

CITY OF RANCHO CORDOVA



CITY COUNCIL MEETING

Monday, August 7, 2023

5:30 PM – Regular Meeting

David B. Roberts Council Chambers

City Hall

2729 Prospect Park Drive, Rancho Cordova

Join the Meeting Via Zoom Link:

<https://cityofranhocordova.zoom.us/j/86137170699?pwd=N0xmNC8yWkxqcUFWc1g2Q2pJd0hsZz09>

Join the Meeting via the Zoom Phone Number

Zoom Phone Number: +1 669 900 6833, +1 253 215 8782

Webinar ID: 861 3717 0699

Password: 578969

Instructions to Make Public Comment

Submitting Public Comment via Email

Members of the public who wish to provide public comment via email will need to submit written comments to CityClerk@cityofranhocordova.org no later than 2:00 p.m. on Monday, August 7, 2023. Written comments received no later than 2:00 p.m. will be distributed to the Council, filed in the record, and will not be read aloud. All comments submitted later than 2:00 p.m. will be distributed to the Council.

Listening to a Zoom Meeting by Zoom Video Conference

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

Listening to a Zoom Meeting by Phone Only

You can join a Zoom meeting via teleconferencing/audio conferencing using a cell phone or traditional landline phone. To request to make a public comment by phone press *9 to raise your

hand. Please wait to be called upon by the City Clerk.

All public comments will be limited to three minutes.

If you have questions related to the City Council Meeting or the use of Zoom, please contact the City Clerk's Office at (916) 851-8720 before Monday, August 7, 2023, at 2:00 p.m.

AGENDA

1. REGULAR MEETING - CALL TO ORDER/ROLL CALL

Council Members Garrett Gatewood, Siri Pulipati, David Sander, Donald Terry, and Mayor Linda Budge

2. METRO CABLE TV TELEVISION ANNOUNCEMENT

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

3. PLEDGE OF ALLEGIANCE

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

4. INVOCATION

Dan DeShong with River City Christian Church will give the invocation.

5. PRESENTATIONS

- 5.1. Presentation of Lifesaving Certificate of Recognition to Jason Slieter.
- 5.2. Presentation of Lifesaving Certificate of Recognition to Warance Roe.
- 5.3. Cordova Recreation & Park District's Optimized Plan Presentation.
- 5.4. 20th Anniversary and 4th of July Update.

6. PUBLIC COMMENT

Citizens wishing to address the Council for any matter not on the agenda may do so at this time via teleconference or by completing and submitting a Speaker Card to the City Clerk.

If you want to make a public comment via teleconference, please use the "raise hand" feature at the bottom center of the screen. If you are participating by telephone and you want to make a public comment, please press *9 to raise your hand. For those participating by Zoom or telephone, please wait to be called upon by the City Clerk.

For items on the agenda, speakers will be called by the Mayor at the point on the agenda when the item will be heard. Speakers are encouraged to keep comments to three minutes or less and to state name and community of residence.

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

7. COUNCIL REPORTS

8. CITY MANAGER'S REPORT

9. CONSENT CALENDAR ITEMS - ROLL CALL VOTE

- 9.1. **Subject:** Meeting Minutes from the Regular City Council Meeting of July 17, 2023 and the Special Meeting of August 2, 2023.
Recommendation: Adopt the Minutes.
- 9.2. **Subject:** A Resolution of the City Council of the City of Rancho Cordova of Intention to Annex the Stonecreek Industrial Project to the City of Rancho Cordova Community Facilities District No. 2014-2 (Street, Lighting, and Landscaping Maintenance) and Designate a Time and Place to Hear Protests in Connection with the Annexation.
Recommendation: Adopt the Resolution of Intention to annex the Stonecreek Industrial Project the Community Facilities District No. 2014-2 (Street, Lighting, and Landscaping Maintenance).
- 9.3. **Subject:** A Resolution to Submit a Letter Response to the Sacramento County Grand Jury Report on Homelessness.
Recommendation: Adopt the Resolution.
- 9.4. **Subject:** Second Reading of an Ordinance Amending Title 23 Zoning Code, Article 9 Specific Use Provisions, Chapter 23.907 Utility, Transportation, and Communication Uses; Article 10 Specific Plans and Special Planning Areas, Chapter 23.1000 Specific Purpose Zones and Article 11 Definitions, Chapter 23.1104 General Definitions (Mitigated Negative Declaration Prepared Pursuant to Article 6 of the California Environmental Quality Act).
Recommendation: Waive the second reading and adopt the Ordinance.
- 9.5. **Subject:** A Resolution of the City Council of the City of Rancho Cordova, Authorizing the City Manager to Approve a Three-Year Contract for Janitorial Services and Maintenance for All Buildings Operated by the City with City Wide Maintenance for an Amount Not to Exceed \$1,325,000.
Recommendation: Adopt the Resolution.
- 9.6. **Subject:** A Resolution Authorizing the City Manager to Execute Contract Amendment No. 2022-67-1 with Bennett Engineering Services, Inc. to Increase the Contract Amount from \$733,170 to an Amount not to Exceed \$811,597 for the Sunrise Boulevard Rehabilitation Phase 2 Project.
Recommendation: Adopt the Resolution.
- 9.7. **Subject:** A Resolution Authorizing the City Manager to Execute Contract No. 2023-167 with 50 Corridor Transportation Management Association in an Amount not to Exceed \$158,000 for Transportation Demand Management Services for Encouragement and Education of Sustainable Transportation within the City.
Recommendation: Adopt the Resolution.
- 9.8. **Subject:** A Resolution Designating a Voting Delegate and Alternates for the 2023 League of California Cities Annual Conference to Be Held September 20-22, 2023, in Sacramento, California.
Recommendation: Adopt the Resolution.
- 9.9. **Subject:** A Resolution Authorizing the City Manager to Execute General Services Contract

No. 2020-175-4 in an Amount not to Exceed \$314,000 with Ethan Fleener Construction for Funding the Residential Beautification Program.

Recommendation: Adopt the Resolution.

- 9.10. **Subject:** A Resolution Authorizing the City Manager to Execute General Services Contract No. 2022-93-1 in an Amount not to Exceed \$250,000 with Excel Landscaping, for Funding the Residential Beautification Program.

Recommendation: Adopt the Resolution.

10. CONSENT PUBLIC HEARING ITEMS - ROLL CALL VOTE

- 10.1. **Subject:** A Resolution Authorizing Delinquent Residential Solid Waste Service Charges to be Collected on the 2023-2024 Property Tax Roll.

Recommendation: Adopt the Resolution.

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

Recommendation: Approve the Resolution.

- 10.3. **Subject:** Resolutions and an Ordinance Related to the Formation of the City of Rancho Cordova Grantline 220 Community Facilities District No. 2023-1.

Recommendation: Adopt the Resolutions and waive first reading and introduce the Ordinance.

11. PUBLIC HEARING ITEMS

- 11.1. **Subject:** Ordinance Adding Chapter 16.96 Floodplain Management Ordinance; and Amending Title 3 Revenue and Taxation, Chapter 3.60 Purchasing System, Chapter 3.70 Informal Bidding Procedures; Title 6 Health and Sanitation, Chapter 6.20 Solid Waste Management, Chapter 6.21 Business and Multifamily Recycling and Organics Recycling; Title 10 Vehicles and Traffic; Title 12 Streets and Sidewalks; Title 15 Water and Sewers, Chapter 15.10 Storm Drainage Fee, Chapter 15.12 Stormwater Management and Discharge Control; Title 16 Buildings and Construction, Chapter 16.44 Land Grading and Erosion Control, Chapter 16.84 Development Impact Fees to Finance the Cost of Transportation Facilities.

Recommendation: Waive the first reading and introduce the Ordinance adding Chapter 16.96 and amending Titles 3, 6, 10, 12, 15, 16.

- 11.2. **Subject:** Public Hearing Requesting Public Input Regarding the Composition of Potential Council Election Districts as the City is Working to Transition from At-large to District-based Elections for City Council Members, and

Discussion With and Possible Direction to Staff and Consultants Regarding the Number of Districts Including Whether or Not to Transition from an Appointed Mayor to a Directly Elected Mayor.

Recommendation: 1. To provide education and to receive public input regarding the composition of potential Council election districts as the City is working to transition from at-large to district-based elections for City Council Members pursuant to the California Voting Rights Act (CVRA).

2. Discuss with and provide direction to staff and consultants about the number of districts including whether or not to transition from an appointed Mayor to a directly elected Mayor.

12. REGULAR CALENDAR ITEMS

13. COUNCIL REQUESTS FOR FUTURE AGENDA ITEMS

14. ADJOURN TO CLOSED SESSION

Mayor Budge will adjourn the meeting to closed session.

15. CLOSED SESSION - CALL TO ORDER/ROLL CALL

Council Members Garrett Gatewood, Siri Pulipati, David Sander, Donald Terry, and Mayor Linda Budge

16. CLOSED SESSION

Council will meet in closed session to discuss the following item:

- 16.1. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION (pursuant to California Government Code Section 54956.9(d)(1)) Stone Creek Residents for Smart Growth, an unincorporated association v. City of Rancho Cordova, Respondent; Dermody Properties, and DOES 1-10 Real Parties in Interest. Sacramento Superior Court Case No. 23WM000026.
- 16.2. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION (pursuant to California Government Code Section 54956.9(d)(1)) Stone Creek Residents for Smart Growth, an unincorporated association v. City of Rancho Cordova, and DOES 1-10 Respondent; Dermody Properties, and DOES 11-20 Real Parties in Interest. Sacramento Superior Court Case No. 23WM000052.

17. OPEN SESSION - REPORT FROM CLOSED SESSION

The City Attorney will report on action taken in closed session.

18. ADJOURNMENT

ADDITIONAL INFORMATION

Special Meetings listed below are subject to change/cancellation without further notice.

Unless the Council adopts a motion to extend the meeting, any item that is not initiated before 11:00 p.m. will be continued to the next day at 5:30 p.m. or scheduled on the next regular meeting agenda of the Council.

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

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

UPCOMING MEETINGS

August 14, 2023	5:30 PM Special Meeting/Work Session
-----------------	--------------------------------------

August 21, 2023	5:30 PM Regular Meeting
August 29, 2023	5:30 PM Special Meeting/Work Session
September 5, 2023	4:00 PM Special Meeting/Regular Meeting
September 18, 2023	5:30 PM Regular Meeting
September 26, 2023	5:30 PM Special Meeting/Work Session
October 2, 2023	4:00 PM Special Meeting/Regular Meeting
October 18, 2023	5:30 PM Regular Meeting

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

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

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

CERTIFICATION OF POSTING OF AGENDA

I, Stacy Leitner, City Clerk for the City of Rancho Cordova, declare that the foregoing agenda for the August 7, 2023 Regular Meeting of the Rancho Cordova City Council was posted and available for review on August 3, 2023 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 August 3, 2023 at Rancho Cordova, California.



Stacy Leitner, CMC
City Clerk

CITY OF RANCHO CORDOVA



CITY COUNCIL MEETING

Monday, July 17, 2023

4:00 PM Special Meeting/Closed Session

5:30 PM – Regular Meeting

David B. Roberts Council Chambers

City Hall

2729 Prospect Park Drive, Rancho Cordova

DRAFT MINUTES

1. SPECIAL MEETING - CALL TO ORDER/ROLL CALL

Mayor Budge called the Special meeting to order in the David B. Roberts Council Chambers at 4:05 p.m.

Council Member Garrett Gatewood and Vice Mayor David Sander participated remotely due to just cause.

Council Members Present: Garrett Gatewood, Siri Pulipati, David Sander, Donald Terry, and Mayor Linda Budge

Council Members Absent: None

Staff Members Present: Haley Arata, Stacy Leitner, Adam Lindgren, Persephonie Riley, and Micah Runner

2. PUBLIC COMMENT

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

1. Scott Rafferty
2. James Garcia
3. Marilyn Metzger
4. Valerie Knippschild

Mayor Budge closed the public comment period.

ITEM 9.1.

Rancho Cordova City Council - DRAFT MINUTES
Meeting of Monday, July 17, 2023

ATTACHMENT 1

3. ADJOURN TO CLOSED SESSION

Mayor Budge adjourned the meeting to closed session at 4:17 p.m.

4. CLOSED SESSION - CALL TO ORDER/ROLL CALL

Mayor Budge called closed session to order at 4:20 p.m.

Council Members Present: Garrett Gatewood, Siri Pulipati, David Sander, Donald Terry, and Mayor Linda Budge

Council Members Absent: None

Staff Members Present: Stacy Leitner, Adam Lindgren, and Micah Runner

5. CLOSED SESSION

Council met in closed session to discuss the following item:

- 5.1. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION: Significant Exposure to Litigation Pursuant to Government Code Section 54956.9(d)(2)(One Case relating to a letter from Scott J. Rafferty on behalf of Neighborhood Elections Now received on June 7, 2023 petitioning the City to comply with the California Voting Rights Act (CVRA) by beginning the process of transitioning from at-large to single-member district City Council elections for the November 2024 Election or potentially be sued under the CVRA).

6. OPEN SESSION - REPORT FROM CLOSED SESSION

City Attorney Adam Lindgren reported that staff was given direction and no reportable action was taken in closed session.

7. ADJOURN TO REGULAR MEETING

Mayor Budge adjourned to the Regular meeting at 5:47 p.m.

8. REGULAR MEETING - CALL TO ORDER/ROLL CALL

Mayor Budge called the Regular meeting to order in the David B. Roberts Council Chambers at 5:47 p.m.

Council Members Present: Garrett Gatewood, Siri Pulipati, David Sander, Donald Terry, and Mayor Linda Budge

Council Members Absent: None

Staff Members Present: Haley Arata, Stacy Leitner, Adam Lindgren, Persephonie Riley, and Micah Runner

9. METRO CABLE TV TELEVISION ANNOUNCEMENT

The City Clerk read the meetings recordings and playback schedule.

10. PLEDGE OF ALLEGIANCE

Tera Kolvenbach led the pledge.

11. INVOCATION

Ruby Smallwood with the Law Enforcement Chaplaincy gave the invocation.

12. PRESENTATIONS

ITEM 9.1.

Rancho Cordova City Council - DRAFT MINUTES
Meeting of Monday, July 17, 2023

ATTACHMENT 1

None.

13. PUBLIC COMMENT

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

1. James Garcia
2. Helen Whelan-Bashaw
3. Brenda Gustin
4. Cheryl Slama
5. Robin Pasterski
6. Bill Spaller
7. RJ Jones
8. JR Colton
9. David Telander
10. Kathy Limon
11. James Garcia
12. Valerie Knippschild
13. Mike Fox
14. Christopher Mackey
15. Cynthia Winton-Henry
16. Dan Meier
17. Clint Duke
18. Lisa Phenix
19. Aimee Staats

Mayor Budge closed the public comment period.

14. COUNCIL REPORTS

Council reported on events since the last meeting.

15. CITY MANAGER'S REPORT

City Manager Micah Runner gave his report.

16. CONSENT CALENDAR ITEMS - ROLL CALL VOTE

Mayor Budge opened the public comment period. Seeing no speakers, Mayor Budge closed the public comment period.

ACTION: Motion to approve items 16.1 through 16.5 by Terry second by Pulipati;
Motion passed with a 5:0 vote.

- 16.1. **Subject:** Meeting Minutes from the Regular City Council Meeting of July 3, 2023.
Recommendation: Adopt the Minutes.

- 16.2. **Subject:** A Resolution Authorizing the City Manager to Execute Contract No. 2023-140 in an Amount not to Exceed \$300,000.00 with City Net to Provide Homeless Outreach Navigation Services and Transitional Housing Management and Services.
Recommendation: Adopt the Resolution.

- 16.3. **Subject:** A Resolution Declaring the Results of a Mail Ballot Election Relating to the Imposition of the Annual Stormwater Utility Fee for the North Point Project in the City of Rancho Cordova.
Recommendation: Adopt the Resolution declaring the results of the mail ballot election

ITEM 9.1.

Rancho Cordova City Council - DRAFT MINUTES
Meeting of Monday, July 17, 2023

ATTACHMENT 1

relating to the imposition of the Annual Stormwater Utility Fee for the North Point project.

- 16.4. **Subject:** A Resolution Approving the Final Map of The Ranch Village 10, Subdivision No. FM-2021-002-08, and Authorizing the City Manager to Execute the Subdivision Improvement Agreement Contract No. 2022-242 with K. Hovnanian at Jaeger Ranch, LLC.

Recommendation: Approve the Resolution.

- 16.5. **Subject:** A Resolution Authorizing the City Manager to Approve the Final Map of Stone Creek Residential, Subdivision No. FM-2021-003-01 and Execute Subdivision Improvement Agreement Contract No. 2023-30 with Elliott Ashton Place, LLC.

Recommendation: Adopt the Resolution.

17. CONSENT PUBLIC HEARING ITEMS - ROLL CALL VOTE

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

1. Steven Findlay
2. Lupe Trevizo Hernandez
3. Marilyn Metzger

Mayor Budge closed the public comment period.

ACTION: Motion to approve item 17.1 by Terry second by Gatewood;
Motion passed with a 5:0 vote.

- 17.1. **Subject:** An Ordinance Amending Title 23 Zoning Code, Article 9 Specific Use Provisions, Chapter 23.907 Utility, Transportation and Communication Uses; Article 10 Specific Plans and Special Planning Areas, Chapter 23.1000 Specific Purpose Zones and Article 11 Definitions, Chapter 23.1104 General Definitions; And a Resolution Approving a Conditional use Permit for Juniper Creek Energy Storage (Mitigated Negative Declaration Prepared Pursuant to Article 6 of the California Environmental Quality Act) – Project No. PLND-0422-0034 - Located on the Southeast Corner of Canyonlands Drive and Poopenaut Court; APN: 067-0780-011.

Recommendation: The Planning Commission recommends that the City Council:

1. Find the Initial Study-Mitigated Negative Declaration with mitigation measures that was prepared and circulated pursuant to the California Environmental Quality Act (CEQA) for the project is adequate;
2. Waive the first reading and introduce the Ordinance;
3. Adopt a Resolution for the Juniper Creek Energy Storage Conditional Use Permit.

18. PUBLIC HEARING ITEMS

None.

19. REGULAR CALENDAR ITEMS

- 19.1. **Subject:** A Resolution Approving a Written Report Describing the Measures Taken to Alleviate the Condition Which Led to the Adoption of the Urgency Ordinance Establishing a Temporary Moratorium on the Establishment, Expansion, or Modification of Uses in Villages of Zinfandel Special Planning Area Designated Therein as M-1 (Light Industrial) and MP (Office Industrial Park) Zones.

ITEM 9.1.

Rancho Cordova City Council - DRAFT MINUTES
Meeting of Monday, July 17, 2023

ATTACHMENT 1

Recommendation: Adopt the Resolution and direct staff to issue the written report describing the measures taken to alleviate the condition which led to the Urgency Ordinance establishing a temporary moratorium on the establishment, expansion, or modification of uses in the Villages of Zinfandel Special Planning Area Designated Therein as M-1 (Light Industrial) and MP (Office Industrial Park) zones.

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

1. James Garcia
2. James Garcia
3. Marilyn Metzger

Mayor Budge closed the public comment period.

ACTION: Motion to approve item 19.1 by Terry second by Pulipati;
Motion passed with a 5:0 vote.

