as arborist on behalf of the city of Rancho Cordova.

G. "Damaged or Destroyed Tree" means the cutting and removal of any protected tree without a tree permit such that more than 50% of the live foliage or buds from a protected tree within a 12 month period; the cutting and removal of an entire protected tree; physical damage to a trunk or main leader 50% or greater of the circumference; or damage to greater than 33% of the root system of a protected tree.

H. "Development Project" Any exterior construction work associated with or requiring a building or grading permit for any new building, building addition, building demolition, site grading, excavation or site paving.

I. "Diameter at standard height" or "DSH," means the diameter of a tree measured at four and one-half (4 ½) feet above natural grade, except as specified below. The diameter shall be calculated by using the following formula: diameter = circumference/3.14.

1. For a tree that branches at or below four and one-half feet, DSH means the diameter at the narrowest point between the grade and the branching point.
2. For a tree with a common root system that branches at the ground, DSH means the sum of the diameter of the largest trunk and one-half the cumulative diameter of the remaining trunks at four and one-half (4 ½) feet above natural grade.

J. "Discretionary project," as used in this chapter, shall be a project that must be approved by one of the following approving bodies: City Council, planning commission, or Planning Director. Discretionary projects shall include, but are not limited to, a special development permit, a parcel map, a parking reduction permit, a rezone, a site plan approval permit, a subdivision map, a variance, or a conditional use permit.

K. "Dripline" means the maximum measurement from the center of the tree trunk to the most outward lateral branch of the foliar crown of a protected tree.

L. "Easement" means any utility easement, drainage easement, sanitary sewer easement or other legal easement within the city boundaries.

M. "Landmark trees" means any trees designated by Council through resolution as a vital and historical part of the city's landscape such that the trees need to be designated as landmarks for protection and preservation.

N. "Maintain" or "maintenance," when used in reference to trees, shall mean and include pruning, spraying, mulching, fertilizing, cultivating, supporting, treating for disease or injury, promoting public safety, or any other similar act which promotes the life, growth, health or beauty of trees.

O. "Major trimming" means a cutting or pruning in a way which reduces the overall canopy of the tree by ten percent (10%) or more, or cutting of roots or branches greater than 2-inches diameter within a 12-month period.

P. "Minor trimming" means a cutting or pruning in a way which reduces the overall canopy by less than ten percent (10%), does not significantly reduce the overall canopy of the tree, and does not cut roots or branches greater than 2-inches diameter within a 12-month period.

Q. "Permittee" means a person who has been granted a protected tree permit as provided in this chapter.

R. "Person" includes a natural person, legal owner, firm, association, corporation, co-partnership, trustee, receiver, utility, or an agent or employee thereof.

S. "Planning Director" means the Planning Director of the city of Rancho Cordova, or his or her designee.

T. "Planting easement" means an area of land, usually a strip of land adjoining a street right-of-way, which has been dedicated for the purpose of growing trees, shrubs, or other vegetation.

U. "Private land" shall include all land owned by private interest, and not designated city-owned land.

V. "Protected Tree" means:

1. Native Oak – *Quercus lobata*, Valley Oak; *Quercus wislizenii*, Interior Live Oak; *Quercus douglasii*, Blue Oak; or *Quercus morehus*, Oracle Oak - having a trunk diameter of at least six (6) inches or greater; or
2. Any tree species other than a native Oak having a trunk diameter of at least twelve (12) inches or greater on non-residential property; or
3. Any tree species other than a native Oak having a trunk diameter of at least twenty-four (24) inches or greater on residential property; or
4. Any tree planted as a requirement tree for site development, tree permit condition, landscape plan removal replacement, or other designated condition by the Public Works Director or Planning Director.
5. "Protected tree" does not include any trees for sale within the city sold by a nursery.

W. "Public premises" includes city-owned properties, including but not limited to properties in the right of way and owned or managed by the city.

X. "Public nuisance tree" means any tree or shrub that is maintained in violation of this chapter.

Y. "Public tree" means a tree or shrub whose trunk is planted in a street, planting easement, public premises, public sidewalk, median, traffic island or any other right of way owned or controlled by the city through an easement, license, fee title, or other permissive grant of use and maintained by the city.

Z. "Public Works Director" means the Director of the Department of Public Works of the city of Rancho Cordova, or his or her designee.

AA. "Replacement value" for purposes of this chapter, replacement value shall be determined utilizing the most recent edition of the Guide for Plant Appraisal, published by the Council of Tree and Landscape Appraisers.

BB. "Street" includes the right-of-way width of any city-maintained street, avenue, boulevard, line, walk, road, parkway, alley, or other right-of-way for highway purposes, as determined by the Department of Public Works.

CC. "Topping" means a major trimming of a protected tree which reduces the overall canopy of the tree by more than fifty percent (50%). Topping shall be prohibited in the City, unless otherwise permitted by the Public Works Director.

DD. "Tree permit" means an authorization by the Public Works Director for the planting, major trimming, treatment, or removal of a protected tree.

EE. "Tree protection plan" shall be submitted for approval by the Public Works Director for protecting trees during any site development as requested by the Planning Director. A plan shall be prepared by a Certified Arborist stating the protection, steps required and approved work within the dripline or other designated protected areas near protected trees. The tree protection plan shall be included on all construction documents, specification documents, and explained to all contractors and subcontractors working on the subject project.

FF. "Tree purchase specifications" means the specifications that designate the acceptable branching and foliar crown, tree structure, and root system for any trees to be planted in the subject project for the landscape design submitted for approval with a development project or building permit.

GG. "Tree stump" means any portion of the base or trunk of a tree and its roots that remain after a tree is removed. For purposes of this chapter, a "tree stump" must have a diameter of at least six (6) inches or greater.

19.12.040 Protected Tree Permit Required.

No person shall trench, grade or fill within the drip line of any protected tree, or damage, kill or remove any protected tree, or perform a major trimming of any protected tree without an approved tree permit.

It shall be the responsibility of the owner or lessee/tenant of the property on which the protected tree is located and the person performing tree work to have the approved tree permit and/or a copy of the conditions of permit approval at the work site.