- 19.2. **Subject:** A Resolution Declaring the City Council's Intention to Transition from At-Large to District-Based Elections and to Initiate Procedures for Establishing and Implementing District-Based Elections for City Council Members, and

Discussion with and Possible Direction to Staff and Consultants Regarding the Number of Districts Including Whether or not to Transition from an Appointed Mayor to a Directly Elected Mayor.

Recommendation: 1. Adopt the Resolution of Intent.

2. Possibly discuss with and provide direction to staff and consultants about the number of districts including whether or not to transition to an appointed Mayor to a directly elected Mayor.

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

1. Scott Rafferty
2. Tera Kolvenbach
3. Derald Langwell
4. James Garcia
5. Fayzah Mughal
6. Lupe Hernandez
7. Doniell Cummings
8. Angel Ball

Mayor Budge closed the public comment period.

ACTION: Motion to approve item 19.2. by Terry second by Pulipati;
Motion passed with a 5:0 vote.

20. COUNCIL REQUESTS FOR FUTURE AGENDA ITEMS

1. Review of Senate Bill No. 329
2. Update on illegal fireworks

21. ADJOURNMENT

Mayor Budge adjourned the meeting at 7:33 p.m.

ITEM 9.1.

Rancho Cordova City Council - DRAFT MINUTES
Meeting of Monday, July 17, 2023

ATTACHMENT 1

Stacy Leitner, CMC
City Clerk

CITY OF RANCHO CORDOVA



CITY COUNCIL MEETING
Wednesday, August 2, 2023

5:00 PM – Special Meeting
David B. Roberts Council Chambers

City Hall
2729 Prospect Park Drive, Rancho Cordova

DRAFT MINUTES

1. SPECIAL MEETING - CALL TO ORDER/ROLL CALL

Mayor Budge called the Regular meeting to order in the David B. Roberts Council Chambers at 5:02 p.m.

Council Members Present: Garrett Gatewood, Siri Pulipati, Donald Terry, and Mayor Linda Budge

Council Members Absent: David Sander

Staff Members Present: Haley Arata, Stacy Leitner, Adam Lindgren, and Micah Runner

2. PUBLIC COMMENT

Mayor Budge opened the public comment period. Seeing no speakers. Mayor Budge closed the public comment period.

3. PUBLIC HEARING ITEMS

- 3.1. **Subject:** Extension of Urgency Ordinance 7-2023 Establishing a Temporary Moratorium on the Establishment, Expansion, or Modification of Uses in the Villages of Zinfandel Special Planning Area Designated Therein as M-1 (Light Industrial) and MP (Office Industrial Park) Zones for a Period of 10 Months and 15 Days.

Recommendation: Adopt the Urgency Ordinance extending the temporary moratorium on the establishment, expansion, or modification of uses in the Villages of Zinfandel Special Planning Area designated therein as M-1 (Light Industrial) and MP (Office Industrial Park) zones.

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

ITEM 9.1.

Rancho Cordova City Council - DRAFT MINUTES
Meeting of Wednesday, August 2, 2023

ATTACHMENT 2

1. Alexander Merritt
2. Alexander Merritt

Mayor Budge closed the public comment period.

ACTION: Motion to approve item 3.1. by Terry second by Gatewood;
Motion passed with a 4:0 vote.

AYES: Gatewood, Pulipati, Terry, and Budge

NOES: None

ABSENT: Sander

ABSTAIN: None

4. ADJOURNMENT

Mayor Budge adjourned the meeting at 5:14 p.m.

Stacy Leitner, CMC
City Clerk

MEMORANDUM



ITEM 9.2.

DATE: August 7, 2023

TO: Honorable Mayor and Council Members

FROM: Elizabeth Sparkman, Community Development Director
Erin Naderi, Management Analyst

SUBJECT: **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RANCHO CORDOVA OF INTENTION TO ANNEX THE STONECREEK INDUSTRIAL PROJECT TO THE CITY OF RANCHO CORDOVA COMMUNITY FACILITIES DISTRICT NO. 2014-2 (STREET, LIGHTING, AND LANDSCAPING MAINTENANCE) AND DESIGNATE A TIME AND PLACE TO HEAR PROTESTS IN CONNECTION WITH THE ANNEXATION**

RECOMMENDATION

Adopt the Resolution of Intention to annex the Stonecreek Industrial Project the Community Facilities District No. 2014-2 (Street, Lighting, and Landscaping Maintenance).

RESULT OF RECOMMENDED ACTION

Adoption of the Resolution would approve the Boundary Map for Annexation No. 15 for the Stonecreek Industrial Project, declare the Council's intention to annex the project to CFD No. 2014-2, state the Council's intention to levy a special tax to pay for public street, lighting, and landscaping maintenance, and set 5:30 p.m. on September 18, 2023, as the time and date for a public hearing on the matter.

BACKGROUND

The Council has approved projects in the City, including the Stonecreek Industrial project, with a condition of approval which requires that the property owner annex to the CFD to fund operation and maintenance of streets, streetlights, and landscaping improvements within the public right of way. This condition will be satisfied by the annexation of the project to CFD No. 2014-2, which is the subject of tonight's action.

The property owner of the Stone Creek Industrial project has requested the City annex into the CFD to provide the method of financing for public streets, lighting, and landscaping maintenance required to meet the condition.

Discussion

The property owner submitted a petition ([Attachment 5](#)) for the City to institute the proceedings to annex into Community Facilities District No. 2014-2 (Street, Lighting, and Landscaping

Maintenance). The maintenance services to be funded by special taxes include the furnishing of services and materials for the ordinary and usual operation, maintenance, and servicing of the public streets, lighting, and landscaping improvements. Section 53320 of the Mello-Roos Act requires that City Council consider a resolution of intention to annex the project into the CFD.

The Resolution of Intention (Attachment 1) approves the Annexation Boundary Map, declares the City's intention to annex the Stonecreek Industrial project into CFD No. 2014-2, identifies the services to be funded, and states the City's intention to levy a special tax to pay for these services.

Attached to the Resolution of Intention is Boundary Map Annexation No. 15 (Attachment 2) that describes the proposed boundaries for annexation into CFD No. 2014-2, a description of services to be provided by the district (Attachment 3), and the proposed Rate and Method of Apportionment (RMA) of Special Tax for CFD No. 2014-2 (Attachment 4), which details how the special tax will be levied on properties commencing with Fiscal Year 2023/24. The RMA establishes maximum taxes for ordinary use parcels based on land use classifications based upon fair share contributions towards the costs to maintain the public streets, lighting, and landscaping services in the City.

As projects annex into CFD No. 2014-2, staff will determine the appropriate rate category applicable per land use category and any additional factors specifically related to each project. The RMA includes a rate for heavy truck traffic such as will be applicable for this project.

In tonight's action, it is requested the Council adopt the Resolution which approves the Boundary Map, declares the Council's intention to levy a special tax for the services financed by the CFD, sets September 18, 2023, as the date and time for a public hearing on the annexation of the district and the levy of a special tax, and directs the City Clerk to give notice of the public hearing and record the attached boundary map.

FISCAL IMPACT AND FUNDING SOURCE

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

ATTACHMENT(S)

1. Resolution
2. Exhibit A to the Resolution - Boundary Map
3. Exhibit B to the Resolution - Description of Services
4. Exhibit C to the Resolution - Rate and Method of Apportionment
5. Petition

CITY OF RANCHO CORDOVA

RESOLUTION NO. XX-2023

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RANCHO CORDOVA OF INTENTION TO ANNEX THE STONECREEK INDUSTRIAL PROJECT TO THE CITY OF RANCHO CORDOVA COMMUNITY FACILITIES DISTRICT NO. 2014-2 (STREET, LIGHTING, AND LANDSCAPING MAINTENANCE) AND DESIGNATE A TIME AND PLACE TO HEAR PROTESTS IN CONNECTION WITH THE ANNEXATION CITY OF RANCHO CORDOVA COMMUNITY FACILITIES DISTRICT NO. 2014-2 (STREET, LIGHTING, AND LANDSCAPING MAINTENANCE)

WHEREAS, under Mello-Roos Community Facilities Act of 1982, Chapter 2.5 of Part 1 of Division 2 of Title 5, commencing at Section 53311, of the California Government Code (the “Act”), this Council is authorized to establish a community facilities district and to act as the legislative body for a community facilities district; and

WHEREAS, on April 21, 2014, the City adopted Resolution No. 20-2014 declaring its intention to establish Community Facilities District No. 2014-2 (Street, Lighting, and Landscaping Maintenance) (the “District”) and Future Annexation Area for maintenance of street, lighting, and landscaping maintenance services. On June 2, 2014, the City adopted Resolution No. 34-2014 forming CFD No. 2012-2 pursuant to the Mello-Roos Community Facilities Act of 1982 (State of California Government Code Section 5311 et seq.) (the “Act”); and

WHEREAS, the Conditions of Approval for the Stonecreek Industrial Project requires the property owner/applicant to participate in the provision of funding to provide fair share maintenance of any existing and all new public improvements associated with the project; and

WHEREAS, in June of 2023, the property owners executed a petition which requests the City to undertake the proceedings to annex the property into the boundaries of the CFD; and

WHEREAS, in the case of annexation proceedings, pursuant to Streets and Highways Code Section 3110.5, a separate map of the area proposed to be annexed is required to be prepared and adopted; and

WHEREAS, City staff has caused to be prepared the Boundary Map for Annexation No. 15 for a property known as the Stonecreek Industrial project, Exhibit A attached hereto, for the annexation of the property to CFD No. 2014-2 (Street, Lighting, and Landscaping Maintenance).

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

1. **Authority.** This Council proposes to conduct proceedings to annex the Stonecreek Industrial Project into Community Facilities District No. 2014-2 (Street, Lighting, and Landscaping Maintenance) (the “CFD”).
2. **Boundaries Described.** The proposed boundaries of the Annexation Area are as shown on the map of it on file with the City Clerk, a copy of which is attached and marked Exhibit A. The City Clerk is hereby directed to record, or cause to be recorded, the Boundary Map for Annexation No. 15 in the office of the Sacramento County Recorder

within fifteen days of the date of adoption of this Resolution, but in any event at least fifteen days prior to the public hearing specified below.

3. **Services.** The type of services proposed to be financed by the CFD and pursuant to the Act shall consist of those listed on Exhibit B hereto and hereby incorporated herein (the "Services"). The Council hereby determines that the Services are necessary to meet increased demands placed upon local agencies as the result of development occurring within the area of the CFD.
4. **Special Tax.** Except to the extent that funds are otherwise available to the CFD to pay for the Services, a special tax (the "Special Tax") sufficient to pay the costs thereof, secured by recordation of a continuing lien against all non-exempt real property in the CFD, will be levied annually within the CFD, and collected in the same manner as ordinary ad valorem property taxes, or in such other manner as this Council or its designee shall determine, including direct billing of the affected property owners. The proposed rate and method of apportionment of the Special Tax among the parcels of real property within the CFD in sufficient detail to allow each landowner within the proposed CFD to estimate the maximum amount such owner will have to pay, are described in Exhibit C attached hereto and hereby incorporated herein.
5. **Exempt Property.** Except as may otherwise be provided by law or by the rate and method of apportionment of the Special Tax for the CFD, all lands owned by any public entity, including the United States, the State of California and/or the City, or any departments or political subdivisions thereof, shall be omitted from the levy of the Special Tax to be made to cover the costs and expenses of the Services and the CFD. In the event that a portion of the property within the CFD shall become for any reason exempt, wholly or in part, from the levy of the Special Tax, this Council will, on behalf of the CFD, increase the levy to the extent necessary upon the remaining property within the CFD which is not exempt in order to yield the required debt service payments and other annual expenses of the CFD, if any, subject to the provisions of the rate and method of apportionment of the Special Tax.
6. **Election.** The levy of the Special Tax shall be subject to the approval of the qualified electors of the CFD at a special election. The proposed voting procedure shall be by mailed or hand-delivered ballot among the landowners in the proposed CFD, with each owner having one vote for each acre or portion of an acre such owner owns in the CFD.
7. **CFD Report.** The City's Director of Public Works (or deputy or designee thereof) as the officer having charge and control of the Services in and for the CFD, or the designee of such officer, is hereby directed to study said proposed Services and to make, or cause to be made, and file with the City Clerk a report in writing, (the "CFD Report"), which shall be a part of the record of the public hearing hereinafter specified and which report shall present the following:
 - a. A description of the Services by type which will be required to adequately meet the needs of the CFD.
 - b. An estimate of the fair and reasonable cost of the Services including the cost of acquisition of lands, rights-of-way and easements, any physical facilities required in conjunction therewith and incidental expenses in connection therewith, and all other related costs as provided in Section 53345.3 of the Act.
8. **Public Hearing.** Monday, September 18, 2023, at 5:30 p.m. or as soon as possible thereafter, in the City Hall, Council Chambers, 2729 Prospect Park Drive, Rancho Cordova, California, and the same are hereby appointed and fixed as the time and place when and where this Council, as legislative body for the CFD, will conduct a public hearing on the Annexation to the CFD and consider and finally determine whether the public interest, convenience and necessity require the Annexation to the CFD and the

levy of the Special Tax.

9. **Notice of Hearing.** The City Clerk is hereby directed to cause notice of the public hearing to be given by publication one time in a newspaper published in the area of the CFD and the Annexation Area. The publication shall be completed at least seven days before the date of the public hearing specified above. The City Clerk shall also cause notice of the hearing to be given to each property owner within the CFD by first class mail, postage prepaid, to each such owner's addresses as it appears on the most recent tax records of Sacramento County or as otherwise known to the City Clerk to be correct. Such mailing shall be completed not less than fifteen days before the date of the public hearing. Each of the notices shall be substantially in the form specified in Section 53322 of the Act, with a form summarizing the provisions hereof hereby specifically approved.

PASSED AND ADOPTED by the City Council of the City of Rancho Cordova on the 7th day of August 2023 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

Linda Budge, Mayor

Stacy Leitner, CMC
City Clerk

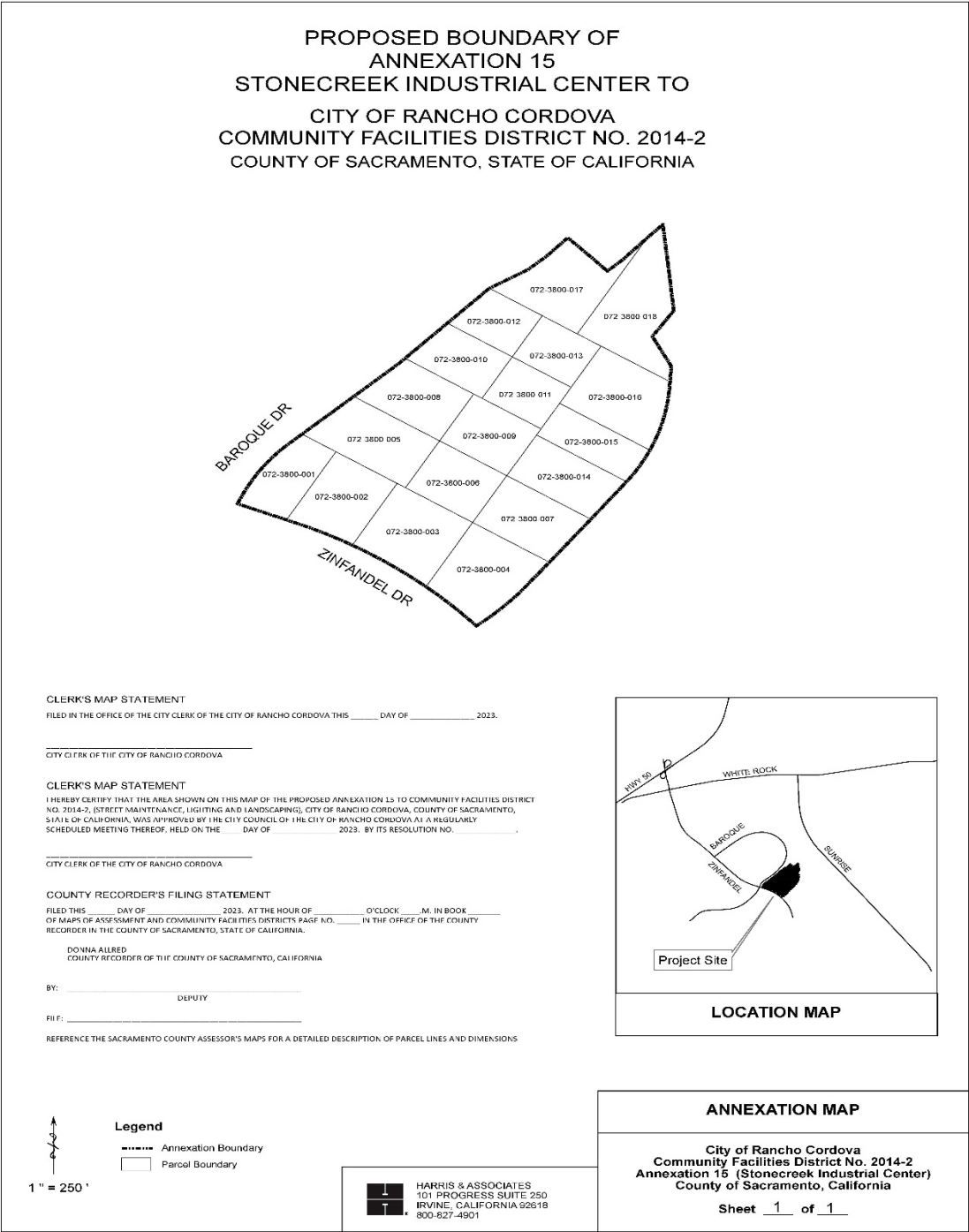


EXHIBIT B

**CITY OF RANCHO CORDOVA
COMMUNITY FACILITIES DISTRICT NO. 2014-2
(STREET, LIGHTING AND LANDSCAPING MAINTENANCE)**

DESCRIPTION OF DISTRICT SERVICES

Description of services:

Maintenance of public street, lighting, and landscaping improvements

- Maintenance means the furnishing of services and materials for the ordinary and usual operation, maintenance and servicing of the public street, lighting and landscaping improvements, dedicated easements, and appurtenant facilities, and administration and overhead of all aspects of the CFD.

Reserve Fund

- The CFD special taxes may be collected and set-aside in designated funds, collected over several years, that may be used by the CFD to fund future repairs to public streets, lighting and landscaping improvements and other services as determined by the CFD.

EXHIBIT C

**CITY OF RANCHO CORDOVA
COMMUNITY FACILITIES DISTRICT NO. 2014-2
(STREET, LIGHTING AND LANDSCAPING MAINTENANCE)****RATE AND METHOD OF APPORTIONMENT OF SPECIAL TAX
FOR ANNEXATION NO. ____ (_____ PROJECT)**

A Special Tax applicable to each Assessor's Parcel in Community Facilities District No. 2014-2 (Street, Lighting and Landscaping Maintenance) shall be levied and collected according to the tax liability determined by the City Council, acting in its capacity as the legislative body of CFD No. 2014-2, through the application of the appropriate Special Tax rate, as described below. All of the property in CFD No. 2014-2, unless exempted by law or by the provisions of Section E below, shall be taxed for the purposes, to the extent, and in the manner herein provided, including property subsequently annexed to CFD No. 2014-2 unless a separate Rate and Method of Apportionment of Special Tax is adopted for the annexation area.