19.12.050 Application Procedure.

Any person needing a protected tree permit for one or more protected trees shall make application to the Public Works Director. Said application shall contain:

- A. A brief statement of the reasons for removal or major trimming, written by a Certified Arborist;
- B. Consent of the owner of record of the land on which the proposed activity is to occur;
- C. A tree inventory including: site sketch or site plan showing the accurate location, number of trees affected, species, trunk diameter, approximate height, and approximate dripline of the tree or trees to be removed;
- D. If the project involves other discretionary development, then this inventory must be part of the total development plan and must also describe any tree or trees which could be affected by the proposed development;

E. If the application is for the removal of a protected tree, the applicant shall also submit a tree replacement plan pursuant to the standards set forth in section 19.12.120, or as may be amended;

F. Any other pertinent information; and

G. The application and statement from a Certified Arborist for a tree permit shall be reviewed by staff within twenty (20) business days of submittal.

19.12.060 Protected Tree Permit Provisions.

A. A granted protected tree permit shall be valid for a period of six (6) months from the date of issuance. An extension of time may be granted not to exceed six (6) months.

B. The Public Works Director may impose such reasonable conditions of approval as are necessary and appropriate to minimize the environmental, health or safety effects of the development or use.

C. The protected tree permit or a copy of the conditions of approval shall be kept at the tree removal site at all times.

D. The protected tree permit, or the conditions of approval, shall entitle the applicant to remove or trim only the protected tree or trees approved.

E. If the tree or shrub is to be removed, grinding out the stump to a depth of four (4) inches below grade or the entire removal of the tree stump, shall be required.

19.12.070 Decision Criteria.

Prior to the issuance of a protected tree permit, the Public Works Director shall review the request. The determination in granting or denying a permit shall be based on the following criteria:

A. The protected tree is found to be dead;

B. The protected tree is found to be dying, and fifty percent (50%) or greater of the leaves and buds are dead;

C. The protected tree is found to be attacked by an insect or disease that cannot be mitigated without removing the tree;

D. The protected tree is found to be structurally unsound or presents a significant risk that cannot be reasonably mitigated without removing the tree;

E. The number of trees on a property is overcrowded to where the individual canopies of the protected tree is overlapped or compromised, and the removal of the protected tree would not reduce the property's tree canopy cover;

F. Whether or not the preservation of the tree would compromise the reasonable use of an owner's development of land;

- G. The number of healthy trees that a given parcel of land will support;
- H. The effect of tree removal on soil stability/erosion, particularly near watercourses or on steep slopes;
- I. The potential for the tree to be a public nuisance, or interfere with utility service, as well as its proximity to existing structures;
- J. The extent to which the tree interferes with efficient operation of a pre-existing solar energy system or the potential for the construction of a solar energy system;
- K. Whether or not there are any alternatives that would allow for the preservation of the tree;
- L. If the applicant is seeking to conduct a major trimming, the Public Works Director will consider the type of trimming and the effect the trimming or pruning will have on the overall health of the tree;
- M. The overall impact on the environment;
- N. The proposed tree replacement plan pursuant to the standards set forth in section 19.12.120, or as may be amended; and
- O. Any other information the Public Works Director finds pertinent to the decision. The protected tree shall be scheduled for a site inspection, if necessary, after receipt of the tree permit application and accompanying Certified Arborist Statement.

19.12.080 Emergency Conditions.

An emergency condition shall exist when a protected tree creates an imminent and serious threat to the health and safety of the community or nearby property. Emergency removals shall require an after-the-fact application for approval. A permit application shall be submitted within ten (10) business days following the date of tree removal and shall include a photograph of the condition requiring removal, and a letter from a Certified Arborist or report from a recognized emergency worker documenting the emergency condition.

19.12.090 Prohibited Actions Relating to Protected Trees.

No person shall, without an approved permit from the Public Works Director, do, or cause to be done by others, any of the following acts:

- A. Secure, fasten, or run any rope, wire, sign, unprotected electrical installation or other device or material to, around, or through a protected tree;
- B. Break, injure, deface, kill, or destroy a protected tree or allow any fire to burn where it will injure any protected tree;
- C. Allow any chemical, gas, smoke, salt brine, oil, pesticide, or other injurious substance to seep, drain, or be emptied upon, above, or below any protected tree;
- D. Excavate any ditch, tunnel, or trench, or fill within the dripline of any protected tree;

- E. Erect, alter, repair or raze any building or structure without placing suitable guards around all nearby protected trees which may be injured by such operations;
- F. Remove any guard or other device or materials intended for the protection of a protected tree or take away or obstruct any open space around the base of a protected tree designed to prevent soil compaction or physical damage; or
- G. Allow the topping of any protected tree.

19.12.100 Activity Allowed Near Protected Trees.

The following activities are permitted around or near protected trees without a protected tree permit:

- A. Paving for existing streets and/or driveways under the supervision of an arborist to guarantee appropriate measures are taken to ensure tree conservation;
- B. Parking or operation of motor vehicles within the protected zone on existing paved areas;
- C. Placement or storage of equipment or construction material within the protected zone on existing paved areas;
- D. Maintenance of under-canopy landscaping for non-native oak species;
- E. Maintenance activities approved by the city within improved parking lots;
- F. Pruning of broken branches damaged by weather or failure;
- G. Activity performed by a public utility necessary to comply with safety regulations or to repair or avoid the interruption of services, provided such activity is done under the supervision of a certified arborist.

19.12.110 Appeal of Denial of Protected Tree Permit.

- A. If a permit is denied, the Public Works Director shall provide written notification, including the reasons for denial, to the applicant.
- B. The applicant shall have fifteen (15) days from the time of the mailing of the aforesaid notice to file an appeal with the city concerning the denial of the tree permit by the Public Works Director. The City Manager, or his or her designee, shall appoint a hearing officer. The appeal hearing shall be conducted pursuant to RCMC 16.18.205(F)(8), or as may be amended.

19.12.120 Tree Replacement Plan.

- A. When replacement for tree loss is required by this chapter or through the CEQA process, replacement of the tree shall be provided consistent with the standards set forth in this section. Applicants who are granted permits to remove protected trees shall be required to prepare and implement a tree replacement plan.

B. Replacement Standards.

1. A tree replacement plan for private protected trees located on lots that include single-unit or duplex dwellings must provide for the replacement of one tree for each protected tree removed.