A. DEFINITIONS

The terms hereinafter set forth have the following meanings:

"Acre or Acreage" means the land area of an Assessor's Parcel as shown on an Assessor's Parcel Map, or if the land area is not shown on an Assessor's Parcel Map, the land area shown on the applicable final subdivision map, a final parcel map, a final approved condominium plan, or functionally equivalent final map or instrument recorded in the Office of the County Recorder. If the area shown on said map is in square footage, Acreage shall be calculated by dividing the square footage by 43,560.

"Additional Load and Decorative Lighting Parcel" means any Parcel that is determined by the City to be both an Additional Load Parcel and a Decorative Lighting Parcel.

"Additional Load Parcel" means any Parcel of Commercial Property or Industrial Property that is determined by the City to create excessive wear and tear on the roadways and/or a high volume of vehicular traffic.

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

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

ITEM 9.2.

ATTACHMENT 4 Exhibit C to the Resolution

“Annual Escalation Factor” means the annual percentage increase in the McGraw-Hill Engineering News Record Construction Cost Index (ENR CCI) for the San Francisco area from January of the previous year to January of the year that the Special Tax is levied. In the event that the ENR CCI defined above is no longer reported, the City Council shall select a similar index to replace it.

“Assessor’s Parcel” or **“Parcel”** means a lot or parcel shown in an Assessor’s Parcel Map with an assigned Assessor’s Parcel number.

“Assessor’s Parcel Map” means an official map of the County Assessor designating parcels by Assessor’s Parcel number.

“Authorized Services” means the public services authorized to be funded by CFD No. 2014-2 as set forth in the documents adopted by the City Council when the CFD was formed.

“CFD” or **“CFD No. 2014-2”** means the City of Rancho Cordova Community Facilities District No. 2014-2 (Street, Lighting and Landscaping Maintenance).

“City” means the City of Rancho Cordova.

“City Council” means the City Council of the City of Rancho Cordova, acting as the legislative body of CFD No. 2014-2.

“Commercial Property” means, in any Fiscal Year, all Developed Property for which a building permit or use permit has been issued for a commercial establishment which includes, but is not limited to, retail stores, clothing stores, book stores, convenience stores, drug stores, professional services (i.e., barber shops, dry cleaners), restaurants, supermarkets, hospitals, movie theaters, appliance and electronics stores, home supply stores, auto parts stores, and other retail uses. The City shall make the determination if a Parcel is Commercial Property.

“County” means the County of Sacramento.

“Decorative Lighting Parcel” means any Parcel of Developed Property that is determined by the City to have or benefit from decorative lighting features.

“Developed Property” means, in any Fiscal Year, all Parcels of Taxable Property for which a use permit or building permit for new construction of a residential or non-residential structure (which shall not include a permit issued solely for construction of the foundation if another permit remains to be issued for vertical construction of the building) was issued prior to June 30 of the preceding Fiscal Year.

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

“Heavy Truck Traffic Parcel” means, any Parcel of Developed Property that is determined by the City to have heavy truck traffic impact on the public streets and include, but are not limited to, fulfillment centers, logistics centers, freight, truck terminals, and other facilities intended for the movement of goods (manufactured or raw) prior to their distribution.

“Hotel Property” means, in any Fiscal Year, all Developed Property for which a building permit or use permit has been issued for a structure that constitutes a place of lodging providing sleeping accommodations and related facilities for travelers.

“Industrial Property” means, in any Fiscal Year, all Developed Property for which a building permit or use permit has been issued for construction of an industrial, manufacturing, or warehousing structure, fulfillment centers, logistics centers, freight, truck terminals, and other facilities intended for the movement of goods (manufactured or raw) prior to their distribution. The City shall make the determination if a Parcel is Industrial Property.

“Maximum Special Tax” means the greatest amount of Special Tax that can be levied on an Assessor’s Parcel in any Fiscal Year determined in accordance with Section C below.

“Micro-Unit Property” means, in any Fiscal Year, all Parcels of Developed Property for which a building permit or use permit has been issued for construction of a residential structure with five (5) or more Units of approximately 800 square feet of floor area or less for each such Unit that share a single Assessor’s Parcel number, all of which are offered for rent to the general public and cannot be purchased by individual homebuyers.

“Multi-Family Property” means, in any Fiscal Year, all Parcels of Developed Property for which a building permit or use permit has been issued for construction of a residential structure with five (5) or more Units that share a single Assessor’s Parcel number, all of which are offered for rent to the general public and cannot be purchased by individual homebuyers.

“Non-Residential Property” means, collectively, Commercial Property, Hotel Property, Industrial Property, and Office Property.

“Office Property” means, in any Fiscal Year, all Parcels of Developed Property for which a building permit or use permit has been issued for a building in which professional, banking, insurance, real estate, administrative or in-office medical or dental activities are conducted. The City shall make the determination if a Parcel is Office Property.

“Ordinary Use Parcel” means any Parcel of Taxable Property that is not an Additional Load Parcel, Decorative Lighting Parcel, Residential Alley Parcel, Additional Load and Decorative Lighting Parcel, Residential Alley and Decorative Lighting Parcel, Private Street Parcel, 50/50 Public & Private Residential Street Parcel, or Heavy Truck Traffic Parcel.

“Private Street Parcel” means, any Taxable Property where all or the majority of the residential streets are private within the development and the maintenance of the residential components are not funded by the CFD or by the federal government, State of California, County, City, or other public agency.

“50/50 Public & Private Residential Street Parcel” means, any Taxable Property where there is a fairly even split of public and private streets associated with a development.

“Proportionately” means that the ratio of the actual Special Tax levy to the Maximum Special

ITEM 9.2.

ATTACHMENT 4 Exhibit C to the Resolution

Tax is equal for all Parcels of Developed Property.

“Public Property” means any property within the boundaries of CFD No. 2014-2 that is owned by the federal government, State of California, County, City, or other public agency.

“Residential Alley and Decorative Lighting Parcel” means any Parcel that is determined by the City to be both a Residential Alley Parcel and a Decorative Lighting Parcel.

“Residential Alley Parcel” means any Parcel of Residential Property that is determined by the City to have residential alleys that are part of the public roadways.

“Residential Property” means, collectively, Single Family Attached Property, Single Family Detached Property, Multi-Family Property, and Micro-Unit Property.

“Single Family Attached Property” means, in any Fiscal Year, all Parcels of Developed Property for which a building permit was issued for construction of a residential structure consisting of two (2) to four (4) Units that share common walls, have separate Assessor’s Parcel numbers assigned to them (except for a duplex unit, which may share an Assessor’s Parcel with another duplex unit), and are offered as for-sale Units (which shall still be the case even if the Units are purchased and subsequently offered for rent by the owner of the Unit(s)), including such residential structures that meet the statutory definition of a condominium contained in Civil Code Section 1351.

“Single Family Detached Property” means, in any Fiscal Year, all Parcels of Developed Property for which a building permit was issued for construction of a Unit that does not share a common wall with another Unit.

“Soundwall Parcel” means any Parcel of Developed Property whose tract boundary is encompassed by soundwalls maintained within the CFD.

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

“Special Tax” means a special tax levied in any Fiscal Year on property within CFD No. 2014-2 to pay the Special Tax Requirement.

“Square Foot,” “Square Footage,” or “Square Feet” means the building square footage reflected on the original building permit issued for construction of a building.

“Taxable Property” means all Assessor’s Parcels within the boundaries of CFD No. 2014-2 which are not exempt from the Special Tax pursuant to law or Section E below.

“Taxable Public Property” means, in any Fiscal Year, all Assessor’s Parcels in CFD No. 2014-2

ITEM 9.2.

ATTACHMENT 4 Exhibit C to the Resolution

that had, in prior Fiscal Years, been taxed as Developed Property and subsequently came under the ownership of a public agency.

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

“Unit” means an individual single-family detached unit or an individual residential unit within a duplex, triplex, fourplex, townhome, condominium, or apartment structure. Unit shall also mean a rentable single hotel room or rentable unit on a Parcel of Hotel Property.

B. DATA COLLECTION FOR ANNUAL TAX LEVY

Each Fiscal Year, the Administrator shall identify the current Assessor’s Parcel number for all Parcels of Taxable Property within CFD No. 2014-2 and shall determine within which Tax Zone each Assessor’s Parcel is located. Upon each annexation of property into CFD No. 2014-2, the Administrator shall update Attachment 1 to include the new Assessor’s Parcel number(s). In addition, for all Parcels of Developed Property, if applicable to the Tax Zone in which the Parcels are located, the Administrator shall determine if each Parcel is an Ordinary Use Parcel, an Additional Load Parcel, a Residential Alley Parcel, a Decorative Lighting Parcel, an Additional Load and Decorative Lighting Parcel, a Residential Alley and Decorative Lighting Parcel, Private Street Parcel, 50/50 Public & Private Residential Street Parcel, or a Heavy Truck Traffic Parcel.

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

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

In any Fiscal Year, if it is determined that (i) a parcel map for a portion of property in CFD No. 2014-2 was recorded after January 1 of the prior Fiscal Year (or any other date after which the Assessor will not incorporate the newly-created Parcels into the then current tax roll), (ii) because of the date the parcel map was recorded, the Assessor does not yet recognize the new Parcels created by the parcel map, and (iii) one or more of the newly-created Parcels meets the definition of Developed Property, the Administrator shall calculate the Special Tax for the property affected by recordation

ITEM 9.2.**ATTACHMENT 4
Exhibit C to the Resolution**

of the parcel map by determining the Special Tax that applies separately to each newly-created Parcel, then applying the sum of the individual Special Taxes to the Parcel that was subdivided by recordation of the parcel map.

C. MAXIMUM SPECIAL TAX**1. All Tax Zones**

The following Maximum Special Taxes apply to all Parcels of Developed Property within each Tax Zone of CFD No. 2014-2, unless otherwise specified in Attachment 1.

a. Ordinary Use Parcel**MAXIMUM SPECIAL TAXES
ORDINARY USE PARCEL
(FISCAL YEAR 2022-23)**

Land Use Class		Rate
Single Family Detached Property	per Unit	\$491.78
Single Family Attached Property	per Unit	\$388.50
Multi-Family Property	per Unit	\$280.31
Micro-Unit Property	per Unit	\$186.97
Commercial Property	per 1,000 Sq. Ft.	\$733.73
Hotel Property	per Unit	\$290.15
Industrial Property	per 1,000 Sq. Ft.	\$221.30
Office Property	per 1,000 Sq. Ft.	\$732.75

On July 1st following the Fiscal Year rate above, the Maximum Special Taxes shown above shall be increased by the Annual Escalation Factor.

ITEM 9.2.**ATTACHMENT 4
Exhibit C to the Resolution****b. Residential Alley Parcel****MAXIMUM SPECIAL TAXES
RESIDENTIAL ALLEY PARCEL
(FISCAL YEAR 2022-23)**

Land Use Class		Rate
Single Family Detached Property	per Unit	\$533.89
Single Family Attached Property	per Unit	\$421.77
Multi-Family Property	per Unit	\$304.32
Micro-Unit Property	per Unit	\$202.98
Commercial Property	per 1,000 Sq. Ft.	N/A
Hotel Property	per Unit	N/A
Industrial Property	per 1,000 Sq. Ft.	N/A
Office Property	per 1,000 Sq. Ft.	N/A

On July 1st following the Fiscal Year rate above, the Maximum Special Taxes shown above shall be increased by the Annual Escalation Factor.

c. Decorative Lighting Parcel**MAXIMUM SPECIAL TAXES
DECORATIVE LIGHTING PARCEL
(FISCAL YEAR 2022-23)**

Land Use Class		Rate
Single Family Detached Property	per Unit	\$499.30
Single Family Attached Property	per Unit	\$394.44
Multi-Family Property	per Unit	\$284.60
Micro-Unit Property	per Unit	\$189.83
Commercial Property	per 1,000 Sq. Ft.	\$744.95
Hotel Property	per Unit	\$294.58
Industrial Property	per 1,000 Sq. Ft.	\$224.68
Office Property	per 1,000 Sq. Ft.	\$743.95

On July 1st following the Fiscal Year rate above, the Maximum Special Taxes shown above shall be increased by the Annual Escalation Factor.

ITEM 9.2.**ATTACHMENT 4
Exhibit C to the Resolution****d. Additional Load Parcel****MAXIMUM SPECIAL TAXES
ADDITIONAL LOAD PARCEL
(FISCAL YEAR 2022-23)**

Land Use Class		Rate
Single Family Detached Property	per Unit	N/A
Single Family Attached Property	per Unit	N/A
Multi-Family Property	per Unit	N/A
Micro-Unit Property	per Unit	N/A
Commercial Property	per 1,000 Sq. Ft.	\$761.58
Hotel Property	per Unit	N/A
Industrial Property	per 1,000 Sq. Ft.	\$229.70
Office Property	per 1,000 Sq. Ft.	N/A

On July 1st following the Fiscal Year rate above, the Maximum Special Taxes shown above shall be increased by the Annual Escalation Factor.

e. Soundwall Parcel**MAXIMUM SPECIAL TAXES
SOUNDWALL PARCEL
(FISCAL YEAR 2022-23)**

Land Use Class		Rate
Single Family Detached Property	per Unit	\$512.68
Single Family Attached Property	per Unit	\$405.02
Multi-Family Property	per Unit	\$292.22
Micro-Unit Property	per Unit	\$194.91
Commercial Property	per 1,000 Sq. Ft.	\$764.92
Hotel Property	per Unit	\$302.48
Industrial Property	per 1,000 Sq. Ft.	\$230.71
Office Property	per 1,000 Sq. Ft.	\$763.90

On July 1st following the Fiscal Year rate above, the Maximum Special Taxes shown above shall be increased by the Annual Escalation Factor.

ITEM 9.2.**ATTACHMENT 4
Exhibit C to the Resolution****f. Additional Load and Decorative Lighting Parcel****MAXIMUM SPECIAL TAXES
ADDITIONAL LOAD AND DECORATIVE LIGHTING PARCEL
(FISCAL YEAR 2022-23)**

Land Use Class		Rate
Single Family Detached Property	per Unit	N/A
Single Family Attached Property	per Unit	N/A
Multi-Family Property	per Unit	N/A
Micro-Unit Property	per Unit	N/A
Commercial Property	per 1,000 Sq. Ft.	\$772.80
Hotel Property	per Unit	N/A
Industrial Property	per 1,000 Sq. Ft.	\$233.08
Office Property	per 1,000 Sq. Ft.	N/A

On July 1st following the Fiscal Year rate above, the Maximum Special Taxes shown above shall be increased by the Annual Escalation Factor.

g. Residential Alley and Decorative Lighting Parcel**MAXIMUM SPECIAL TAXES
RESIDENTIAL ALLEY AND DECORATIVE LIGHTING PARCEL
(FISCAL YEAR 2022-23)**

Land Use Class		Rate
Single Family Detached Property	per Unit	\$541.41
Single Family Attached Property	per Unit	\$427.72
Multi-Family Property	per Unit	\$308.60
Micro-Unit Property	per Unit	\$205.84
Commercial Property	per 1,000 Sq. Ft.	N/A
Hotel Property	per Unit	N/A
Industrial Property	per 1,000 Sq. Ft.	N/A
Office Property	per 1,000 Sq. Ft.	N/A

On July 1st following the Fiscal Year rate above, the Maximum Special Taxes shown above shall be increased by the Annual Escalation Factor.

ITEM 9.2.**ATTACHMENT 4
Exhibit C to the Resolution****h. Residential Alley and Soundwall Parcel****MAXIMUM SPECIAL TAXES
RESIDENTIAL ALLEY AND SOUNDWALL PARCEL
(FISCAL YEAR 2022-23)**

Land Use Class		Rate
Single Family Detached Property	per Unit	\$558.08
Single Family Attached Property	per Unit	\$440.89
Multi-Family Property	per Unit	\$318.11
Micro-Unit Property	per Unit	\$212.18
Commercial Property	per 1,000 Sq. Ft.	N/A
Hotel Property	per Unit	N/A
Industrial Property	per 1,000 Sq. Ft.	N/A
Office Property	per 1,000 Sq. Ft.	N/A

On July 1st following the Fiscal Year rate above, the Maximum Special Taxes shown above shall be increased by the Annual Escalation Factor.

i. Decorative Lighting and Soundwall Parcel**MAXIMUM SPECIAL TAXES
DECORATIVE LIGHTING AND SOUNDWALL PARCEL
(FISCAL YEAR 2022-23)**

Land Use Class		Rate
Single Family Detached Property	per Unit	\$520.02
Single Family Attached Property	per Unit	\$410.80
Multi-Family Property	per Unit	\$296.41
Micro-Unit Property	per Unit	\$197.70
Commercial Property	per 1,000 Sq. Ft.	\$775.85
Hotel Property	per Unit	\$306.80
Industrial Property	per 1,000 Sq. Ft.	\$234.00
Office Property	per 1,000 Sq. Ft.	\$774.82

On July 1st following the Fiscal Year rate above, the Maximum Special Taxes shown above shall be increased by the Annual Escalation Factor.

ITEM 9.2.**ATTACHMENT 4
Exhibit C to the Resolution****j. Residential Alley, Decorative Lighting, and Soundwall Parcel****MAXIMUM SPECIAL TAXES
RESIDENTIAL ALLEY, DECORATIVE LIGHTING AND SOUNDWALL PARCEL
(FISCAL YEAR 2022-23)**

Land Use Class		Rate
Single Family Detached Property	per Unit	\$561.81
Single Family Attached Property	per Unit	\$443.82
Multi-Family Property	per Unit	\$320.22
Micro-Unit Property	per Unit	\$213.59
Commercial Property	per 1,000 Sq. Ft.	N/A
Hotel Property	per Unit	N/A
Industrial Property	per 1,000 Sq. Ft.	N/A
Office Property	per 1,000 Sq. Ft.	N/A

On July 1st following the Fiscal Year rate above, the Maximum Special Taxes shown above shall be increased by the Annual Escalation Factor.

k. Private Street Parcel**MAXIMUM SPECIAL TAXES
PRIVATE STREET PARCEL
(FISCAL YEAR 2022-23)**

Land Use Class		Rate
Single Family Detached Property	per Unit	\$323.10
Single Family Attached Property	per Unit	\$255.24
Multi-Family Property	per Unit	\$184.16
Micro-Unit Property	per Unit	\$122.84
Commercial Property	per 1,000 Sq. Ft.	N/A
Hotel Property	per Unit	N/A
Industrial Property	per 1,000 Sq. Ft.	N/A
Office Property	per 1,000 Sq. Ft.	N/A

On July 1st following the Fiscal Year rate above, the Maximum Special Taxes shown above shall be increased by the Annual Escalation Factor.

ITEM 9.2.**ATTACHMENT 4
Exhibit C to the Resolution****I. 50/50 Public & Private Residential Street Parcel****MAXIMUM SPECIAL TAXES
50/50 PUBLIC & PRIVATE STREET PARCEL
(FISCAL YEAR 2022-23)**

Land Use Class		Rate
Single Family Detached Property	per Unit	\$407.19
Single Family Attached Property	per Unit	\$321.68
Multi-Family Property	per Unit	\$232.10
Micro-Unit Property	per Unit	\$154.81
Commercial Property	per 1,000 Sq. Ft.	N/A
Hotel Property	per Unit	N/A
Industrial Property	per 1,000 Sq. Ft.	N/A
Office Property	per 1,000 Sq. Ft.	N/A

On July 1st following the Fiscal Year rate above, the Maximum Special Taxes shown above shall be increased by the Annual Escalation Factor.

m. Heavy Truck Traffic Parcel**MAXIMUM SPECIAL TAXES
HEAVY TRUCK TRAFFIC PARCEL
(FISCAL YEAR 2022-23)**

Land Use Class		Rate
Single Family Detached Property	per Unit	N/A
Single Family Attached Property	per Unit	N/A
Multi-Family Property	per Unit	N/A
Micro-Unit Property	per Unit	N/A
Commercial Property	per 1,000 Sq. Ft.	N/A
Hotel Property	per Unit	N/A
Industrial Property	per 1,000 Sq. Ft.	\$317.99
Office Property	per 1,000 Sq. Ft.	N/A

D. METHOD OF LEVY AND COLLECTION OF SPECIAL TAX

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

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

Second: If additional revenue is needed after the first step has been completed, the Special Tax shall be levied proportionately on each Parcel of Taxable Public Property up to 100% of the Maximum Special Tax that would have applied to the Parcel had the Parcel not become Public Property until the amount levied is equal to the Special Tax Requirement for the Fiscal Year.

The Special Tax for CFD No. 2014-2 shall be collected at the same time and in the same manner as ordinary ad valorem property taxes provided, however, that the City may (under the authority of Government Code Section 53340) collect Special Taxes at a different time or in a different manner if necessary to meet CFD No. 2014-2 financial obligations and the Special Tax shall be equally subject to foreclosure if delinquent.

E. LIMITATIONS Notwithstanding any other provision of this Rate and Method of Apportionment of Special Tax, no special Tax shall be levied on (i) any Parcel of Public Property that is not Taxable public Property, and (ii) any Parcel in CFD No. 2014-2 that is not Developed Property.

F. DURATION OF SPECIAL TAX
The Special Tax shall be levied in perpetuity to fund the Special Tax Requirement, unless no longer required as determined at the sole discretion of the City Council.

G. INTERPRETATION OF SPECIAL TAX FORMULA

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

ATTACHMENT 1

CITY OF RANCHO CORDOVA
COMMUNITY FACILITIES DISTRICT NO. 2014-2
(STREET, LIGHTING AND LANDSCAPING MAINTENANCE)

IDENTIFICATION OF TAX ZONES

TAX ZONE 1

Assessor's Parcels Included in Tax Zone 1 *	Fiscal Year In Which Property Was Added to CFD No. 2014-2
067-1210-001 through 067-1210-055 067-1220-001 through 067-1220-059 067-1230-001 through 067-1230-060	2013-14

Tax Zone 1 – Maximum Special Taxes

The Maximum Special Taxes for Zone 1 do not incorporate the long-term maintenance activities which are included as a part of CFD No. 2014-1. On July 1 of each Fiscal Year thereafter, the Maximum Special Taxes shall be increased by the Annual Escalation Factor.

MAXIMUM SPECIAL TAXES
SOUNDWALL AND DECORATIVE LIGHTING PARCEL
(EXCLUDING LONG-TERM MAINTENANCE)
(FISCAL YEAR 2022-23)

Land Use Class	Rate
Single Family Detached Property per Unit	\$367.21
Single Family Attached Property per Unit	\$290.10
Multi-Family Property per Unit	\$209.32
Commercial Property per 1,000 Sq. Ft.	\$275.56
Hotel Property per Unit	\$216.65
Industrial Property per 1,000 Sq. Ft.	\$165.24
Office Property per 1,000 Sq. Ft.	\$275.56

TAX ZONE 2

ITEM 9.2.**ATTACHMENT 4
Exhibit C to the Resolution**

Assessor's Parcels Included in Tax Zone 2*			Fiscal Year in Which Property was Added to CFD No. 2014-2
067-1050-001	Through	067-1050-009	2016-17
072-2870-001	Through	072-2870-072	2014-15
072-2880-001	Through	072-2880-082	
072-2890-001	Through	072-2890-088	
072-2900-001	Through	072-2900-080	
072-2910-001	Through	072-2910-083	
072-2920-001	Through	072-2920-069	
072-2940-001	Through	072-2940-066	
072-2950-001	Through	072-2950-063	
072-2960-001	Through	072-2960-065	

Tax Zone 2 – Maximum Special Taxes

These Maximum Special Taxes include the maintenance of street lighting only. On July 1 of each Fiscal Year thereafter, the Maximum Special Taxes shall be increased by the Annual Escalation Factor.

**MAXIMUM SPECIAL TAXES
DECORATIVE LIGHTING ONLY
(FISCAL YEAR 2022-23)**

Land Use Class		Rate
Single Family Detached Property	per Unit	\$49.86
Single Family Attached Property	per Unit	\$49.86
Multi-Family Property	per Unit	\$206.01
Commercial Property	per 1,000 Sq. Ft.	\$275.56
Hotel Property	per Unit	\$213.28
Industrial Property	per 1,000 Sq. Ft.	\$162.67
Office Property	per 1,000 Sq. Ft.	\$275.56

ITEM 9.2.**ATTACHMENT 4
Exhibit C to the Resolution****TAX ZONE 3**

Assessor's Parcels Included in Tax Zone 3*			Fiscal Year in Which Property was Added to CFD No. 2014-2
067-1070-001	Through	067-1070-059	2016-17
067-1090-001	Through	067-1090-089	
067-1060-003	Through	067-1060-004	2017-18
067-1170-001	Through	067-1170-085	
067-1180-001	Through	067-1180-016	
067-1190-001	Through	067-1190-066	
067-1200-001	Through	067-1200-054	
067-1100-008			2018-19
067-1240-001	Through	067-1240-048	
067-1250-001	Through	067-1250-108	
067-1100-005	Through	067-1100-007	
067-1120-001	Through	067-1120-027	
067-1130-001	Through	067-1130-176	
067-1140-001	Through	067-1140-038	
067-1080-007	Through	067-1080-017	
067-1150-001	Through	067-1150-080	
067-1160-001	Through	067-1160-065	
067-1260-001	Through	067-1260-061	
067-1270-001	Through	067-1270-113	
067-1280-001	Through	067-1280-094	
067-1290-001	Through	067-1290-032	

Tax Zone 3 – Maximum Special Taxes

These Maximum Special Taxes include the maintenance of soundwalls. On July 1 of each Fiscal Year thereafter, commencing July 1, 2015, the Maximum Special Taxes shall be increased by the Annual Escalation Factor.

**MAXIMUM SPECIAL TAXES
SOUNDWALL PARCEL
(FISCAL YEAR 2022-23)**

Land Use Class		Rate
Single Family Detached Property	per Unit	\$512.68
Single Family Attached Property	per Unit	\$405.02
Multi-Family Property	per Unit	\$292.22
Commercial Property	per 1,000 Sq. Ft.	\$764.92
Hotel Property	per Unit	\$302.48
Industrial Property	per 1,000 Sq. Ft.	\$230.71
Office Property	per 1,000 Sq. Ft.	\$763.90

TAX ZONE 4

Assessor's Parcels Included in Tax Zone 4*	Fiscal Year in Which Property was Added to CFD No. 2014-2
072-4050-017 Through 072-4050-029	2022-23

Tax Zone 4 – Maximum Special Taxes

These Maximum Special Taxes include the maintenance of streets determined by the City to have a heavy impact on the public streets. On July 1 of each Fiscal Year thereafter, commencing July 1, 2024, the Maximum Special Taxes shall be increased by the Annual Escalation Factor.

**MAXIMUM SPECIAL TAXES
HEAVY TRUCK TRAFFIC PARCEL
(FISCAL YEAR 2022-23)**

Land Use Class		Rate
Single Family Detached Property	per Unit	N/A
Single Family Attached Property	per Unit	N/A
Multi-Family Property	per Unit	N/A
Micro-Unit Property	per Unit	N/A
Commercial Property	per 1,000 Sq. Ft.	N/A
Hotel Property	per Unit	N/A
Industrial Property	per 1,000 Sq. Ft.	\$317.99
Office Property	per 1,000 Sq. Ft.	N/A

* The property identified by the Assessor's Parcel Numbers listed above shall remain part of the identified Tax Zone regardless of changes in the configuration of the Assessor's Parcels or changes to APNs in future Fiscal Years. As APNs change, the City may update Attachment 1 to reflect the most current APNs and Tax Zones consistent with the categories of Developed Property set forth in the Rate and Method of Apportionment of Special Tax for CFD No. 2014-2.

**CITY OF RANCHO CORDOVA
Community Facilities District No. 2014-2
(Street, Lighting And Landscaping Maintenance)**

**PETITION
(With Waivers)**

**To Annex to a Community Facilities District
and Related Matters**

To the Honorable City Council,
CITY OF RANCHO CORDOVA
2729 Prospect Park Drive
Rancho Cordova, CA 95670

Members of the Council:

This is a petition to annex to an existing community facilities district and related matters under the Mello-Roos Community Facilities Act of 1982, Sections 53311 and following of the California Government Code (the "Act") and it states as follows:

1. Petitioner. This Petition is submitted by the person (the "Petitioner") (whether one or more) identified below as or for the record owner(s) of the parcels of land identified below (the "Property"). The Petitioner warrants to the City that the Petitioner is such owner or is legally authorized to execute this Petition for and on behalf of such owner(s).

2. Proceedings Requested. This Petition asks that the City Council undertake proceedings under the Act to annex a project into Community Facilities District No. 2014-2 (Street, Lighting and Landscaping Maintenance) (the "CFD") to levy special taxes in the CFD.

3. Boundaries. This Petition asks that the territory to be annexed into the boundaries of the CFD consist of those properties listed herein, also shown on the map attached as Exhibit A.

4. Purpose. This Petition asks that the Property be annexed and the special taxes be levied to finance all or a part of the public street, lighting and landscaping maintenance (the "Services") authorized by the Act.

5. Special Taxes. The Petitioner agrees that the City will, subject to the approval of the Petitioner in the proceedings for the CFD be authorized to levy of Special Taxes in the CFD to pay for the Services, subject to the completion of all proceedings by the City under the Act, as shown in Exhibit B.

6. Election. The Petitioner asks that the special property-owner election to be held under the Act to authorize the special taxes for the CFD be conducted by the City and its officials, using a mailed or hand-delivered ballot and that such ballot be canvassed and the results certified at the same meeting of the City Council as the public hearing on the CFD under the Act or as soon thereafter as possible.

7. Additional Waivers. To expedite the completion of the proceedings for the annexation to the CFD, the Petitioner waives all notices of hearing and all published notices, notices of election, applicable waiting periods under the Act for the holding of any public hearing

and for election and all ballot arguments and analysis for the election, it being acknowledged by the Petitioner that all such notices are for the benefit of the Petitioner and may be waived.

8. Authority Warranted. The Petitioner warrants to the City that the presentation of this Petition, any waivers contained herein, and other actions mandated by the City for the annexation to the CFD shall not constitute or be construed as events of default or delinquencies under any existing or proposed financing documents entered into or to be entered into by the Petitioner for the Property, including any "due-on-encumbrance" clauses under any existing security instruments secured by the Property. If requested by the City, the Petitioner agrees, at its expense, to supply to the City, current title evidence so that the City may verify ownership for the annexation to the CFD.

9. Due-Diligence and Disclosures. The Petitioner agrees to cooperate with the City, its attorneys and consultants and provide all information and disclosures required by the City about the Special Taxes to purchasers of the Property or any part of it.

10. Agreements. The Petitioner further agrees to execute such additional or supplemental agreements as may be required by the City to provide for any of the actions and conditions under this Petition, including any amount of cash deposit required to pay for the City's costs for the annexation to the CFD. Petitioner agrees that this Petition shall not be considered as filed with the City for purposes of commencing proceedings for the annexation to the CFD under the Act unless and until deemed filed by the City in its absolute discretion.

The Property is Sacramento County
Assessor Parcel No(s):

APN: 072-3800-001
072-3800-002
072-3800-003
072-3800-004
072-3800-005
072-3800-006
072-3800-007
072-3800-008
072-3800-009
072-3800-010
072-3800-011
072-3800-013
072-3800-014
072-3800-015
072-3800-016
072-3800-017
072-3800-018

The Petitioners (record owners) are
DPML STONECREEK, LLC.
a Delaware Limited Liability Company

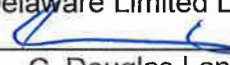
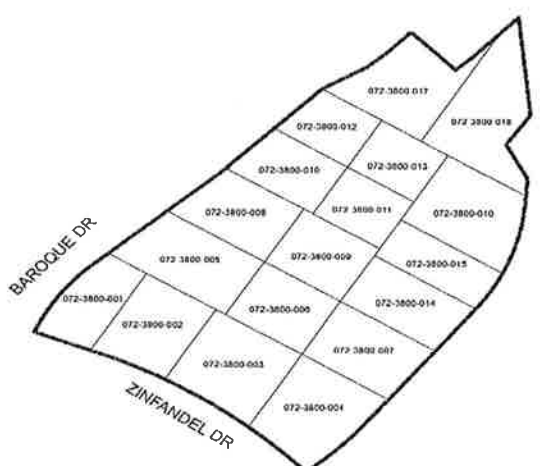
By: 
Name: C. Douglas Lanning
Title: Chief Financial Officer
Date: July 11, 2023

EXHIBIT A

**PROPOSED BOUNDARY OF
ANNEXATION 15
STONECREEK INDUSTRIAL CENTER TO
CITY OF RANCHO CORDOVA
COMMUNITY FACILITIES DISTRICT NO. 2014-2
COUNTY OF SACRAMENTO, STATE OF CALIFORNIA**



CLERK'S MAP STATEMENT
FILED IN THE OFFICE OF THE CITY CLERK OF THE CITY OF RANCHO CORDOVA THIS _____ DAY OF _____, 2023.

CITY CLERK OF THE CITY OF RANCHO CORDOVA

CLERK'S MAP STATEMENT
I HEREBY CERTIFY THAT THE AREA SHOWN ON THIS MAP OF THE PROPOSED ANNEXATION 15 TO COMMUNITY FACILITIES DISTRICT NO. 2014-2, (STREET MAINTENANCE, LIGHTING AND LANDSCAPING), CITY OF RANCHO CORDOVA, COUNTY OF SACRAMENTO, STATE OF CALIFORNIA, WAS APPROVED BY THE CITY COUNCIL OF THE CITY OF RANCHO CORDOVA AT A REGULARLY SCHEDULED MEETING THEREOF, HELD ON THE _____ DAY OF _____, 2023, BY ITS RESOLUTION NO. _____.

CITY CLERK OF THE CITY OF RANCHO CORDOVA

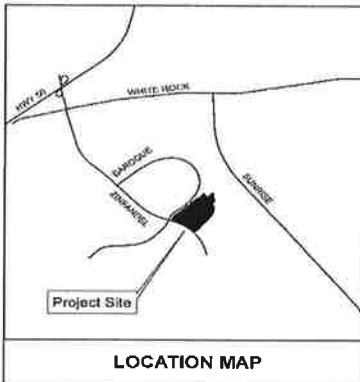
COUNTY RECORDER'S FILING STATEMENT
FILED THIS _____ DAY OF _____, 2023, AT THE HOUR OF _____ O'CLOCK _____ M. IN BOOK _____ OF MAPS OF ASSASSMENT AND COMMUNITY FACILITIES DISTRICTS PART NO. _____ IN THE OFFICE OF THE COUNTY RECORDER IN THE COUNTY OF SACRAMENTO, STATE OF CALIFORNIA.

DONNA AUBREY
COUNTY RECORDER OF THE COUNTY OF SACRAMENTO, CALIFORNIA.

BY: _____ DEPUTY

REF: _____

REFERENCE THE SACRAMENTO COUNTY ASSESSOR'S MAPS FOR A DETAILED DESCRIPTION OF PARCEL LINES AND DIMENSIONS



ANNEXATION MAP

City of Rancho Cordova
Community Facilities District No. 2014-2
Annexation 15 (Stonecreek Industrial Center)
County of Sacramento, California

Sheet 1 of 1

Legend
--- Annexation Boundary
--- Parcel Boundary

1" = 250'

HARRIS & ASSOCIATES
101 PROGRESS SUITE 250
IRVINE, CALIFORNIA 92618
909-627-4501

EXHIBIT B

CITY OF RANCHO CORDOVA
COMMUNITY FACILITIES DISTRICT NO. 2014-2
(STREET, LIGHTING AND LANDSCAPING MAINTENANCE)

DESCRIPTION OF DISTRICT SERVICES

Description of services:

Maintenance of public street, lighting and landscaping improvements

- Maintenance means the furnishing of services and materials for the ordinary and usual operation, maintenance and servicing of the public street, lighting and landscaping improvements, dedicated easements, and appurtenant facilities, and administration and overhead of all aspects of the CFD.

Reserve Fund

- The CFD special taxes may be collected and set-aside in designated funds, collected over several years, that may be used by the CFD to fund future repairs to public streets, lighting and landscaping improvements and other services as determined by the CFD.

EXHIBIT C
CITY OF RANCHO CORDOVA
COMMUNITY FACILITIES DISTRICT NO. 2014-2
(STREET, LIGHTING AND LANDSCAPING MAINTENANCE)

RATE AND METHOD OF APPORTIONMENT OF SPECIAL TAX
FOR ANNEXATION NO. 15 (_STONECREEK INDUSTRIAL PROJECT)

A Special Tax applicable to each Assessor's Parcel in Community Facilities District No. 2014-2 (Street, Lighting and Landscaping Maintenance) shall be levied and collected according to the tax liability determined by the City Council, acting in its capacity as the legislative body of CFD No. 2014-2, through the application of the appropriate Special Tax rate, as described below. All of the property in CFD No. 2014-2, unless exempted by law or by the provisions of Section E below, shall be taxed for the purposes, to the extent, and in the manner herein provided, including property subsequently annexed to CFD No. 2014-2 unless a separate Rate and Method of Apportionment of Special Tax is adopted for the annexation area.

A. DEFINITIONS

The terms hereinafter set forth have the following meanings:

"Acre or Acreage" means the land area of an Assessor's Parcel as shown on an Assessor's Parcel Map, or if the land area is not shown on an Assessor's Parcel Map, the land area shown on the applicable final subdivision map, a final parcel map, a final approved condominium plan, or functionally equivalent final map or instrument recorded in the Office of the County Recorder. If the area shown on said map is in square footage, Acreage shall be calculated by dividing the square footage by 43,560.

"Additional Load and Decorative Lighting Parcel" means any Parcel that is determined by the City to be both an Additional Load Parcel and a Decorative Lighting Parcel.

"Additional Load Parcel" means any Parcel of Commercial Property or Industrial Property that is determined by the City to create excessive wear and tear on the roadways and/or a high volume of vehicular traffic.

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

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

“Annual Escalation Factor” means the annual percentage increase in the McGraw-Hill Engineering News Record Construction Cost Index (ENR CCI) for the San Francisco area from January of the previous year to January of the year that the Special Tax is levied. In the event that the ENR CCI defined above is no longer reported, the City Council shall select a similar index to replace it.

“Assessor’s Parcel” or **“Parcel”** means a lot or parcel shown in an Assessor’s Parcel Map with an assigned Assessor’s Parcel number.