2. Any other tree replacement plan must provide for the replacement of trees at a ratio of one-inch DSH of tree replaced for each inch DSH of tree removed (1:1 ratio) pursuant to section 12.19.120(D), or as may be amended.

3. If tree is removed without an approved permit, the City may impose in lieu fees and tree replacement based on the trees' replacement equivalent, as set forth in subsections C and D.

C. Replacement Options.

1. On-Site or Off-Site Replacement. A tree replacement plan that includes on-site or off-site replacement shall specify where the trees shall be planted and how the trees shall be monitored and maintained for a time period as determined by the Public Works Director. The Public Works Director may require security to ensure that the replacement trees survive for the minimum establishment period as provided in subsection F. If the Public Works Director determines that a tree cannot be planted on-site or other suitable off-site location within the city due to a reasonable site condition, the applicant shall pay an in lieu fee as described in subsection C (2) into the Rancho Cordova Tree Program Fund, as described in subsection G. The fee shall be calculated as the current Rancho Cordova tree or landscape maintenance contract price for purchasing, planting, and providing irrigation to an equivalent number of fifteen (15) gallon size tree containers, as calculated per subsection D.

2. Payment of an In-Lieu Fee. The applicant may pay a fee for the loss of the trees in an amount established by resolution of the City Council. The in lieu fee shall be calculated as the current Rancho Cordova tree or landscape maintenance contract price for purchasing, planting, and providing irrigation to an equivalent number of fifteen (15) gallon size tree containers, as calculated per subsection D. Such monies shall be deposited in the Tree Program Fund, as described in subsection G.

3. Credit for Existing Trees Smaller than a Private Protected Tree. An applicant may be entitled to replacement credit when the applicant preserves trees that are on the same lot from which the private protected trees were removed and that are smaller than the size requirements of private protected trees. To be entitled to the credit, the preserved trees must be viable long-term. The Director shall determine whether a tree is viable long-term, by considering the location of the trees, the quality of the environment in which the trees are located, potential impacts to the trees from any proposed development, and other factors that the director deems relevant. If approved the applicant shall receive credit at a rate of one-inch DSH per one-inch DSH of tree preserved with a two-inch minimum credit.

D. Replacement Equivalents.

1. The following equivalent sizes shall be used whenever new trees are planted pursuant to a tree replacement plan or other equivalency calculation made by the Director:

- a. A tree in a fifteen (15) gallon container or smaller = one-inch DSH;

- b. A tree in a twenty-four (24) inch box = two-inch DSH; or
- c. A tree in a thirty-six (36) inch box or larger = three-inch DSH.

E. Waiver Replacement Requirement. The Public Works Director, in his or her discretion, may waive the tree replacement requirements in this section, for the following reasons:

1. The tree removal is required to mitigate overcrowded, overlapping and compromised tree canopies, and the removal of the protected tree would not significantly reduce the property's tree canopy cover;
2. The condition of the tree with respect to disease, danger of falling, or interference with utility services, is such that the public health, safety, or welfare requires its removal. The tree shall be replaced with at least one tree unless replacement of the tree would be ineffective due to environmental conditions such as disease or contamination; or
3. The tree or its roots are causing, or threatening to cause, damage to any main structure on the property or on any adjacent property and there are no reasonable alternative means to mitigate the damage or threatened damage while minimizing the impact on the tree. Reasonable alternative means of mitigation include, but are not limited to, cutting tree roots, trimming the tree canopy, or installing a root barrier. Removing, relocating, or in any way altering any main structure on the property shall not be considered a reasonable alternative means of mitigation. The tree shall be replaced with at least one tree unless replacement of the tree would be ineffective due to environmental conditions such as disease or contamination.

F. Security.

1. Security may be required for any tree replacement plan that does not include payment of an in-lieu fee. The security shall guarantee the tree permittee's compliance with conditions of approval and city provisions regarding tree protection and preservation. Security may also be required at the discretion of the Public Works Director to ensure the completion of any additional work specified as a condition of permit approval or other approvals.
2. The security shall be in the amount of the estimated cost of the required work. The applicant shall include the cost estimate as part of the tree replacement plan. The terms and conditions of the security shall be reviewed and approved by the Public Works Director prior to approval of the tree replacement plan.
3. Security posted on actual work required shall be maintained for the time period determined by the Public Works Director.

G. Tree Program Fund.

A Tree Program Fund is established for the city of Rancho Cordova for the purposes specified in this section. The monies received in lieu of replacement of illegally removed trees shall be forwarded to the Finance Director for deposit in the Tree Program Fund. Except as provided in this section, under no circumstances shall the funds collected by the Finance Director for the tree preservation fund be directed to any other fund to be used for any other purposes other than for tree planting and preservation programs and public education programs regarding trees. Tree Program Fund monies may be directed by the City Council to nonprofit

organizations for the implementation of programs consistent with the purposes of the Tree Program Fund.

19.12.130 Replanting Security.

Adequate security may be required for any project for which a permit or other approval is required pursuant to provisions of this chapter or the zoning code to ensure that the replanting will be performed in compliance with this chapter. The purpose of such security shall be to guarantee the applicant's compliance with conditions of approval and city ordinance provisions regarding tree protection and preservation. Security may also be required at the discretion of the Public Works Director, or his or her designee, to ensure to completion of any additional work specified as a condition of permit approval or other approvals. The security may be required in the following forms:

- A. The security shall be in the amount of one hundred (100) percent of the estimated cost of the required work; or
- B. The security may be in the form of a letter of credit, cash deposit, or a combination thereof; or
- C. The security may be required whenever it appears that substantial work is required including, but not limited to:
 - 1. Substantial grading is required;
 - 2. Significant violations of the RCMC exist;
- D. Security posted on actual work required shall be maintained until work is completed;
- E. Any interest gained on cash security posted shall accrue to the applicant and his or her designee.

19.12.140 Grading Beneath Protected Tree Drip Lines.

Grading beneath protected trees to be retained shall be given special attention. Every reasonable effort shall be made to avoid creating conditions adverse to the protected tree's health. The natural ground within the drip lines of protected trees shall remain as undisturbed as possible. Grading within the drip lines of protected trees will not be permitted unless specifically authorized by the Public Works Director.

- A. Major roots two (2) inches or greater in diameter encountered within the protected tree's drip line in the course of excavation from beneath protected trees which are to be retained shall not be cut and shall be kept moist and covered with earth as soon as possible. Roots one-inch to two (2) inches in diameter which are severed shall be pruned and covered to keep moist or covered with earth as soon as possible.
- B. Support roots that are inside the drip line of the protected tree shall be protected. The permittee is required to hand-dig in the vicinity of protected trees to prevent root cutting and mangling which may be caused by heavy equipment.
- C. Cross-sections may be required where protected trees are located adjacent to roadways, new slopes or critical areas. In addition, a dimension from the face of a protected tree to some critical point or line may be required.

D. Any condition imposed by the City Council, Planning Commission, the Planning Director, or the Public Works Director relating to grading in the vicinity of protected trees is incorporated into and made a part of the improvement standards. The consulting engineer for the project shall verify in writing on a form to be provided by the Public Works Director that the grading has been completed as required by this section and any conditions imposed.

19.12.150 Development Control Measures.

The Public Works Director, the Planning Director, the Planning Commission or the City Council may mandate any or all of the following control measures to mitigate damage to protected trees caused by land development:

A. No grade cuts greater than one foot shall occur within the drip lines of protected trees, and no grade cuts whatsoever shall occur within five feet of their trunks;

B. No fill greater than one foot shall be placed within the drip lines of protected trees and no fill whatsoever shall be placed within five feet of their trunks;

C. No trenching whatsoever shall be allowed within the drip lines of protected trees. If it is absolutely necessary to install underground utilities within the drip lines of a protected tree, the trench shall be either bored or drilled;

D. No irrigation system shall be installed within the drip lines of Native oak tree(s) which may be detrimental to the preservation of the native oak tree(s) unless specifically authorized by the Public Works Director, or his or her designee;

E. Landscaping beneath protected trees may include non-plant materials such as boulders, cobbles, wood chips, etc. Plants shall not be planted closer than six (6) feet from the trunk of a Native Oak. Only plant species that shall be planted within the dripline of Native Oak trees are those which listed as low and very low water use plants in the most current Water Use Classification of Landscape Species (WUCOLS) published by the University of California (<http://ucanr.edu/sites/WUCOLS>);

F. Paving within the drip lines of protected trees should be stringently minimized. When it is absolutely necessary, porous material should be used.

19.12.160 Tree Protection Plan.

Any development or building permit project that encroaches upon the existing dripline of a protected tree shall require a Tree Protection Plan submitted with the project application. The tree protection plan shall be included on all demolition, grading, construction, and landscaping plans and project specifications. All protected trees and protective fencing or other protection features shall be shown on all project demolition, grading, construction, and landscape plans.

19.12.170 Protected Tree Reports for Tentative Subdivision Maps.

No application for a tentative subdivision map approval for a subdivision where a protected tree is located shall be considered complete unless it includes a report, in a form acceptable to the Public Works Director, which pertains to preservation of the tree(s) and evaluates the subdivider's proposals for the preservation, removal, replacement, or relocation of any protected

tree(s) on the property. The report shall be prepared by a certified arborist and shall include all protected trees identified pursuant to this chapter. If the subdivider proposes any grading, land movement, or other activity within the drip line of a protected tree referred to in the report, or proposes to relocate or remove any protected tree, the report shall also evaluate any replacement measures proposed by the subdivider and their anticipated effectiveness in preserving the protected tree.

19.12.180 Protected Tree Reports for Parcel Maps.

No application for a preliminary parcel map approval for a parcel where a protected tree is located shall be considered complete unless it includes a report, in a form acceptable to the Public Works Director, which pertains to preservation of the tree(s) and evaluates any proposals for the preservation, removal, replacement, or relocation of any protected tree(s) on the property. The report shall be prepared by a certified arborist and shall include all protected trees identified pursuant to this chapter. If the proposal includes any grading, land movement, or other activity within the drip line of a protected tree referred to in the report, or proposes to relocate or remove any protected tree, the report shall also evaluate any replacement measures proposed and their anticipated effectiveness in preserving the protected tree.

19.12.190 Stop Work Order.

Whenever the Public Works Director, the Planning Director, the Planning Commission or the City Council determines that any permit, or variance or any action being taken thereunder, or any action under it without a permit, is in conflict with this chapter or with the standards established by the city or any department thereof, or ordinance, regulation, or policy, the Public Works Director shall issue a stop work order which shall prohibit any action thereunder. Such stop work order shall set forth the alleged violations and may list remedies to be taken to correct the violations. The person receiving such a stop work order shall report in writing to the officer, person or body issuing the order within 48 hours regarding the next steps to be taken to correct the violations. Such stop work order may be extended to provide an opportunity for a hearing being extended to the affected party. During the period of such extension, Public Works Director, shall review the matter as herein provided. A stop work order issued pursuant to this section may be withdrawn by the Public Works Director upon a finding that the circumstances giving rise to the order no longer exist.

19.12.200 Fees.

Fees for the issuance of a protected tree permit shall be set by City Council resolution, as amended from time to time.

19.12.210 Exemption of City from Solar Shade Control Act.

The city of Rancho Cordova shall be exempt from the provisions of the Solar Shade Control Act pursuant to California Public Resource Code section 25985(a), or as amended.

19.12.220 Tree Stumps Prohibited.

Any tree stump that is visible from the public right of way is hereby declared a public nuisance and maintenance of a tree stump is prohibited. Any tree stump shall be ground down to a depth

of four (4) inches below grade or the entire tree stump shall be removed one year from the date of adoption of this ordinance and thereafter.

19.12.230 Public Nuisances.

Any violation of the provisions of this chapter is unlawful and a public nuisance, and the fully constituted authorities of the city shall immediately commence an action proceeding for the abatement and enjoinder thereof and shall take other steps in the manner provided by law. The city may pursue any and all legal and equitable remedies related to the enforcement of the provisions of this chapter, including criminal, civil, and administrative remedies and penalties pursuant to RCMC 1.01.190.

19.12.240 Violations.

A. Each person shall be guilty of a separate offense for each and every day during any portion of which any violation of any provision of this code is committed, continued, or permitted by any such person, and he or she shall be punished accordingly. A violation of this chapter is a misdemeanor and is punishable by imprisonment in the county jail for a period up to six months or by a fine of up to one thousand dollars (\$1,000.00) or both.