“Assessor’s Parcel Map” means an official map of the County Assessor designating parcels by Assessor’s Parcel number.

“Authorized Services” means the public services authorized to be funded by CFD No. 2014-2 as set forth in the documents adopted by the City Council when the CFD was formed.

“CFD” or **“CFD No. 2014-2”** means the City of Rancho Cordova Community Facilities District No. 2014-2 (Street, Lighting and Landscaping Maintenance).

“City” means the City of Rancho Cordova.

“City Council” means the City Council of the City of Rancho Cordova, acting as the legislative body of CFD No. 2014-2.

“Commercial Property” means, in any Fiscal Year, all Developed Property for which a building permit or use permit has been issued for a commercial establishment which includes, but is not limited to, retail stores, clothing stores, book stores, convenience stores, drug stores, professional services (i.e., barber shops, dry cleaners), restaurants, supermarkets, hospitals, movie theaters, appliance and electronics stores, home supply stores, auto parts stores, and other retail uses. The City shall make the determination if a Parcel is Commercial Property.

“County” means the County of Sacramento.

“Decorative Lighting Parcel” means any Parcel of Developed Property that is determined by the City to have or benefit from decorative lighting features.

“Developed Property” means, in any Fiscal Year, all Parcels of Taxable Property for which a use permit or building permit for new construction of a residential or non-residential structure (which shall not include a permit issued solely for construction of the foundation if another permit remains to be issued for vertical construction of the building) was issued prior to June 30 of the preceding Fiscal Year.

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

“Heavy Truck Traffic Parcel” means, any Parcel of Developed Property that is determined by the City to have heavy truck traffic impact on the public streets and include, but are not limited to, fulfillment centers, logistics centers, freight, truck terminals, and other facilities intended for the movement of goods (manufactured or raw) prior to their distribution.

“Hotel Property” means, in any Fiscal Year, all Developed Property for which a building permit or use permit has been issued for a structure that constitutes a place of lodging providing sleeping accommodations and related facilities for travelers.

“Industrial Property” means, in any Fiscal Year, all Developed Property for which a building permit or use permit has been issued for construction of an industrial, manufacturing, or warehousing structure, fulfillment centers, logistics centers, freight, truck terminals, and other facilities intended for the movement of goods (manufactured or raw) prior to their distribution. The City shall make the determination if a Parcel is Industrial Property.

“Maximum Special Tax” means the greatest amount of Special Tax that can be levied on an Assessor’s Parcel in any Fiscal Year determined in accordance with Section C below.

“Micro-Unit Property” means, in any Fiscal Year, all Parcels of Developed Property for which a building permit or use permit has been issued for construction of a residential structure with five (5) or more Units of approximately 800 square feet of floor area or less for each such Unit that share a single Assessor’s Parcel number, all of which are offered for rent to the general public and cannot be purchased by individual homebuyers.

“Multi-Family Property” means, in any Fiscal Year, all Parcels of Developed Property for which a building permit or use permit has been issued for construction of a residential structure with five (5) or more Units that share a single Assessor’s Parcel number, all of which are offered for rent to the general public and cannot be purchased by individual homebuyers.

“Non-Residential Property” means, collectively, Commercial Property, Hotel Property, Industrial Property, and Office Property.

“Office Property” means, in any Fiscal Year, all Parcels of Developed Property for which a building permit or use permit has been issued for a building in which professional, banking, insurance, real estate, administrative or in-office medical or dental activities are conducted. The City shall make the determination if a Parcel is Office Property.

“Ordinary Use Parcel” means any Parcel of Taxable Property that is not an Additional Load Parcel, Decorative Lighting Parcel, Residential Alley Parcel, Additional Load and Decorative Lighting Parcel, Residential Alley and Decorative Lighting Parcel, Private Street Parcel, 50/50 Public & Private Residential Street Parcel, or Heavy Truck Traffic Parcel.

“Private Street Parcel” means, any Taxable Property where all or the majority of the residential streets are private within the development and the maintenance of the residential components are not funded by the CFD or by the federal government, State of California, County, City, or other public agency.

“50/50 Public & Private Residential Street Parcel” means, any Taxable Property where there is a fairly even split of public and private streets associated with a development.

“Proportionately” means that the ratio of the actual Special Tax levy to the Maximum Special Tax is equal for all Parcels of Developed Property.

"Public Property" means any property within the boundaries of CFD No. 2014-2 that is owned by the federal government, State of California, County, City, or other public agency.

"Residential Alley and Decorative Lighting Parcel" means any Parcel that is determined by the City to be both a Residential Alley Parcel and a Decorative Lighting Parcel.

"Residential Alley Parcel" means any Parcel of Residential Property that is determined by the City to have residential alleys that are part of the public roadways.

"Residential Property" means, collectively, Single Family Attached Property, Single Family Detached Property, Multi-Family Property, and Micro-Unit Property.

"Single Family Attached Property" means, in any Fiscal Year, all Parcels of Developed Property for which a building permit was issued for construction of a residential structure consisting of two (2) to four (4) Units that share common walls, have separate Assessor's Parcel numbers assigned to them (except for a duplex unit, which may share an Assessor's Parcel with another duplex unit), and are offered as for-sale Units (which shall still be the case even if the Units are purchased and subsequently offered for rent by the owner of the Unit(s)), including such residential structures that meet the statutory definition of a condominium contained in Civil Code Section 1351.

"Single Family Detached Property" means, in any Fiscal Year, all Parcels of Developed Property for which a building permit was issued for construction of a Unit that does not share a common wall with another Unit.

"Soundwall Parcel" means any Parcel of Developed Property whose tract boundary is encompassed by soundwalls maintained within the CFD.

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

"Special Tax" means a special tax levied in any Fiscal Year on property within CFD No. 2014-2 to pay the Special Tax Requirement.

"Square Foot," "Square Footage," or "Square Feet" means the building square footage reflected on the original building permit issued for construction of a building.

"Taxable Property" means all Assessor's Parcels within the boundaries of CFD No. 2014-2 which are not exempt from the Special Tax pursuant to law or Section E below.

"Taxable Public Property" means, in any Fiscal Year, all Assessor's Parcels in CFD No. 2014-2 that had, in prior Fiscal Years, been taxed as Developed Property and subsequently came under the ownership of a public agency.

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

“Unit” means an individual single-family detached unit or an individual residential unit within a duplex, triplex, fourplex, townhome, condominium, or apartment structure. Unit shall also mean a rentable single hotel room or rentable unit on a Parcel of Hotel Property.

B. DATA COLLECTION FOR ANNUAL TAX LEVY

Each Fiscal Year, the Administrator shall identify the current Assessor’s Parcel number for all Parcels of Taxable Property within CFD No. 2014-2 and shall determine within which Tax Zone each Assessor’s Parcel is located. Upon each annexation of property into CFD No. 2014-2, the Administrator shall update Attachment 1 to include the new Assessor’s Parcel number(s). In addition, for all Parcels of Developed Property, if applicable to the Tax Zone in which the Parcels are located, the Administrator shall determine if each Parcel is an Ordinary Use Parcel, an Additional Load Parcel, a Residential Alley Parcel, a Decorative Lighting Parcel, an Additional Load and Decorative Lighting Parcel, a Residential Alley and Decorative Lighting Parcel, Private Street Parcel, 50/50 Public & Private Residential Street Parcel, or a Heavy Truck Traffic Parcel.

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

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

In any Fiscal Year, if it is determined that (i) a parcel map for a portion of property in CFD No. 2014-2 was recorded after January 1 of the prior Fiscal Year (or any other date after which the Assessor will not incorporate the newly-created Parcels into the then current tax roll), (ii) because of the date the parcel map was recorded, the Assessor does not yet recognize the new Parcels created by the parcel map, and (iii) one or more of the newly-created Parcels meets the definition of Developed Property, the Administrator shall calculate the Special Tax for the property affected by recordation of the parcel map by determining the Special Tax that applies separately to each newly-created Parcel, then applying the sum of the individual Special Taxes to the Parcel that was subdivided by recordation of the parcel map.

C. MAXIMUM SPECIAL TAX**1. All Tax Zones**

The following Maximum Special Taxes apply to all Parcels of Developed Property within each Tax Zone of CFD No. 2014-2, unless otherwise specified in Attachment 1.

a. Ordinary Use Parcel

**MAXIMUM SPECIAL TAXES
ORDINARY USE PARCEL
(FISCAL YEAR 2022-23)**

Land Use Class		Rate
Single Family Detached Property	per Unit	\$491.78
Single Family Attached Property	per Unit	\$388.50
Multi-Family Property	per Unit	\$280.31
Micro-Unit Property	per Unit	\$186.97
Commercial Property	per 1,000 Sq. Ft.	\$733.73
Hotel Property	per Unit	\$290.15
Industrial Property	per 1,000 Sq. Ft.	\$221.30
Office Property	per 1,000 Sq. Ft.	\$732.75

On July 1st following the Fiscal Year rate above, the Maximum Special Taxes shown above shall be increased by the Annual Escalation Factor.

b. Residential Alley Parcel

**MAXIMUM SPECIAL TAXES
RESIDENTIAL ALLEY PARCEL
(FISCAL YEAR 2022-23)**

Land Use Class		Rate
Single Family Detached Property	per Unit	\$533.89
Single Family Attached Property	per Unit	\$421.77
Multi-Family Property	per Unit	\$304.32
Micro-Unit Property	per Unit	\$202.98
Commercial Property	per 1,000 Sq. Ft.	N/A
Hotel Property	per Unit	N/A
Industrial Property	per 1,000 Sq. Ft.	N/A
Office Property	per 1,000 Sq. Ft.	N/A

On July 1st following the Fiscal Year rate above, the Maximum Special Taxes shown above shall be increased by the Annual Escalation Factor.

c. Decorative Lighting Parcel

**MAXIMUM SPECIAL TAXES
DECORATIVE LIGHTING PARCEL
(FISCAL YEAR 2022-23)**

Land Use Class		Rate
Single Family Detached Property	per Unit	\$499.30
Single Family Attached Property	per Unit	\$394.44
Multi-Family Property	per Unit	\$284.60
Micro-Unit Property	per Unit	\$189.83
Commercial Property	per 1,000 Sq. Ft.	\$744.95
Hotel Property	per Unit	\$294.58
Industrial Property	per 1,000 Sq. Ft.	\$224.68
Office Property	per 1,000 Sq. Ft.	\$743.95

On July 1st following the Fiscal Year rate above, the Maximum Special Taxes shown above shall be increased by the Annual Escalation Factor.

d. Additional Load Parcel

**MAXIMUM SPECIAL TAXES
ADDITIONAL LOAD PARCEL
(FISCAL YEAR 2022-23)**

Land Use Class		Rate
Single Family Detached Property	per Unit	N/A
Single Family Attached Property	per Unit	N/A
Multi-Family Property	per Unit	N/A
Micro-Unit Property	per Unit	N/A
Commercial Property	per 1,000 Sq. Ft.	\$761.58
Hotel Property	per Unit	N/A
Industrial Property	per 1,000 Sq. Ft.	\$229.70
Office Property	per 1,000 Sq. Ft.	N/A

On July 1st following the Fiscal Year rate above, the Maximum Special Taxes shown above shall be increased by the Annual Escalation Factor.

e. Soundwall Parcel

**MAXIMUM SPECIAL TAXES
SOUNDWALL PARCEL
(FISCAL YEAR 2022-23)**

Land Use Class		Rate
Single Family Detached Property	per Unit	\$512.68
Single Family Attached Property	per Unit	\$405.02
Multi-Family Property	per Unit	\$292.22
Micro-Unit Property	per Unit	\$194.91
Commercial Property	per 1,000 Sq. Ft.	\$764.92
Hotel Property	per Unit	\$302.48
Industrial Property	per 1,000 Sq. Ft.	\$230.71
Office Property	per 1,000 Sq. Ft.	\$763.90

On July 1st following the Fiscal Year rate above, the Maximum Special Taxes shown above shall be increased by the Annual Escalation Factor.

f. Additional Load and Decorative Lighting Parcel

**MAXIMUM SPECIAL TAXES
ADDITIONAL LOAD AND DECORATIVE LIGHTING PARCEL
(FISCAL YEAR 2022-23)**

Land Use Class		Rate
Single Family Detached Property	per Unit	N/A
Single Family Attached Property	per Unit	N/A
Multi-Family Property	per Unit	N/A
Micro-Unit Property	per Unit	N/A
Commercial Property	per 1,000 Sq. Ft.	\$772.80
Hotel Property	per Unit	N/A
Industrial Property	per 1,000 Sq. Ft.	\$233.08
Office Property	per 1,000 Sq. Ft.	N/A

On July 1st following the Fiscal Year rate above, the Maximum Special Taxes shown above shall be increased by the Annual Escalation Factor.

g. Residential Alley and Decorative Lighting Parcel

**MAXIMUM SPECIAL TAXES
RESIDENTIAL ALLEY AND DECORATIVE LIGHTING PARCEL
(FISCAL YEAR 2022-23)**

Land Use Class		Rate
Single Family Detached Property	per Unit	\$541.41
Single Family Attached Property	per Unit	\$427.72
Multi-Family Property	per Unit	\$308.60
Micro-Unit Property	per Unit	\$205.84
Commercial Property	per 1,000 Sq. Ft.	N/A
Hotel Property	per Unit	N/A
Industrial Property	per 1,000 Sq. Ft.	N/A
Office Property	per 1,000 Sq. Ft.	N/A

On July 1st following the Fiscal Year rate above, the Maximum Special Taxes shown above shall be increased by the Annual Escalation Factor.

h. Residential Alley and Soundwall Parcel

**MAXIMUM SPECIAL TAXES
RESIDENTIAL ALLEY AND SOUNDWALL PARCEL
(FISCAL YEAR 2022-23)**

Land Use Class		Rate
Single Family Detached Property	per Unit	\$558.08
Single Family Attached Property	per Unit	\$440.89
Multi-Family Property	per Unit	\$318.11
Micro-Unit Property	per Unit	\$212.18
Commercial Property	per 1,000 Sq. Ft.	N/A
Hotel Property	per Unit	N/A
Industrial Property	per 1,000 Sq. Ft.	N/A
Office Property	per 1,000 Sq. Ft.	N/A

On July 1st following the Fiscal Year rate above, the Maximum Special Taxes shown above shall be increased by the Annual Escalation Factor.

i. Decorative Lighting and Soundwall Parcel

**MAXIMUM SPECIAL TAXES
DECORATIVE LIGHTING AND SOUNDWALL PARCEL
(FISCAL YEAR 2022-23)**

Land Use Class		Rate
Single Family Detached Property	per Unit	\$520.02
Single Family Attached Property	per Unit	\$410.80
Multi-Family Property	per Unit	\$296.41
Micro-Unit Property	per Unit	\$197.70
Commercial Property	per 1,000 Sq. Ft.	\$775.85
Hotel Property	per Unit	\$306.80
Industrial Property	per 1,000 Sq. Ft.	\$234.00
Office Property	per 1,000 Sq. Ft.	\$774.82

On July 1st following the Fiscal Year rate above, the Maximum Special Taxes shown above shall be increased by the Annual Escalation Factor.

j. Residential Alley, Decorative Lighting, and Soundwall Parcel

**MAXIMUM SPECIAL TAXES
RESIDENTIAL ALLEY, DECORATIVE LIGHTING AND SOUNDWALL PARCEL
(FISCAL YEAR 2022-23)**

Land Use Class		Rate
Single Family Detached Property	per Unit	\$561.81
Single Family Attached Property	per Unit	\$443.82
Multi-Family Property	per Unit	\$320.22
Micro-Unit Property	per Unit	\$213.59
Commercial Property	per 1,000 Sq. Ft.	N/A
Hotel Property	per Unit	N/A
Industrial Property	per 1,000 Sq. Ft.	N/A
Office Property	per 1,000 Sq. Ft.	N/A

On July 1st following the Fiscal Year rate above, the Maximum Special Taxes shown above shall be increased by the Annual Escalation Factor.

k. Private Street Parcel

**MAXIMUM SPECIAL TAXES
PRIVATE STREET PARCEL
(FISCAL YEAR 2022-23)**

Land Use Class		Rate
Single Family Detached Property	per Unit	\$323.10
Single Family Attached Property	per Unit	\$255.24
Multi-Family Property	per Unit	\$184.16
Micro-Unit Property	per Unit	\$122.84
Commercial Property	per 1,000 Sq. Ft.	N/A
Hotel Property	per Unit	N/A
Industrial Property	per 1,000 Sq. Ft.	N/A
Office Property	per 1,000 Sq. Ft.	N/A

On July 1st following the Fiscal Year rate above, the Maximum Special Taxes shown above shall be increased by the Annual Escalation Factor.

I. 50/50 Public & Private Residential Street Parcel

**MAXIMUM SPECIAL TAXES
50/50 PUBLIC & PRIVATE STREET PARCEL
(FISCAL YEAR 2022-23)**

Land Use Class		Rate
Single Family Detached Property	per Unit	\$407.19
Single Family Attached Property	per Unit	\$321.68
Multi-Family Property	per Unit	\$232.10
Micro-Unit Property	per Unit	\$154.81
Commercial Property	per 1,000 Sq. Ft.	N/A
Hotel Property	per Unit	N/A
Industrial Property	per 1,000 Sq. Ft.	N/A
Office Property	per 1,000 Sq. Ft.	N/A

On July 1st following the Fiscal Year rate above, the Maximum Special Taxes shown above shall be increased by the Annual Escalation Factor.

m. Heavy Truck Traffic Parcel

**MAXIMUM SPECIAL TAXES
HEAVY TRUCK TRAFFIC PARCEL
(FISCAL YEAR 2022-23)**

Land Use Class		Rate
Single Family Detached Property	per Unit	N/A
Single Family Attached Property	per Unit	N/A
Multi-Family Property	per Unit	N/A
Micro-Unit Property	per Unit	N/A
Commercial Property	per 1,000 Sq. Ft.	N/A
Hotel Property	per Unit	N/A
Industrial Property	per 1,000 Sq. Ft.	\$317.99
Office Property	per 1,000 Sq. Ft.	N/A

D. METHOD OF LEVY AND COLLECTION OF SPECIAL TAX

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

- First:** The Special Tax shall be levied proportionately on each Parcel of Developed Property up to 100% of the Maximum Special Tax determined for each category of Developed Property within the CFD and each Tax Zone until the amount levied is equal to the Special Tax Requirement for the Fiscal Year.
- Second:** If additional revenue is needed after the first step has been completed, the Special Tax shall be levied proportionately on each Parcel of Taxable Public Property up to 100% of the Maximum Special Tax that would have applied to the Parcel had the Parcel not become Public Property until the amount levied is equal to the Special Tax Requirement for the Fiscal Year.

The Special Tax for CFD No. 2014-2 shall be collected at the same time and in the same manner as ordinary ad valorem property taxes provided, however, that the City may (under the authority of Government Code Section 53340) collect Special Taxes at a different time or in a different manner if necessary to meet CFD No. 2014-2 financial obligations and the Special Tax shall be equally subject to foreclosure if delinquent.

E. LIMITATIONS Notwithstanding any other provision of this Rate and Method of Apportionment of Special Tax, no special Tax shall be levied on (i) any Parcel of Public Property that is not Taxable public Property, and (ii) any Parcel in CFD No. 2014-2 that is not Developed Property.