B. In addition to a fine, any violation of this chapter shall also require replacement measures pursuant to sections 19.12.120 to off-set the violation(s), which shall be determined by the Public Works Director.

19.12.250 Enforcement.

The Department of Public Works, or its designee, is charged with the responsibility of enforcing the provisions of this chapter. The remedies provided for herein shall be cumulative and not exclusive. The Public Works Director, or his or her designee, may upon the presentation of his credentials go upon any premises at any reasonable time for the investigation and inspection of any tree which is suspected to be in violation of this chapter, after having given the owner or occupant thereof at least five(5) days' prior notice of the date of inspection or sooner if the owner or occupant consents to said inspection.

19.12.260 Appeals and Abatement Procedures.

The following procedures shall be followed when abating or correcting a condition relative to a public nuisance tree or a violation of this chapter:

A. The owner or occupant of property on which the tree is located shall be notified in writing by certified mail that the tree and tree stump shall be removed, pruned, treated or otherwise abated or that a violation of this chapter occurred and the corrective action necessary;

B. The owner or occupant of property on which the tree is or was located shall have the right to appeal the determination of the Public Works Director;

C. The owner or occupant of such premises shall have fifteen (15) days from the time of the mailing of the aforesaid notice to either comply with the terms of the notice of abatement or corrective action or to file an appeal with the city concerning the contemplated action of the Public Works Director. The City Manager, or his or her designee, shall appoint a hearing officer. The appeal hearing shall be conducted pursuant to RCMC 16.18.205(F)(8), or as may be amended;

D. If the owner or occupant of such premises or his agent refuses or neglects to comply with the notice or to appeal the order of the Public Works Director within the time specified, the Public Works Director shall cause the tree to be treated, pruned, removed or otherwise abated or the Public Works Director shall take the corrective action necessary;

E. The Public Works Director shall keep an account of the cost of abatement and shall recover delinquent fees, penalties, charges and costs by lien or special assessment pursuant to RCMC 1.01.200.

19.12.270 Interference with Authorized Personnel.

It is unlawful for any person to prevent, delay or interfere with any work being done under the provisions of this chapter whether the work is done by an employee of the city or a person or firm performing work for the city pursuant to contract, hire or assignment.”

SECTION 3. Severability

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

SECTION 4. CEQA

Approval of 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 5. Effective Date and Publication

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

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

AYES:

NOES:

ABSENT:

ABSTAIN:

Donald Terry, Mayor

ATTEST:

Stacy Leitner, City Clerk

Date

2819161.13

City of Rancho Cordova Tree List - The purpose of this list is to enhance the urban tree canopy of Rancho Cordova and recommend suitable trees for the right location. Careful tree and site selection will provide grace and beauty to the environment and our communities for years to come. Trees with edible fruit and nuts are included in the list and are encouraged where appropriate. Planting the largest shade tree that the location can support is also encouraged.

Botanical name	Common name	Evergreen or Deciduous	Mature height	Mature width	Growth Rate	Water needs	Minimum distance from hardscape	Minimum distance from building foundation	Maintenance Requirements	Comments
<i>*# Acacia aneura</i>	Mulga	E	15-20'	15-20'	F	M,L	5'	10'	L	tolerates clay soil, yellow flowers in spring
<i>Acacia stenophylla</i>	Shoestring acacia	E	20-30'	10-20'	F	M,L	5'	10'	L	rounded, weeping canopy, fragrant yellow flowers, drought tolerant
<i># Acer buergerianum</i>	Trident maple	D	30-40'	20-30'	M	M	6'	10'	M,L	rounded canopy turns red in fall
<i># Acer campestre</i>	Hedge maple	D	30-40'	25-35	M	M,L	6'	10'	L	rounded canopy turns yellow to red in fall
<i># Acer capillipes</i>	Red snakebark maple	D	30-35'	30-35'	M	M	6'	10'	M,L	Interesting striated bark, tolerates shade.
<i>Acer rubrum</i>	Red maple	D	50-60'	45'	M	M	8'	15'	M,L	develops an oval symmetrical form, leaves turn red in the fall. Likes well drained soil. Good commercial frontage tree.
<i># Acer truncatum</i>	Shantung maple	D	25-30'	20-30'	M	L	6'	10'	L	develops a broad, oval crown, yellow flowers in spring, and various fall color . Good parking lot shade
<i>*# Arbutus 'Marina'</i>	Marina strawberry tree	E	20-25'	25'	M	M,L	6'	10'	M,L	slow growing rounded tree with whitish-pink flowers followed by ½" round fruits which are edible but bland. Trunk & branches are reddish brown with thin peeling strips
<i>Calocedrus decurrens</i>	Incense cedar	E	75-80'	10-15'	M	M,L	8'	15'	L	pyramidal form, tolerates heat, poor soils, and drought
<i># Carpinus betulus 'Fastigiata'</i>	Columnar hornbeam	D	40'	20'	M	M	6'	15'	L	develops a dense, upright form
<i>Carya illinoensis</i>	Pecan	D	70-100'	70'	M	M	8'	15'	L	Spreading tree requires ample growing space.

Botanical name	Common name	Evergreen or Deciduous	Mature height	Mature width	Growth Rate	Water needs	Minimum distance from hardscape	Minimum distance from building foundation	Maintenance Requirements	Comments
<i>Catalpa speciosa</i>	Northern catalpa	D	40-60'	20-40'	M	M	8'	15'	M	White flowers in spring, followed by large 3-6" long seed pods.
<i>Cedrus atlantica</i>	Atlas cedar	E	60'	35-50'	M	M	8'	20'	L	pyramidal form, bluish green needles, drought tolerant when established
<i>Cedrus deodara</i>	Deodar cedar	E	75-80'	20-40'	M	L	8'	20'	L	develops a loose pyramidal shape with a nodding top. Fairly drought tolerant
<i>Celtis australis</i>	European hackberry	D	50-60'	40-50'	M	M,L	8'	15'	M,L	develops an oval form and is fairly drought tolerant
<i>Celtis reticulata</i>	Netleaf hackberry	D	25-30'	25-30'	M	L	8'	15'	M,L	forms a rounded crown; small red berries
*# <i>Cercis canadensis</i>	Eastern redbud	D	20-25'	25'	M	M	6'	10'	M,L	pink spring flowers along stems followed by 2-4" long flat seed pods
*# <i>Cercis occidentalis</i>	Western redbud	D	10-20'	10-20'	M	M,L	6'	10'	M,L	CA native, usually multi-stemmed and shrub-like
*# <i>Chionanthus retusus</i>	Chinese fringe tree	D	20-25'	15'	M	M	6'	6'	L	white blossoms in spring
*# <i>Chitalpa x tashkentensis</i>	Chitalpa	D	20-25'	30'	M	M,L	6'	10'	M,L	lavender to pink trumpet shaped flowers in spring, smooth bark cracks & fissures with age, generally requires structure pruning to develop strong trunk & structure. Cross between catalpa and chilopsis.
<i>Cinnamomum camphora</i>	Camphor tree	E	50'	50-60'	M	M	10'	20'	L	needs plenty of room as roots are competitive and may heave paving
* <i>Citrus spp.</i>	Lemon, lime, orange	E	25'	20'	M	M	6'	10'	H,M	Citrus trees need good drainage. Some lemon & lime trees have thorns.
<i>Cladrastis kentukea</i>	American Yellow wood	D	30-50'	30-50'	M	M	8'	20'	L	develops a broad, oval crown, pendulous clusters of white flowers in spring
<i>Corylus colurna</i>	Turkish hazel	D	40-50'	30'	M	M	8'	15'	L	corky bark, prefers moist well-drained soil, tolerates moderate drought when established

Botanical name	Common name	Evergreen or Deciduous	Mature height	Mature width	Growth Rate	Water needs	Minimum distance from hardscape	Minimum distance from building foundation	Maintenance Requirements	Comments
<i>*Crataegus phaenopyrum</i>	Washington hawthorn	D	20-25'	20-25'	M	M,L	5'	6'	L	white spring blossoms, thorns on branches, bright red berries in winter
	Japanese Persimmon	D	20-30'	20-25'	M	M	6'	10'	M	Needs well-drained soil; Different varieties available; edible fruit.
<i>*Diospiros kaki</i>	Persimmon	D	20-30'	20-25'	M	M	6'	10'	M	
<i>**Eriobotria deflexa</i>	Bronze loquat	E	25'	15-25'	M	M	6'	8'	L	reddish bronze new foliage, pink flowers in spring, rarely sets fruit
<i>Erythrina crista-galli</i>	Cockspur coral tree	D	20-30'	15-20'	M	M,L	6'	10'	M,L	rounded umbrella shape, red flowers followed by 3" long pods; has thorns, seeds are poisonous
<i>Eucalyptus nicholii</i>	Peppermint gum	E	50-60'	20-40'	F	M,L	8'	15'	L	drought tolerant
<i>Eucalyptus robusta</i>	Swamp mahogany	E	60-70'	30-75'	F	Any	8'	20'	L	drought tolerant
<i>Ginkgo biloba 'Autumn Gold'</i>	Autumn Gold Ginkgo	D	50'	25-35'	S	M,L	8'	15'	M,L	fruitless variety, slow growing . Good commercial frontage tree.
<i>Gymnocladus dioicus 'Espresso'</i>	Espresso Kentucky coffee tree	D	60-80'	40-45'	M	M	10'	20'	L	seedless variety
<i>Hesperocyparis arizonica</i>	Arizona cypress	E	40'	20'	M	M,L	8'	15'	L	pyramidal form, dark brown bark peels in thin curling shreds, exposing bright red layer beneath
<i>Hesperocyparis glabra</i>	Smooth Arizona cypress	E	40'	20'	M	M,L	8'	15'	L	bluish to gray-green foliage, drought tolerant
<i>Juglans hindsii</i>	Northern CA black walnut	D	30-60'	30-60'	M	M,L	8'	15'	L	Northern CA native, susceptible to mistletoe; produces a 2" edible nut.

Botanical name	Common name	Evergreen or Deciduous	Mature height	Mature width	Growth Rate	Water needs	Minimum distance from hardscape	Minimum distance from building foundation	Maintenance Requirements	Comments
<i>Juglans regia</i>	English walnut	D	60-100'	50-60'	M	M,L	8'	15'	M,L	Susceptible to mistletoe; produces a 2" edible nut.
# <i>Koelreuteria bipinnata</i>	Chinese flame tree	D	30-40'	15-30'	M	L	6'	15'	M,L	rounded umbrella shape, yellow flowers in summer followed by rose colored seed capsules in fall
# <i>Koelreuteria paniculata</i>	Goldenrain tree	D	30-40'	25-40'	M	L	6'	15'	M,L	rounded umbrella shape, yellow flowers in summer followed by yellow then brown seed capsules; Drought tolerant. Good parking lot tree
# <i>Lagerstroemia indica</i>	Crape myrtle	D	25-30'	25'	M	M,L	4'	6'	M,L	Commonly used single or multi-trunk tree, blooms in summer. Several named varieties have flower colors from white, pink, purple, & red. Susceptible to aphids & sooty mold.
# <i>Laurus 'Saratoga'</i>	Saratoga laurel	E	40'	15-30'	M	M,L	6'	15'	M,L	rounded leaves are aromatic and can be used in cooking
# <i>Maackia amurensis</i>	Amur maackia	D	25-35'	15-25'	M	M	6'	10'	L	Creamy white flowers in summer
<i>Maclura pomifera</i>	White Shield Osage orange	D	30-50'	30-35'	M	Any	6'	15'	L	thornless & fruitless cultivar, tolerates poor soil
*# <i>Magnolia grandiflora</i> 'St. Mary'	St. Mary Magnolia	E	20'	10'	M	M	6'	10'	L	Smaller cultivar of the southern magnolia, has white fragrant flowers in spring & summer.
# <i>Magnolia hybrid</i> 'Galaxy'	Galaxy magnolia	D	30'	15-20'	M	M	6'	10'	L	single trunk, more columnar than saucer magnolia, reddish purple flowers appear in spring before leafing out
*# <i>Magnolia x soulangiana</i>	Saucer magnolia	D	20-25'	20-25'	M	M	6'	10'	L	often multi-trunked, flowers in early spring before leafing out with large white, pink , burgundy or purple flowers; Intolerant of drought
* <i>Malus floribunda</i>	Japanese flowering crabapple	D	25'	20-30'	M	M	5'	10'	M,L	pink or white flowers in spring, several varieties available