F. DURATION OF SPECIAL TAX

The Special Tax shall be levied in perpetuity to fund the Special Tax Requirement, unless no longer required as determined at the sole discretion of the City Council.

G. INTERPRETATION OF SPECIAL TAX FORMULA

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

ATTACHMENT 1

**CITY OF RANCHO CORDOVA
COMMUNITY FACILITIES DISTRICT NO. 2014-2
(STREET, LIGHTING AND LANDSCAPING MAINTENANCE)**

IDENTIFICATION OF TAX ZONES

TAX ZONE 1

Assessor's Parcels Included in Tax Zone 1 *	Fiscal Year In Which Property Was Added to CFD No. 2014-2
067-1210-001 through 067-1210-055 067-1220-001 through 067-1220-059 067-1230-001 through 067-1230-060	2013-14

Tax Zone 1 – Maximum Special Taxes

The Maximum Special Taxes for Zone 1 do not incorporate the long-term maintenance activities which are included as a part of CFD No. 2014-1. On July 1 of each Fiscal Year thereafter, the Maximum Special Taxes shall be increased by the Annual Escalation Factor.

**MAXIMUM SPECIAL TAXES
SOUNDWALL AND DECORATIVE LIGHTING PARCEL
(EXCLUDING LONG-TERM MAINTENANCE)
(FISCAL YEAR 2022-23)**

Land Use Class	Rate
Single Family Detached Property per Unit	\$367.21
Single Family Attached Property per Unit	\$290.10
Multi-Family Property per Unit	\$209.32
Commercial Property per 1,000 Sq. Ft.	\$275.56
Hotel Property per Unit	\$216.65
Industrial Property per 1,000 Sq. Ft.	\$165.24
Office Property per 1,000 Sq. Ft.	\$275.56

TAX ZONE 2

Assessor's Parcels Included in Tax Zone 2*			Fiscal Year in Which Property was Added to CFD No. 2014-2
067-1050-001	Through	067-1050-009	2016-17
072-2870-001	Through	072-2870-072	2014-15
072-2880-001	Through	072-2880-082	
072-2890-001	Through	072-2890-088	
072-2900-001	Through	072-2900-080	
072-2910-001	Through	072-2910-083	
072-2920-001	Through	072-2920-069	
072-2940-001	Through	072-2940-066	
072-2950-001	Through	072-2950-063	
072-2960-001	Through	072-2960-065	

Tax Zone 2 – Maximum Special Taxes

These Maximum Special Taxes include the maintenance of street lighting only. On July 1 of each Fiscal Year thereafter, the Maximum Special Taxes shall be increased by the Annual Escalation Factor.

**MAXIMUM SPECIAL TAXES
DECORATIVE LIGHTING ONLY
(FISCAL YEAR 2022-23)**

Land Use Class		Rate
Single Family Detached Property	per Unit	\$49.86
Single Family Attached Property	per Unit	\$49.86
Multi-Family Property	per Unit	\$206.01
Commercial Property	per 1,000 Sq. Ft.	\$275.56
Hotel Property	per Unit	\$213.28
Industrial Property	per 1,000 Sq. Ft.	\$162.67
Office Property	per 1,000 Sq. Ft.	\$275.56

TAX ZONE 3

Assessor's Parcels Included in Tax Zone 3*			Fiscal Year in Which Property was Added to CFD No. 2014-2
067-1070-001	Through	067-1070-059	2016-17
067-1090-001	Through	067-1090-089	
067-1060-003	Through	067-1060-004	2017-18
067-1170-001	Through	067-1170-085	
067-1180-001	Through	067-1180-016	
067-1190-001	Through	067-1190-066	
067-1200-001	Through	067-1200-054	
067-1100-008			2018-19
067-1240-001	Through	067-1240-048	
067-1250-001	Through	067-1250-108	
067-1100-005	Through	067-1100-007	
067-1120-001	Through	067-1120-027	
067-1130-001	Through	067-1130-176	
067-1140-001	Through	067-1140-038	
067-1080-007	Through	067-1080-017	
067-1150-001	Through	067-1150-080	
067-1160-001	Through	067-1160-065	
067-1260-001	Through	067-1260-061	
067-1270-001	Through	067-1270-113	
067-1280-001	Through	067-1280-094	
067-1290-001	Through	067-1290-032	

Tax Zone 3 – Maximum Special Taxes

These Maximum Special Taxes include the maintenance of soundwalls. On July 1 of each Fiscal Year thereafter, commencing July 1, 2015, the Maximum Special Taxes shall be increased by the Annual Escalation Factor.

**MAXIMUM SPECIAL TAXES
SOUNDWALL PARCEL
(FISCAL YEAR 2022-23)**

Land Use Class		Rate
Single Family Detached Property	per Unit	\$512.68
Single Family Attached Property	per Unit	\$405.02
Multi-Family Property	per Unit	\$292.22
Commercial Property	per 1,000 Sq. Ft.	\$764.92
Hotel Property	per Unit	\$302.48
Industrial Property	per 1,000 Sq. Ft.	\$230.71
Office Property	per 1,000 Sq. Ft.	\$763.90

TAX ZONE 4

Assessor's Parcels Included in Tax Zone 4*	Fiscal Year in Which Property was Added to CFD No. 2014-2
072-4050-017 Through 072-4050-029	2022-23

Tax Zone 4 – Maximum Special Taxes

These Maximum Special Taxes include the maintenance of streets determined by the City to have a heavy impact on the public streets. On July 1 of each Fiscal Year thereafter, commencing July 1, 2024, the Maximum Special Taxes shall be increased by the Annual Escalation Factor.

**MAXIMUM SPECIAL TAXES
HEAVY TRUCK TRAFFIC PARCEL
(FISCAL YEAR 2022-23)**

Land Use Class		Rate
Single Family Detached Property	per Unit	N/A
Single Family Attached Property	per Unit	N/A
Multi-Family Property	per Unit	N/A
Micro-Unit Property	per Unit	N/A
Commercial Property	per 1,000 Sq. Ft.	N/A
Hotel Property	per Unit	N/A
Industrial Property	per 1,000 Sq. Ft.	\$317.99
Office Property	per 1,000 Sq. Ft.	N/A

* The property identified by the Assessor's Parcel Numbers listed above shall remain part of the identified Tax Zone regardless of changes in the configuration of the Assessor's Parcels or changes to APNs in future Fiscal Years. As APNs change, the City may update Attachment 1 to reflect the most current APNs and Tax Zones consistent with the categories of Developed Property set forth in the Rate and Method of Apportionment of Special Tax for CFD No. 2014-2.

MEMORANDUM



ITEM 9.3.

DATE: August 7, 2023
TO: Honorable Mayor and Council Members
FROM: Stefan Heisler, Senior Management Analyst I
Russell Ducharme, Neighborhood Services Manager
SUBJECT: **A RESOLUTION TO SUBMIT A LETTER RESPONSE TO THE
SACRAMENTO COUNTY GRAND JURY REPORT ON
HOMELESSNESS**

RECOMMENDATION

Adopt the Resolution.

RESULT OF RECOMMENDED ACTION

Staff would submit the attached letter response to the homeless report issued by the Sacramento County Grand Jury.

BACKGROUND

On May 22, 2023 the City of Rancho Cordova received the report, *Homeless should not mean hopeless: Homeless Solutions elude local leaders* ([Attachment 2](#)), issued by the Sacramento County Grand Jury. Pursuant to State law, the grand jury requests a response from the City of Rancho Cordova. The grand jury is also requesting responses from Sacramento County and the cities of Elk Grove and Sacramento.

Attached to this item is the draft letter response to the Sacramento County Grand Jury for the City of Rancho Cordova ([Attachment 3](#)). The draft letter highlights the many projects, programs, and services that the City currently provides for homeless residents.

FISCAL IMPACT AND FUNDING SOURCE

There is no fiscal impact for this item.

ATTACHMENT(S)

1. Resolution
2. Sacramento County Grand Jury Report
3. Letter Response to the Sacramento County Grand Jury

CITY OF RANCHO CORDOVA

RESOLUTION NO. XX-2023

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RANCHO CORDOVA,
STATE OF CALIFORNIA, AUTHORIZING SUBMITTAL OF A LETTER RESPONSE TO THE
SACRAMENTO GRAND JURY ON HOMELESSNESS**

WHEREAS, the City of Rancho Cordova ("City") has received the report, *Homeless should not mean hopeless: Homeless Solutions elude local leaders*, issued by the Sacramento County Grand Jury; and

WHEREAS, pursuant to State law, the Sacramento Grand Jury has requested a response from the City Council of the City of Rancho Cordova; and

WHEREAS, the City finds that there are approximately 160 persons identified as homeless and living without shelter within the City of Rancho Cordova (according to the 2022 Point-in-Time Count); and

WHEREAS, the City has undertaken multiple efforts at the local level to combat homelessness and actively participates in regional efforts to develop plans to address homelessness, including in coordination with Sacramento County and Sacramento Steps Forward; and

WHEREAS, the City affirms its commitment to combatting homelessness and creating or augmenting a continuum of housing and service options for those living without shelter in the community; and

WHEREAS, the City has prepared a letter response to the Sacramento County Grand Jury on homelessness.

NOW, THEREFORE, BE IT HEREBY RESOLVED THE CITY COUNCIL OF THE CITY OF RANCHO CORDOVA authorizes the City Manager, or his designee, to submit a letter response to the Sacramento County Grand Jury.

PASSED AND ADOPTED by the City Council of the City of Rancho Cordova on the 7th day of August 2023 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ITEM 9.3.

ATTACHMENT 1

ATTEST:

Stacy Leitner, CMC
City Clerk

Linda Budge, Mayor



**SACRAMENTO COUNTY
GRAND JURY**

**Norval Wellsfry
Foreperson**

Thomas Atkins

Jennifer Barrett

Steven Caruso

Jane Claar

Robert David

Carolyn Hamilton

Shane Jiang

Gerald Johns

Mauro Lara

Scott McDonald

Bill Minor

Lisa Odom

Trent Pasterski

Francina Stevenson

Donald Tucker

Roscoe Williams

Theresa Yip

May 22, 2023

Linda Budge, Mayor
Rancho Cordova City Council
2729 Prospect Park Drive
Rancho Cordova, CA 95670

Dear Mayor Budge,

Enclosed is the Report Homeless should not mean hopeless: Homeless Solutions elude local leaders issued by the Sacramento County Grand Jury. You will have 90 days from the release of the report to deliver a response to this report. Your response should be mailed to:

The Honorable Michael Bowman
Presiding Judge
Sacramento County Superior Court
720 9th Street
Sacramento, CA 95814

Please also email a copy of this response to Ms. Erendira Tapia-Bouthillier, Grand Jury Coordinator, Sacramento County Superior Court at TapiaE@saccourt.ca.gov.

Sincerely,

Norval Wellsfry

Norval Wellsfry, Grand Jury Foreperson
2022-2023 Sacramento County Grand Jury
wellsfn@saccourt.ca.gov



HOMELESS SHOULD NOT MEAN HOPELESS:
HOMELESS SOLUTIONS ELUDE LOCAL LEADERS
INVESTIGATIVE REPORT - 2022-2023 SACRAMENTO COUNTY GRAND JURY

SUMMARY

Nearly 10,000 unhoused men, women, and children sleep on Sacramento County streets every night. Families crammed into thread-bare tents, doubled up in the broken backseats of aging cars, huddled on sidewalks in front of local stores, state office buildings, and neighborhood churches.

The numbers skyrocket year after year and local government has failed to respond effectively. This occurs despite spending more than \$300 million on homeless services over that period. That price tag does not include the enormous cost of law enforcement, public health, sanitation, lost commerce, or the impact on the quality of life of in Sacramento County and its seven incorporated communities.

This is an endless loop of failure. Leaders in Sacramento County must prioritize a more effective regional approach to solve the burgeoning homelessness problem.

County and city leaders must band together to form a comprehensive homelessness strategy. Too often, jurisdictions work independently or informally together, spend hundreds of millions of dollars, and they fail. The current Grand Jury saw a need to revisit this idea and investigate the feasibility and effectiveness of a comprehensive organizational model.

BACKGROUND

The 2022-2023 Sacramento County Grand Jury (SCGJ) initiated an investigation into the strategies, programs, and working relationships between the County and the seven incorporated cities (Sacramento, Rancho Cordova, Elk Grove, Citrus Heights, Galt, Isleton, and Folsom) as they sought solutions to the homelessness problem. In 2017, the homeless population Point in Time Count (PIT) was 3,665 persons. In 2019, it was 5,570; in 2022, it rose to 9,278, a 253% increase in five years.

Local leaders interviewed by the Grand Jury agreed these counts are understated. In addition, deaths among the homeless population have also risen to record levels.

Most funding for homeless programs resides with the County, but the cities experience most of the impact.

In December 2010, the County Board of Supervisors (BOS) and the Sacramento City Council each passed a resolution to form a Joint Powers Authority (JPA) intended to resolve homelessness. A JPA is an organizational model to coordinate homelessness efforts among governments. No JPA was established.

In March 2011, the BOS and the Sacramento City Council passed a resolution to endorse Sacramento Steps Forward (SSF) as a new agency to monitor and coordinate homeless programs throughout Sacramento County. This decision outsourced the management of the homeless problem and abandoned the JPA idea. The SSF Board does not have any elected officials from either the BOS or the City Councils of any of the seven cities. The governance of SSF and the plans it develops lack accountability and effectiveness to respond to community needs.

Twelve years later, the problem has worsened drastically. Despite repeated efforts among elected officials and staff throughout the region to meet and discuss the issue, there is no effective regional authority to implement decisions. Media reports in 2022 continuously pointed this out. Jurisdictions work in silos to seek solutions within their borders with no real plan for this shared problem.

In November 2022, Sacramento City voters passed Measure O which requires "the City and County of Sacramento to approve a legally-binding partnership agreement" that "would improve the homelessness crisis." The City and County adopted the agreement in December 2022. The agreement represents small steps to address the issue of the homeless on City sidewalks and impact the surrounding community. The agreement does not provide a comprehensive strategy. It fails to include the other six cities or entities such as schools, public transportation, and services agencies impacted by homelessness.



Homelessness is a regional problem that requires a regional solution. A new plan must include all seven cities and the County. The 2018-2019 SCGJ recommended a new or restructured governing authority led by elected officials directly accountable to all citizens of the County. This approach has been successful in other regions of California as will be shown below.

METHODOLOGY

In its investigation, the 2022-2023 SCGJ reviewed numerous documents and conducted interviews:

Documents:

1. Previous Grand Jury reports provided information on narrowly focused efforts addressing narrow aspects while assessing the effectiveness of specific strategies.
2. Media reports on ballot measures and the status of inter-agency cooperation.
3. Correspondence and documentation received from city, county, and agency leadership.
4. Website policy review and assessment for the County and the cities of Sacramento, Rancho Cordova, and Elk Grove.
5. BOS and various City Council meeting agendas, board meeting agenda packets, and board meeting minutes and recordings.
6. Annual reports and PIT counts from relevant agencies in California.
7. Existing ordinances and agreements among governing jurisdictions in the County regarding homelessness.
8. State Assembly bills and State Senate bills.
9. The investigation focused on three cities (Sacramento, Elk Grove, and Rancho Cordova) and Sacramento County.

Interviews:

1. Thirteen individuals in leadership and policy positions in conjunction with a review of materials they provided.

Observation:

1. Members of the Grand Jury, like other citizens of the County, witnessed the ever-increasing population of homeless living on our streets, in parks, on sidewalks, and in other open areas.

DISCUSSION

A Common Refrain

A common theme emerged from the SCGJ interviews with county, city, and non-profit leaders regarding the explosion in the number of homeless in Sacramento County. All believed their organization's efforts were successful, but expressed frustration with the lack of coordination with other jurisdictions. The SCGJ fails to understand why these leaders believe their organizations are successful while the homeless population has tripled in the last five years.

Previous SCGJ reports on homelessness have addressed the lack of coordination and the need for a comprehensive strategy. This will be the fourth SCGJ in the past seven years to recommend the County and cities develop a county-wide approach to homelessness. Findings were made, and recommendations were provided:

- The 2015-2016 SCGJ focused on a comprehensive plan not limited to Housing First (HF).
- The 2016-2017 SCGJ affirmed the issue of insufficient affordable housing in the County and recommended additional coordination to address the issue.
- The 2018-2019 SCGJ elaborated further on the extent of the challenge, the increase in the number of homeless, and some of the underlying causes. The Grand Jury identified the entities within the County involved in efforts to reduce homelessness. It was again emphasized there was a lack of an organizational model to coordinate efforts. The sole recommendation from this SCGJ was for the County to identify and implement a different model. A Joint Power Authority was suggested as a feasible approach.

Different Cities Face Vastly Different Challenges

Rancho Cordova has a unique challenge with its proximity to the American River Parkway. The Parkway is managed and policed by Sacramento County; any homeless enforcement or policy change impacts Rancho Cordova. In one example, the County removed a homeless camp only to have it reappear in other parts of Rancho Cordova. There is no governance structure to ensure a cooperative approach.

Elk Grove City leaders describe ongoing efforts to incentivize affordable housing and push developers to expand affordable housing as a part of an overall City plan. Such plan was rejected by the City which recently led the State Attorney General to warn Elk Grove of the need to follow through and expand the plan. Elk Grove is fortunate enough to have sufficient funds and staffing to understand and manage its homeless population, a fact for which city leaders are rightfully proud. Most of the other cities in the County do not have this enviable level of resources.

Sacramento Steps Forward (SSF) and Sacramento Housing and Redevelopment Agency (SHRA).

In 2010-2011, Sacramento County faced extreme economic fallout following the 2008 financial crisis. Tax resources dwindled, housing prices shrank, and homes were abandoned. This created a financial shortfall for the County. In response, the County outsourced the coordination of homeless services to SSF.

SSF is the designated lead agency for the federally-regulated Continuum of Care (COC). SSF uses real-time data, PIT counts, and analytics to develop best practices and recommendations to help enhance programs and services to address homelessness. SSF has the data but no authority to direct or implement solutions. There are no elected officials on the SSF board, so there is no accountability among governmental jurisdictions to propose or implement solutions.

SHRA is a Joint Powers Agency whose members include the City of Sacramento, the City Housing Authority, the County of Sacramento, and the County Housing Authority. None of the other cities are represented on the board. Representatives of each of these agencies sit on the SHRA Board. SHRA has an inventory of thousands of residential units throughout the County. Local leaders and key staff members from the cities of Sacramento, Rancho Cordova and Elk Grove expressed frustration with SHRA's extensive requirements to fund new projects that limit local leadership's access to SHRA's housing inventory. Some interviewees stated SHRA's requirements hindered new housing development and did not support a comprehensive response to homelessness. SHRA's mission is to deliver fully operational projects with complete "wrap-around services" to meet the needs of the potential occupants. These requirements are seen as too restrictive by the civic leaders because it often takes years of planning to develop this level of service.

Measure O

Measure O provides conditional enforcement against camping in city limits, allows citizens to bring an action for damages against the City, and limits the City's annual financial support for that measure to \$5 million.



Measure O only supports the City of Sacramento. Other cities within Sacramento County have concerns and fear the problem may be pushed to less affluent and more diverse neighborhoods due to the enforcement of the new encampment regulations.