Botanical name	Common name	Evergreen or Deciduous	Mature height	Mature width	Growth Rate	Water needs	Minimum distance from hardscape	Minimum distance from building foundation	Maintenance Requirements	Comments
# <i>Nyssa sylvatica</i>	Tupelo	D	30-45'	20-30'	M	M	6'	15'	L	pyramidal when young, red fall color, grows well in any soil
# <i>Olea europaea</i> 'Swan Hill'	Swan Hill olive	E	25-30'	25-30'	M	M,L	6'	15	L	fruitless variety ; drought tolerant
# <i>Parkinsonia</i> x 'Desert Museum'	Desert Museum palo verde	D	20-40'	20-40'	M	L	6'	15	L	Semi-deciduous, thornless hybrid has distinctive green trunk & branches, yellow flowers in the spring, strong upright branching structure. Small leaves cast light shade. Drought tolerant.
# <i>Parrotia persica</i>	Persian ironwood	D	15-30	15-30'	M	M,L	6'	10'	M,L	Drought tolerant, may need training to be a single stem tree.
# <i>Pistacia chinensis</i>	Chinese pistache	D	30-40'	30-40'	M	M,L	6'	15'	M,L	full round canopy, leaves turn brilliant yellow, orange, & red in fall; drought tolerant. Good parking lot shade tree.
<i>Platanus</i> x <i>hispanica</i> 'Bloodgood'	Bloodgood London plane	D	50-70'	50-70'	F	M	10'	20'	L	tough, durable tree native to Spain. Good commercial frontage tree.
<i>Platanus racemosa</i>	California sycamore	D	50-80'	20-50'	F	M,L	10'	15'	L	native to riparian streams of California foothills and coast. Good commercial frontage tree.
#* <i>Prosopis glandulosa</i> x 'Maverick'	Thornless Honey mesquite	D	30'	20-30'	M	L	8'	10'	L	Thornless cultivar reaches 30' tall, cold hardy, drought tolerant and adaptable to a range of soil types
<i>Prunus avium</i>	Edible cherry	D	40'	30'	M	M	8	15	H,M	Pink or white flowers in spring; Edible fruit.
* <i>Prunus dulcis</i>	Almond	D	20-30'	20-30'	M	M,L	6'	10'	M	Whitish pink flowers in spring, edible nut.
#* <i>Prunus mume</i>	Japanese flowering apricot	D	30'	30'	M	M	6'	10'	M	Fragrant pink flowers in spring, small ½" fruit.

Botanical name	Common name	Evergreen or Deciduous	Mature height	Mature width	Growth Rate	Water needs	Minimum distance from hardscape	Minimum distance from building foundation	Maintenance Requirements	Comments
<i>Prunus serrulata</i>	Japanese flowering cherry	D	15-25'	15-25'	M	M	6'	10'	M	Fragrant pink flowers in spring, small ½" fruit . Needs good drainage.
<i>Prunus x 'Yedoensis'</i>	Yoshino flowering cherry	D	35-40'	30-40'	M	M	6'	10'	M	Fragrant white flowers in spring, small ½" fruit. Needs good drainage.
<i>*Punica granatum</i>	Pomegranate	D	20'	15'	M	L	6'	10'	M	Orange, pink or red flowers in spring or summer, followed by edible fruit.
<i>Pterocarya stenoptera</i>	Chinese wingnut	D	50-80	30-50'	M	Any	10'	20'	L	broad canopy, roots can be invasive, thrives in poor, compacted soil; drought tolerant
<i>Quercus buckleyi</i>	Texas red oak	D	40-50'	30-50'	M	M,L	8	15'	L	drought tolerant . Good commercial frontage tree.
<i>Quercus canbyi</i>	Canby's oak	E	30-50'	30-40'	M	M,L	8'	15'	L	deep rooted and heat tolerant, evergreen to semi-evergreen. Good commercial frontage tree.
<i>Quercus castaneifolia</i>	Chestnut leaf oak	D	60-85'	35-70'	M	L	8'	15'	L	Good commercial frontage tree.
<i>Quercus coccinea</i>	Scarlet oak	D	60-70'	50'	M	M	8'	15'	L	red fall color, usually retains brown dead leaves through the winter. Good commercial frontage tree.
<i>Quercus douglasii</i>	Blue oak	D	30-50'	40-50'	M	L	8'	15'	L	native to CA central valley & foothills, broad rounded canopy, tolerates heat and seasonal drought; not a lawn tree. Good commercial frontage tree.
<i>Quercus frainetto</i>	Forest Green Hungarian oak	D	50'	50'	M	M,L	8'	15'	L	Good commercial frontage tree.
<i>Quercus lobata</i>	Valley oak	D	50-70'	50'	M	L	8'	15	L	native to CA valleys, Sierra Nevada foothills, and inland coast ranges, broad rounded canopy, tolerates heat & seasonal drought. Good commercial frontage tree.