None of the requirements in Measure O were to take effect until the City of Sacramento and the County completed and adopted a legally-binding Partnership Agreement on the roles and responsibilities of each.

City and County Partnership Agreement

On December 6, 2022, the County and the City of Sacramento approved the Homeless Services Partnership Agreement. It emphasized jurisdictions would work together to decrease the homeless population. This Partnership Agreement is designed to improve coordination and increase services and programs to meet the unhoused needs and move individuals out of homelessness in the City and the unincorporated of the County.

- The County will place all shelter beds into the upcoming Coordinated Access System; some beds may be prioritized based on population served or geography.
- The County is opening 200 new shelter beds within 12 months and an additional 200 beds within 36 months in the unincorporated County (County Funded).
- The County will operate 200 additional shelter beds in the City jurisdiction, provided the City provides a shovel-ready site (County/City funded).

A Case of Supply and Demand

Real estate prices in Sacramento County, as well as homelessness data provided by SSF, show a severe lack of affordable housing in the County. Many of those interviewed acknowledged this

as a primary driver of initial homelessness. Housing costs in Sacramento County nearly doubled over the past decade. Homelessness has inevitably followed.

Sacramento has more unsheltered people than the entire state of New York. The majority of



homeless in New York state live in transitional housing or emergency shelters. In Sacramento, the opposite is true—the majority sleep in tents, cars, and doorways.

A lack of housing can be fatal. Homeless deaths from hypothermia are rising. Eight homeless people died in Sacramento County in the unhoused community due to hypothermia in 2021.

More

recently, two individuals have died from hypothermia, a 74-year-old man and a 66-year-old woman. Analysis of deaths within the homeless community indicates underlying medical conditions can shorten the life of a homeless individual by up to a one-third when compared to the general population.



Best Practices and Successful Models for Homelessness

The SCGJ studied other California counties that successfully coordinated efforts to address the homeless issue. They have formed JPAs through legislation to develop housing trusts. All of these JPAs use a governing board comprised of elected officials from each jurisdiction. This is a critical model of successful JPAs. These efforts reflect the best practices and solutions to homelessness as demonstrated by reductions in the PIT counts.

Solano County

In July 1999, the Solano County Board of Supervisors established a JPA: the Community Action Partnership of Solano County (CAP Solano). This JPA commissioned the development of a five year regional plan that includes all jurisdictions of Solano County. The plan included a strategic process which defines measurable outcomes as a key element. The plan discusses strengths, weaknesses, funding, impacts, and opportunities for better homeless outcomes.

CAP Solano is a governmental agency coordinating efforts across Solano County to reduce homelessness. The decision to develop a regional strategic plan was made by the jurisdictions that realized a regional approach was necessary in order to respond effectively to homelessness.

Solano County is much like Sacramento County in several respects. It consists of seven incorporated cities within the County. The square miles, geography, and climate are similar. The total population of Solano County is about one-third of that of Sacramento County, but the percentage of homeless per capita is about one-half of that of Sacramento's. CAP Solano has

been updated to ensure each of the seats on the Board will be an elected official from each jurisdiction. This change created a high level of accountability among leaders.

Solano County 2022 PIT count showed 1.3% reduction in unhoused citizens. During this same period the Sacramento County PIT count showed a 66% increase in unhoused citizens.

Riverside County

Riverside County is significantly larger yet similar to Sacramento County. Its larger population and incorporated cities resulted in a 35% increase in homeless in the last four years since 2018. Riverside County presented and authored AB 687 in July 2021.

AB 687 was introduced to develop a JPA, the Riverside County Housing Finance Trust. The Bill authorizes the creation of the Western Riverside County Regional Housing Trust (Trust), a JPA, to fund housing specifically to assist the homeless population and persons and families of extremely low, very low, and low income within the County of Riverside. The Trust helps to create housing opportunities as defined in the Health and Safety Code. The Trust may receive funding from public and private sources and has the ability to authorize and issue bonds. A separate Board of Directors governs the Trust, comprised of elected officials representing the County of Riverside and cities within the County. The Bill passed both the Assembly and Senate Floors in July 2021. The Governor signed it into law in July 2021.

Riverside County 2022 PIT count showed an 8% reduction in unhoused citizens. During this same period, the Sacramento County PIT count showed a 66% increase in unhoused citizens.

San Gabriel Valley Regional Housing Trust

SB 751 authorized the creation of the San Gabriel Valley Regional Housing Trust (SGVRHT) as a JPA among several cities throughout the San Gabriel Valley. According to the SGVRHT, the Trust received \$1 million in matching grant funds from the Local Housing Trust Fund program for construction of 71 affordable housing units in the cities of Claremont and Pomona scheduled for completion in 2022. This Trust is in the very early stages of implementation and it is reasonable to expect it will see improvements in outcomes as the organization matures, similar to the experience of Solano County and Riverside County.

San Gabriel Valley 2022 PIT count showed a 2% increase in unhoused citizens. During this same period the Sacramento County PIT count showed a 66% increase in unhoused citizens.

Orange County

AB 448 authorized the creation of Orange County Housing Finance Trust (OCHFT), which is a JPA among the County of Orange and cities in the County. To date, 23 of the 34 cities in the County are members of the JPA. The JPA duplicated much of the affordable housing goals and language found in the other Southern California JPAs, but without direct tax funding mechanisms. The OCHFT and its members plan to create 2,700 permanent supportive housing and affordable housing units by June 30, 2025. As of January 2022, OCHFT began construction of 1,676 units, with another 961 awaiting sufficient funding. OCHFT funded these units by

leveraging matching grant funds from the state's Local Housing Trust Fund (LHTF) program to issue deferred payment loans to developers.

Orange County 2022 PIT count showed a 28% decrease in unhoused citizens. During this same period the Sacramento County PIT count showed a 66% increase in unhoused citizens.

Burbank, Glendale, and Pasadena

SB 1177 created the Burbank, Glendale, and Pasadena Regional Housing Trust (RHT) to fund the planning and construction of housing for the region's homeless and low-income people and families. The bill establishes a board of directors and governing structure for the RHT. Its governing agreement requires maximum transparency concerning public funds administered by the RHT.

The combined 2022 PIT count for Burbank, Glendale, and Pasadena showed a 10% increase in unhoused citizens. During this same period the Sacramento County PIT count showed a 66% increase in unhoused citizens.

Housing Trusts

The Legislature supported the counties and created the Trusts to fund housing development for homeless and low-income individuals and families. Local governments can follow these best practices by creating JPAs for a housing trust without state approval. Several bills over the last few years have provided examples for these JPAs governed by elected officials. Although these housing trusts are focused on housing, they represent a first step in the process to develop and implement county-wide coordinated homeless services.

FINDINGS

- F1 There is no cooperative, collaborative, and coordinated effort among all eight governments in the County to create comprehensive solutions to this shared problem.
- F2 The problem of homelessness in Sacramento County has drastically worsened over the past five years, as demonstrated by the dramatic increases in Point in Time counts.
- F3 A lack of affordable housing is the primary cause of homelessness and the most difficult one to solve due to the high cost of new development.
- F4 Sacramento Steps Forward does not have any elected leaders on its Board and lacks decision-making authority over the eight governmental jurisdictions in the County, making it powerless to implement needed changes.
- F5 The legally binding agreement mandated by Measure O and the Partnership Agreement is a step in the right direction, but it applies only to the City and County of Sacramento.

RECOMMENDATIONS

- R1 The 2022-2023 Sacramento County Grand Jury recommends that the County and the seven incorporated cities implement a Joint Powers Authority (JPA) to address homelessness by December 1, 2023.
- R2 The newly formed JPA should be governed by elected officials who are directly accountable to citizens of the County.
- R3 The Joint Powers Authority should develop and manage a comprehensive County-wide strategic plan to address homelessness by July 1, 2024.
- R4 The County/City Partnership Agreement should be used as a model for the other six cities as an interim measure pending the creation of a Joint Powers Authority.

REQUIRED RESPONSES

Pursuant to Penal Code sections 933(c) and 933.05, the grand jury requests responses as follows:

From the following governing bodies of a public agency within 90 days:

Sacramento County Board of Supervisors
700 H Street, Suite 2450
Sacramento, CA 95814

Rancho Cordova City Council
2729 Prospect Park Drive
Rancho Cordova, CA 95670

Sacramento City Council
915 I Street
Sacramento, CA 95814

Elk Grove City Council
8401 Laguna Palms Way
Elk Grove, CA 95758

Mail or deliver a hard copy response to:

The Honorable Michael Bowman
Presiding Judge
Sacramento County Superior Court
720 9th St.
Sacramento, CA 95814

Please email a copy of this response to:

Ms. Erendira Tapia-Bouthillier
Sacramento County Grand Jury Coordinator
Email: TapiaE@saccourt.ca.gov

INVITED RESPONSES

Darrell Steinberg, Mayor
City of Sacramento
915 I St., 5th Floor
Sacramento, CA 95814

Linda Budge, Mayor
City of Rancho Cordova
2729 Prospect Park Drive
Rancho Cordova, CA 95670

Bobbie Singh-Allen, Mayor
City of Elk Grove
8401 Laguna Palms Way
Elk Grove, CA 95758

Mr. Phil Serna, Supervisor
District 1
Sacramento County Board of Supervisors
700 H Street, Suite 2450
Sacramento, CA 95814

Mr. Patrick Kennedy, Supervisor
District 2
Sacramento County Board of Supervisors
700 H Street, Suite 2450
Sacramento, CA 95814

Mr. Rich Desmond, Supervisor
District 3
Sacramento County Board of Supervisors
700 H Street, Suite 2450
Sacramento, CA 95814

Ms. Sue Frost, Supervisor
District 4
Sacramento County Board of Supervisors
700 H Street, Suite 2450
Sacramento, CA 95814

Mr. Pat Hume, Supervisor
District 5
Sacramento County Board of Supervisors
700 H Street, Suite 2450
Sacramento, CA 95814

Ms. Ann Edwards, County Executive
Sacramento County
700 H Street, Room 7650
Sacramento, CA 95814

Mr. Howard Chan, City Manager
City of Sacramento
915 I Street
Sacramento, CA 95814

Mr. Jason Behrmann, City Manager
City of Elk Grove
8401 Laguna Palms Way
Elk Grove, CA 95758

Ms. Porsche Middleton, Mayor
City of Citrus Heights
6237 Fountain Square Dr.
Citrus Heights, CA 95621

Mr. Christopher W. Boyd, City Manager
City of Citrus Heights
6360 Fountain Square Drive
Citrus Heights, CA 95621

Ms. Rosario Rodriquez, Mayor
City of Folsom
50 Natoma St.
Folsom, CA 95630

Ms. Elaine Andersen, City Manager
City of Folsom
50 Natoma St.
Folsom, CA 95630

Mr. Jay Vandenburg, Mayor
City of Galt
380 Civic Drive
Galt, CA 95632

Mr. Lorenzo Hines Jr., City Manager
City of Galt
380 Civic Drive
Galt, CA 95632

Mr. Micah Runner, City Manager
City of Rancho Cordova
2729 Prospect Park Drive
Rancho Cordova CA 95670

Ms. Pamela Bulahan, Mayor
City of Isleton
101 Second Street
Isleton, CA 95641

Mr. Charles Bergson, City Manager
City of Isleton
101 Second Street
Isleton, CA 95641

August 7, 2023

The Honorable Michael Bowman
Presiding Judge
Sacramento County Superior Court
720 9th Street
Sacramento, CA 95814

Subject: City of Rancho Cordova Response to the Sacramento County Grand Jury Report on Homelessness

Dear Judge Bowman,

There are an estimated 10,000 people experiencing homelessness in the Sacramento region. According to the 2022 Sacramento Steps Forward Point In Time Count, about 160 live in the City of Rancho Cordova, down from about 300 in the 2019 count.

The city has a robust strategy, as well as resources in place, to assist individuals and families experiencing homelessness in our community. We believe in a service-first approach, which means working with homeless individuals and families who are actively seeking help and support. We also believe in accountability, which means holding everyone accountable for their actions, building rapport, educating businesses and residents, and quickly responding to calls for service. Our outreach programs include the Homeless Outreach Team and a Homeless Navigator to connect homeless individuals with services and resources; and a commitment of an estimated \$1.6 million annually to address homelessness.

The Homeless Outreach Team or HOT builds relationships with homeless individuals and families to assist them in finding services, education and resources to help them become self-sufficient with the ultimate goal of locating permanent housing. The focus of this team is on connecting homeless individuals and families with food and basic necessities, key documents, transportation, job opportunities, treatment, and both temporary shelter and permanent housing. Another major component involves managing encampments and the maintaining public spaces as safe and sanitary. This team directs the cleanup of trash, hazardous waste and shopping cart retrieval. On the accountability side, it is imperative to maintain public safety. Therefore this team includes Rancho Cordova Police Department (RCPD) officers who can work routinely with our known homeless residents, build relationships, and work fairly with them on an individual level to protect residents and property. Importantly, this team also works collaboratively with regional partners and the Homeless Management Information System (HMIS) in order to coordinate the services

provided to homeless households across nonprofits and county agencies, improve data quality, and reduce duplication of efforts.

In addition to the Homeless Outreach Team, in 2021, RCPD and Sacramento County partnered to launch a Mobile Crisis Support Team. The team, comprised of an RCPD officer trained in Crisis Intervention and a County Licensed Mental Health Clinician, responds to emergency calls to support residents experiencing mental health crises. In addition, the team has a County-contracted Peer Navigator who follows up with individuals with potential mental health needs to ensure they are offered support in navigating care systems and linked to appropriate services.

Recognizing a need for greater investment into our homeless programs and services, in 2022 the City Council approved nearly \$600,000 in enhancements to the Homeless Outreach Team. This increase is better serving homeless individuals and families, residents, and businesses in the city with additional focus on securing necessary interim housing and permanent housing. Additional staffing has been provided to increase response times and efficiency, provide case management to more homeless clients, and increase cart and debris removal and a new Crisis Intervention Team for mental health cases has been launched. Increased housing services include additional access to drug and alcohol rehabilitation opportunities, additional hotel vouchers and food assistance, and funding for Rancho Cordova's first dedicated transitional house for homeless families.

The city has also taken a bold step in creating permanent housing. Over a decade ago, we had a vision for providing a home for our homeless veterans. Today, we have the Mather Veterans Village. This lifechanging facility includes permanent supportive and transitional housing for 150 homeless and disabled veterans and their families and leverages the proximity to the nearby Veterans Administration Northern California Medical Center.

One bright spot in the 2022 Point in Time Count report data was that the number of homeless veterans decreased between 2019 and 2022, from 667 down to 625. There is strong regional momentum to continue this downward trend for veterans to reach a functional end for veterans homelessness. The city, in partnership with Sacramento County, is now continuing on its commitment to ending veterans homelessness in our region by working on an additional fourth phase to the Mather Veterans Village at the same location. The goal of this fourth phase will be to provide an affordable long-term home for senior veterans coming out of homelessness. A high level of care and support will be provided to residents to help them overcome the trauma experienced while homeless. Surrounded by a community of other veterans who have gone through similar lived experiences will contribute to the healing atmosphere.

Rancho Cordova has also been a major participant and contributor to the regional conversations and activities around homelessness through Sacramento Steps Forward

(SSF) and the Sacramento Homeless Policy Council. City staff are involved with SSF and sit on the Continuum of Care (CoC) Advisory Board and several committees. The city's participation has contributed to a \$10 million annual increase in federal CoC program funding to the Sacramento region since 2017. The CoC program funds new and existing permanent housing projects providing access to supportive services and annually helping thousands of homeless Sacramento households achieve long-term housing stability.

Through CoC committee work with SSF, the City of Rancho Cordova has spearheaded the development of the region's HUD-mandated Gaps Analysis. The Gaps Analysis is a comprehensive review of our community's resources available to address homelessness and identifies opportunities to create a more efficient, effective, and equitable system of care. The findings from this analysis have contributed to the recent emphasis on creating the regional Coordinated Access System (CAS) which is aimed at ensuring people needing services have streamlined and clear paths to access the right help. CAS will act as a regionally centralized front door to homeless services including referrals to overnight shelter, homeless diversion funding to prevent households from becoming homeless, and logistical services to help homeless clients overcome transportation barriers.

Rancho Cordova also holds a seat on the regionally-focused Sacramento Homeless Policy Council convened by SSF and is active and supportive of this group's goal to develop shared policy direction on solutions to address homelessness and champion integrated approaches.

The City of Rancho Cordova is dedicated to making Rancho Cordova the safest community it can be. We are committed to increasing public safety and addressing homelessness, as well as partnering with our community to keep it safe, and we have seen significant positive impacts from our work. In 2021, the team housed 63 homeless individuals and families and provided over 2,600 services, such as basic necessities, transportation, documents, and treatment. The team is currently assisting over 100 homeless individuals and families. In 2021, the Mobile Crisis Support Team responded to 374 calls for service, providing services such as welfare checks, mental health evaluations, meetings with residents, and more. And through our regular cleanup services and response to health and safety issues, in 2021 the city removed 100,000+ pounds of debris and retrieved 600+ shopping carts.

In efforts related to homelessness, the city has invested in multiple other affordable housing and shelter projects. The Crossings at New Rancho has been open since 2012 and provides affordable housing to low-income families. The Sunrise Crossings at St. Anton and Crossings at New Woodberry, projects totaling over 100 new units of affordable rental housing, are under construction and coming soon. Through the city's annual Community Enhancement and Investment Fund, the city provides funding to the Rancho

Cordova Homeless Assistance Resource Team (RC HART) to support its annual overnight Winter Shelter for up to 30 homeless adults during the winter months and the Rancho Cordova Food Locker who provides emergency food supplies to homeless residents.

While homelessness remains a major regional issue the City of Rancho Cordova is proud of the efforts we have taken to care for our homeless residents and the partnerships that have been built with local and regional organizations to increase the quantity and effectiveness of services for the homeless. We appreciate the focused concern on this issue and are supportive of continuing to collaborate on efforts to improve services and increase permanent housing options that will ultimately end this crisis.

Sincerely,

Micah Runner
City Manager, City of Rancho Cordova

Cc: Ms. Erendira Tapia-Bouthillier
Grand Jury Coordinator
Sacramento County Superior Court
TapiaE@saccourt.ca.gov

MEMORANDUM



ITEM 9.4.

DATE: August 7, 2023
TO: Honorable Mayor and Council Members
FROM: Darcy Goulart, Planning Manager
SUBJECT: **SECOND READING OF AN ORDINANCE AMENDING TITLE 23 ZONING CODE, ARTICLE 9 SPECIFIC USE PROVISIONS, CHAPTER 23.907 UTILITY, TRANSPORTATION, AND COMMUNICATION USES; ARTICLE 10 SPECIFIC PLANS AND SPECIAL PLANNING AREAS, CHAPTER 23.1000 SPECIFIC PURPOSE ZONES AND ARTICLE 11 DEFINITIONS, CHAPTER 23.1104 GENERAL DEFINITIONS (MITIGATED NEGATIVE DECLARATION PREPARED PURSUANT TO ARTICLE 6 OF THE CALIFORNIA ENVIRONMENTAL QUALITY ACT)**

RECOMMENDATION

Waive the second reading and adopt the Ordinance.