Botanical name	Common name	Evergreen or Deciduous	Mature height	Mature width	Growth Rate	Water needs	Minimum distance from hardscape	Minimum distance from building foundation	Maintenance Requirements	Comments
<i>Quercus macrocarpa</i>	Bur oak	D	60-70'	30-50'	M	M,L	8'	15	L	tolerates moderate drought when established. Good commercial frontage tree.
<i>Quercus x morehus</i>	Oracle oak	semi-deciduous	20-50'	20-30'	M	M,L	8'	20'	L	Naturally occurring cross between two CA native oaks, the interior live & CA black oak, characteristics are variable. Good commercial frontage tree.
<i>Quercus muehlenbergii</i>	Chinquapin oak	D	40-50'	50'	M	M	8'	15'	L	needs good drainage. Good commercial frontage tree.
<i>#Quercus myrsinifolia</i>	Japanese live oak	E	20-40'	15-30'	M	M,L	8'	15'	L	Dense, broad canopy
<i>Quercus phellos</i>	Willow oak	D	50-90'	40-50'	M	M,L	8'	15'	L	yellow to red fall color. Good commercial frontage tree.
<i>Quercus rubra</i>	Red oak	D	60-70'	50-70'	M	M	8'	15'	L	deep orange to red fall color
<i>Quercus shumardii</i>	Shumard oak	D	60-70'	40-50'	M	M	8'	15'	L	yellow, orange or red fall color. Good commercial frontage tree.
<i>Quercus suber</i>	Cork oak	E	50-60'	50-70'	M	M,L	8'	20'	L	tolerates many soils but needs good drainage; tolerates drought when established. Good commercial frontage tree.
<i>Quercus virginiana</i>	Southern live oak	E	40-80'	40-80'	M	M	8'	15	L	Native to eastern U.S. Adaptable to many soil types. Good commercial frontage tree.
<i>Quercus wislizeni</i>	Interior live oak	E	50-75'	40-80'	M	M, L	8'	15'	L	native to central CA foothills. Good commercial frontage tree.
<i>*Rhus lancea</i>	African sumac	E	20-30'	20-30'	M	M,L	8'	12'	L	dense spreading form, often multi-trunked, drought tolerant
<i>Schinus molle</i>	Pepper tree	E	30-40'	25-40'	M	M,L	8'	15'	M,L	native to south America and naturalized in CA, often called California pepper tree, oval weeping shape, tolerates heat & drought
<i>#Sophora japonica</i>	Regent Japanese pagoda tree	D	40-50'	30-40'	M	M,L	8'	15'	L	rounded canopy
<i># Ulmus propinqua</i>	Emerald Sunshine elm	D	35'	25'	M	M,L	8'	15'	L	highly resistant to pests & diseases. Good commercial frontage tree.

Botanical name	Common name	Evergreen or Deciduous	Mature height	Mature width	Growth Rate	Water needs	Minimum distance from hardscape	Minimum distance from building foundation	Maintenance Requirements	Comments
<i>Zelkova serrata</i>	Sawleaf zelkova	D	60'	50-60'	M	M,L	8'	20'	L	forms a broad, arching canopy. Good commercial frontage tree.
<i>#Zelkova serrata 'City Sprite'</i>	City Sprite zelkova	D	30'	20-25'	M	M, L	8'	15'	L	Semi-dwarf variety, oval to round shape. Good commercial frontage tree.
<i>Zelkova serrata 'Musashino'</i>	Columnar zelkova	D	40-45'	10-15'	M	M,L	8'	15'	L	narrow upright form
<i>Zelkova serrata 'Village Green'</i>	Village Green zelkova	D	50-60'	45-50'	M	M, L	8'	15'	L	upright vase shape, red fall color. Good commercial frontage tree.
<i>*Zizyphus jujube</i>	Jujube	D	20-30'	15-30'	M	M, L	8'	10'	M	Small edible fruits, has thorns.

*trees suitable for planting under high voltage wires

trees suitable for planting strips

Water Needs: H-High, M-Moderate, L-Low

Maintenance Needs-H-High, M-Moderate, L-Low

Growth Rate: F-Fast, M-Moderate, S-Slow

RANCHO CORDOVA TREE PRESERVATION ORDINANCE

December 4, 2017

Goals

- Summarize work and direction to date
- Provide highlights of the proposed tree protection ordinance for adoption

Work to Date

- Identified the importance of enhanced urban forest
- Reviewed comparable codes including City of Sacramento, Davis, County of Sacramento, etc.
- Community outreach
- Council workshop April 25, 2017
- Presented draft ordinance November 6, 2017

Chapter 19 – Trees

Updated Ordinance

- Replace two sections:
 - 19.04 Regulations (Protection of public trees)
 - 19.12 Tree Preservation and Protection (Private Trees)

Proposed Ordinance Highlights

- Eliminates the residential lot exemption
- Continues to protect native oaks over 6-inches
- Non-residential
 - Protects non-res. trees over 12-inches diameter
- Residential
 - Protects residential trees over 24-inches diameter
- Requires removal of existing and future stumps
- Prohibits topping of protected trees
- Violations: Requires inch per inch replacement or payment in-lieu

Proposed Ordinance Highlights

- Rancho Cordova Tree List
- Resolution establishing permit fee - \$31

Staff Recommendation

- Introduce and waive first reading of Ordinance 12-2017
- Schedule December 18, 2017 for second reading
- Adopt resolution 144-2017 establishing fees for Protected Tree Permits and Public Tree Permits

MEMORANDUM

DATE: December 4, 2017
TO: Honorable Mayor and Council Members
FROM: Stacy Leitner, City Clerk
SUBJECT: SELECTION OF 2018 MAYOR AND VICE MAYOR



RECOMMENDATION

That Council selects its next Mayor and Vice Mayor for 2018.

RESULT OF RECOMMENDED ACTION

Result of recommended action is that Council appoints its leadership officers, per Resolution No. 5-2004.

BACKGROUND

On January 5, 2004, the City Council adopted Resolution No. 5-2004 to set forth 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 to Vice Mayor designation from Mayor Pro Tempore.

ATTACHMENTS

1. Resolution No. 5-2004.
2. Resolution No. 185-2004.

ATTACHMENT 1

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

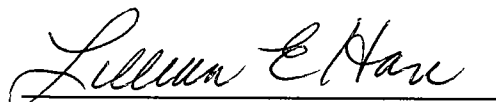
ABSENT: None

ABSTENTIONS: None

APPROVED:


MAYOR

ATTEST:


CITY CLERK

ATTACHMENT 2

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."

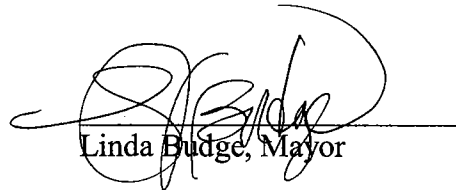
I HEREBY CERTIFY that the foregoing resolution was introduced and passed at a regular meeting of the City Council of the City of Rancho Cordova, held on the 6th day of December, 2004, by the following vote:

AYES: Skoglund, Sander, McGarvey, Cooley, Budge

NOES: None

ABSENT: None

ABSTAIN: None


Linda Budge, Mayor

ATTEST:


Lillian E. Hare, City Clerk