RESULT OF RECOMMENDED ACTION

Adoption of the Ordinance would result in amendments to Title 23 Zoning Code, as further described in [Attachment 2](#) of this staff report.

BACKGROUND

On July 17, 2023, the City Council waived the first reading and passed to a second reading of the Ordinance.

FISCAL IMPACT AND FUNDING SOURCE

There is no Fiscal Impact.

ATTACHMENT(S)

1. Ordinance
2. Exhibit A to the Ordinance

CITY OF RANCHO CORDOVA

ORDINANCE NO. XX-2023

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RANCHO CORDOVA,
STATE OF CALIFORNIA, AMENDING TITLE 23 ZONING CODE, ARTICLE 9 SPECIFIC USE
PROVISIONS, CHAPTER 23.907 UTILITY, TRANSPORTATION, AND COMMUNICATION
USES; ARTICLE 10 SPECIFIC PLANS AND SPECIAL PLANNING AREAS, CHAPTER
23.1000 SPECIFIC PURPOSE ZONES AND ARTICLE 11 DEFINITIONS, CHAPTER 23.1104
GENERAL DEFINITIONS**

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

Section 1. Purpose and Declarations.

WHEREAS, periodic updates of the provisions of the Rancho Cordova Municipal Code (RCMC) are necessary to ensure compliance with current laws, changes in local policy, maintain consistency with adopted plans and programs, clarify ambiguities, address changing market conditions or new uses, reflect best practices, and to address issues or concerns with current regulations; and

WHEREAS, Sunridge Energy, LLC, (hereinafter referred to as “Applicant”) filed an application with the City of Rancho Cordova for a Zoning Text Amendment to add a Battery Energy Storage System (BESS) facility as a use in the RCMC, subject to approval of a conditional use permit; and

WHEREAS, BESS facilities provide benefits such as back-up power during emergencies such as blackouts or equipment failure, as well a balancing power supply and demand, which makes the electrical gride more resilient and efficient; and

WHEREAS, Title 23 Zoning regulates uses and development standards for various utility uses within the City:

- A. The Ordinance would revise Chapter 23.907 Utility, Transportation, and Communication Uses and Chapter 23.1000 adding in the term BESS facilities into sections of the Chapter such as purpose and applicability location and development requirements.
- B. The Ordinance would revise Chapter 23.1104 General Definitions to add a land use definition of a BESS facility.

WHEREAS, on July 17, 2023, the City Council held a properly noticed public hearing for this Ordinance and considered all oral and written testimony.

Section 2: Findings. This Ordinance is adopted pursuant to the following findings:

CEQA Compliance. The project has been analyzed in accordance with the California Environmental Quality Act (CEQA)(Public Resource Code Section 2100 et. seq.) and the State CEQA Guidelines (California Code of Regulations Section 15000 et. seq.).

In accordance with the California Environmental Quality Act (CEQA)(Public Resource Code Section 2100 et. seq.) and the State CEQA Guidelines (California Code of Regulations Section 15000 et. seq.), a Draft Initial Study/Mitigated Negative Declaration (IS/MND) was prepared and circulated for the required 30-day review period, from February 3, 2023, and ending March 6, 2023. Areas identified in the Draft IS/MND that required mitigation measures to avoid significant effects on the environment were Geology and Soils and Mandatory Findings of Significance. A mitigation measure has been placed upon the project to ensure that the appropriate measures are taken in the event that any archaeological resources are exposed during construction. While none of these features were identified on the site or are known to be on the site, the mitigation measure provides extra assurance that all appropriate measures will be taken if any are discovered.

During the public review period, eight comment letters and/or emails on the Draft IS/MND were received from outside agencies and interested parties. As a result of comments received on the Draft IS/MND, minor revisions were made to the Draft IS/MND, however there were no substantial revisions that would require recirculation of the document. The revisions proposed in the Final MND do not meet the criteria for recirculation provided in Section 15073.5(c) of the CEQA Guidelines, nor were project revisions required based upon the comments received.

Zoning Text Amendment subject to the Findings required by Title 23 Zoning, Section 23.146.070 and the proposed amendments (Exhibit A).

- A. **The proposed amendment is consistent with the General Plan.** The attached Municipal Code Amendments ("Amendment") for Title 23 as it relates to Battery Energy Storage System (BESS) facilities are consistent with the General Plan. The amendments would make it possible for an entity to obtain a Conditional Use Permit for a BESS facility, which would include the ability to store energy in order to supply electrical energy at a future date in time.

General Plan Element VIII Infrastructure, Services, and Finance states that the goals, policies and actions of the Element is to set forth methods for ensuring that the City provides the highest service levels possible, which includes reducing incidences of service interruption and improving the quality and sustainability of services. Goal ISF.2 mentions the desire to ensure the development of quality infrastructure to meet community needs at the time they are needed. Policy ISF.2.1.1 addresses the need of public infrastructure that meets the long-term needs of residents. And ensures infrastructure is available at the time such facilities are needed. The ability to install BESS facilities within the City will help to store necessary energy for high demand times, and future needs of the growing City.

- B. **The proposed amendment would not be detrimental to the public interest, health, safety, convenience, or welfare of the City.** The attached amendments would permit the operation of a BESS facility on property within the Sunridge Specific Plan with a designation of Limited Commercial, upon issuance of a Conditional Use Permit. Energy storage facilities use established safety equipment and strategies to ensure that risks associated with the installation and operation of the battery systems are avoided and if required, appropriately mitigated. Numerous nationally and internationally recognized standards and codes have been developed to inform safe manufacturing, construction, installation, and operation of energy storage systems. In addition, Sacramento Metro Fire District will have the ability to review and adequately condition future projects to ensure

compliance with all CA Fire Code, as well as the National Fire Protection Association codes and standards related to the use of BESS facilities. None of these proposed amendments will be detrimental to the public interest, health, safety, convenience, or welfare of the City.

- C. The proposed amendments are internally consistent with other applicable provisions in this Zoning Code.** The Amendments have been reviewed for consistency with the entirety of the Municipal Code and is consistent with other applicable provisions of the Municipal Code.

Section 3. Amendments to Title 23 Zoning Code and the Folsom Boulevard Specific Plan

The City Council hereby adopts the amendments to Title 23 Zoning Code of the Rancho Cordova Municipal Code, as shown and incorporated in Exhibit A to this ordinance.

Section 4. Severability

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

Section 5. Effective Date

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

PASSED AND ADOPTED by the City Council of the City of Rancho Cordova on the 7th day of August 2023 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ITEM 9.4.

ATTACHMENT 1

ATTEST:

Linda Budge, Mayor

Stacy Leitner, CMC
City Clerk

Note: Only those sections and/or subsections that are proposed to be amended within the indicated Chapter are included below. In some instances, the entirety of the Chapter or Section is included for context, even if amendments are not proposed. Amendments are reflected in a track change format. All other sections and/or subsections within the indicated Chapter that are not included below are not proposed to change and shall remain intact.

Chapter 23.907

UTILITY, TRANSPORTATION, AND COMMUNICATION USES

23.907.010 Purpose and applicability.

A. Purpose. The purpose of this chapter is to establish site planning, development, and/or operating standards for utility, transportation, and communication uses, including telecommunication facilities and utility facilities and infrastructure and battery energy storage system (BESS) facilities. It is the city's intent, in establishing these standards, to mitigate the potential adverse impacts of these uses and activities on adjacent and surrounding land uses by regulating the size, scale, and location of these uses, as well as requiring additional setbacks, landscaping, and other buffering between the subject use and surrounding property.

B. Applicability. The regulations and standards contained in this chapter shall apply only to telecommunication facilities, BESS facilities, and utility facilities and infrastructure as expressly identified in the corresponding sections and shall be in addition to any other development standards and regulations contained elsewhere within this zoning code (e.g., lighting, landscaping, parking). These uses may only be located in those zoning districts as described in, and shall only be authorized in concert with the permit requirements of, Article 3 of this title (Zoning Districts, Allowable Uses, and General Development Standards) or Article 10 of this title (Special Purpose Zones). [Ord. 11-2018 § 3 (Exh. A); Ord. 4-2017 § 3 (Exh. B); Ord. 12-2011 § 3 (Exh. A); Ord. 27-2008 § 1 (Exh. A § 5.3.010)].

23.907.030 Utility facilities and infrastructure.

A. Purpose and Applicability. The regulations contained in this section shall apply to utility facilities and infrastructure, as well as BESS facilities, as defined in RCMC 23.1104.040 (Land use definitions). The establishment of new utility facilities and infrastructure and BESS facilities shall be consistent with the allowed use provisions of Article 3 of this title (Zoning Districts, Allowable Uses, and General Development Standards) and the standards contained within this section, as well as other development standards as required in the underlying zoning district. Where the standards of the underlying district conflict with the standards herein, these standards shall apply. The intent of these provisions is to minimize the visual and physical impacts of the use on surrounding property by balancing the need for the facilities with a desire to minimize the visual impact.

B. Permit Requirements and Exemptions. To the extent allowed by state or federal law, the uses regulated by this section shall be subject to the allowed use and permit requirements of Article 3 of this title (Zoning Districts, Allowable Uses, and General Development Standards) and, where applicable, Article 10 of this title (Special Purpose Zones). In addition, such facilities may be subject to design review as required by Chapter 23.140 RCMC (Minor Design Review) or Chapter 23.141 RCMC (Major Design Review) and allowed by state and federal law.

C. Location Requirements for Transmission Lines and Pipelines.

1. General Location. Generally, transmission lines and pipelines shall be located within public rights-of-way (with approval of the public works director) or within dedicated easements for transmission lines (e.g., public utility easement).

2. Electrical Transmission Lines. Electrical transmission lines of 100,000 volts or greater capacity may be located in any zone and shall be located in easements or rights-of-way which permit access for maintenance

with minimal disruption to surrounding properties. Preference shall be given to the location of transmission lines in the rank order specified below; every reasonable effort shall be exerted to avoid established residential areas. In the event SMUD determines that it has no alternative but to route a 100,000 volt or greater capacity transmission line through an established residential area, such lines shall be installed underground except when SMUD can demonstrate that it is not feasible to do so. "Feasible" shall be as defined in California Government Code Section 53096(c).

- a. Within existing SMUD transmission rights-of-way or those anticipated for other projects proposed subject to this code.
- b. Adjacent to railroads or adopted freeway routes.
- c. Along or adjacent to major arterial streets where existing or planned uses are commercial or industrial.
- d. Adjacent to or through existing or planned commercial, industrial, or agricultural uses.
- e. Along arterial streets where residential uses designated in an adopted plan are RD-20 or greater density.
- f. Through areas where land uses in an adopted plan are predominantly commercial, but include residential uses.
- g. Through residential areas, including side and rear yards, irrespective of density.

D. Location Requirements for Fixed-Base Structures and Facilities and BESS facilities. In siting fixed-base structures and facilities and BESS facilities, the city shall place preference on the locations listed below in the order listed. In any case, siting fixed-base facilities or BESS facilities within residential zoning districts, particularly those intended for multifamily housing, shall be a last resort. All new subdivisions and land planning (e.g., Specific Plans) shall include provisions for siting fixed-base facilities in dedicated, reserved locations that are identified with assistance from the utility service provider.

1. Sites zoned community service (CS), transportation corridor (T), or parks and open space (POS);
2. Areas within Specific Plans or special planning areas specifically identified for utility facilities and infrastructure uses or BESS facilities;
3. Sites zoned heavy industrial (M-2);
4. Sites zoned any limited commercial or mixed-use zoning district, provided the facility is not located at the intersection of two major streets;
5. Any other portion of a limited commercial or mixed-use zoning district not otherwise described above; or
6. Within a residential or agricultural zoning district.

E. Development Requirements for Fixed-Base Structures and Facilities.

1. Communication Substations. Communication substations shall be entirely located within an enclosed building, the design of which shall be consistent with the standards of the underlying zoning district and the citywide design guidelines, the intent being to integrate the design of the facility into the area in which it is located.
2. Electrical Substations and BESS Facilities.
 - a. Overhead electrical transmission lines of 100,000 volts or greater capacity shall be installed in such a manner as to minimize adverse visual impacts. When feasible, SMUD shall relocate and combine existing overhead transmission poles and lines with new installations.

ITEM 9.4.

ATTACHMENT 2 Exhibit A to the Ordinance

b. Substations and BESS Facilities shall be designed and constructed in such a manner as to minimize off-site visual and noise impacts. Planted or landscaped setbacks of at least 25 feet shall be provided on all property lines.

3. Potable Water Storage Facility. Potable water storage facilities shall observe all development standards of the underlying zoning district. Additionally, such facilities shall be screened consistent with the provisions of Chapter 23.731 RCMC (Fences, Walls, and Screening).

4. Treatment Plant. Treatment plants shall observe all development standards of the underlying zoning district, except that any treatment ponds or other structures that may emit an odor shall be located a minimum of 200 feet from a residential zoning district or residential use. The use shall also provide landscaping along the perimeter of the use, including a minimum 25-foot-wide landscape area and evergreen trees planted 30 feet on center. [Ord. 11-2018 § 3 (Exh. A); Ord. 4-2017 § 3 (Exh. B); Ord. 13-2013 § 4 (Exh. B); Ord. 12-2011 § 3 (Exh. A); Ord. 27-2008 § 1 (Exh. A § 5.3.030)].

Exhibit A to the Ordinance

Rancho Cordova Municipal Code
Chapter 23.1000 SPECIAL PURPOSE ZONES

Page 4/6

Chapter 23.1000

SPECIAL PURPOSE ZONES

Sections:

- 23.1000.010 Purpose.
- 23.1000.020 Specific Plan zoning districts.
- 23.1000.030 Special planning area zoning districts.

23.1000.010 Purpose.

The purpose of this chapter is to identify and provide reference to all special purpose zones within the city. Special purpose zones provide unique development regulations to subject property than may otherwise be granted through the application of any base zoning district provided by this title. Currently there are two special purpose zones in the city:

A. Specific Plan zones;

B. Special planning area zones. [Ord. 6-2011 § 3 (Exh. A)].

23.1000.020 Specific Plan zoning districts.

A. Purpose of the Specific Plan Zoning District. The purpose of the Specific Plan zoning district is to designate unique planning areas within the city for which the city council has adopted or requires adoption of a separate planning document (a Specific Plan) consistent with the General Plan and state law. The contents, requirements, and adoption and amendment procedures for Specific Plans are listed in Chapter 23.152 RCMC (Specific Plans).

B. Designation. Specific Plan zoning districts shall be delineated on the zoning map in a manner similar to that of any other zoning district except that each Specific Plan-zoned area shall also bear a name, number, symbol, or other delineation, as determined by the planning director, which distinguishes it from other Specific Plan zones, base zoning districts, or overlay zones. The assignment of the Specific Plan zone designation serves to provide a reference to the corresponding Specific Plan zoning document adopted by ordinance of the city council. Applicable zoning regulations and standards applicable to the land area are provided in the Specific Plan zones document, as adopted by reference in this title.

C. Specific Plans Adopted by Reference. The following Specific Plans have been adopted as part of this title by reference and are so designated on the zoning map of the city:

1. Mather Specific Plan (adopted 1997 by Sacramento County);
2. Sunridge Specific Plan (adopted July 17, 2002, by Sacramento County);
3. Folsom Boulevard Specific Plan (first adopted November 6, 2006, by Ordinance No. 57-2006; amended July 7, 2008, by Ordinance No. 13-2008).

D. Allowed Uses. Allowed uses within the Specific Plan area are those listed uses in the adopted Specific Plan document. A Specific Plan may reference the allowed use provisions of the concurrent base zoning district contained in this title; however, in the event that there are conflicts between the provisions of the Specific Plan and this title, the Specific Plan shall prevail. BESS facilities, as defined by RCMC 23.1104.040 (Land Use Definitions), are an allowed use for those parcels identified as Sunridge Specific Plan Limited Commercial (LC) zoning district upon issuance of a conditional use permit as required by RCMC Chapter 23.134 (Conditional Use Permits).

E. Development Standards. Development standards within the Specific Plan area are those standards listed in the adopted Specific Plan. A Specific Plan may reference the development standards of this title, in which case the

Exhibit A to the Ordinance

standards of this title shall apply. Where a Specific Plan is silent regarding a city-wide standard (e.g., sign regulations), the city standard shall apply. Where a Specific Plan establishes unique standards that are in conflict

Rancho Cordova Municipal Code
Chapter 23.1000 SPECIAL PURPOSE ZONES

Page 5/6

with the standards of this title, the Specific Plan standards shall prevail. BESS Facilities, as defined in RCMC 23.1104.040 (Land Use Definitions), in the Sunridge Specific Plan Limited Commercial (LC) zoning district are subject to the standards in RCMC 23.907.030 (Utility facility and infrastructure) and those standards in RCMC 23.316.040 (Development standards for general commercial and industrial zones) applicable to the General Commercial (GC) district. [Ord. 6-2011 § 3 (Exh. A)].

Exhibit A to the Ordinance

Rancho Cordova Municipal Code
Chapter 23.1000 SPECIAL PURPOSE ZONES

Page 6/6

Chapter 23.1104**GENERAL DEFINITIONS****23.1104.010 Purpose.**

The purpose of this chapter is to provide all definitions used throughout this title. Definitions are organized alphabetically. [Ord. 4-2017 § 3 (Exh. B); Ord. 12-2011 § 3 (Exh. A); Ord. 27-2008 § 1 (Exh. A § 10.2.010)].

23.1104.040 Land use definitions.

“Battery Energy Storage System (BESS) facility” means a system consisting of electrochemical storage batteries, battery chargers, controls, power condition systems and associated electrical equipment, assembled together, capable of storing energy in order to supply electrical energy at a future time, not to include a stand-alone 12-volt car battery or an electric motor vehicle or behind-the-meter battery energy storage systems.

MEMORANDUM



ITEM 9.5.

DATE: August 7, 2023
TO: Honorable Mayor and Council Members
FROM: Matt Thomas, Facilities Services Manager
Laurel Bane, Facilities Management Analyst
SUBJECT: **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RANCHO CORDOVA, AUTHORIZING THE CITY MANAGER TO APPROVE A THREE-YEAR CONTRACT FOR JANITORIAL SERVICES AND MAINTENANCE FOR ALL BUILDINGS OPERATED BY THE CITY WITH CITY WIDE MAINTENANCE FOR AN AMOUNT NOT TO EXCEED \$1,325,000**

RECOMMENDATION

Adopt the Resolution.

RESULT OF RECOMMENDED ACTION

Adoption of the Resolution would authorize the City Manager to execute Contract No. 2023-138 with City Wide Maintenance to provide janitorial services for City buildings.

BACKGROUND

The City is responsible for janitorial maintenance of City-owned or leased buildings like City Hall, Rancho Cordova Police Department, and the Youth Center. The City had multiple janitorial contracts for a cluster of buildings and has grown to add additional sites. To be more efficient, the City will now have one janitorial service provider for all City-owned and leased buildings. Well-maintained buildings provide a clean and healthy environment for all building occupants and visitors. The work scope for this contract includes vacuuming, dusting, moping, sanitizing, and stocking restrooms using green cleaning methods to reduce our environmental footprint while preserving our facilities.

Staff released an RFP on December 23, 2022, for the term beginning March 1, 2023. Five proposals were received in response to the RFP. The lowest qualified vendor was unable to meet the contract terms and provide services as detailed in the contract. Staff recommends awarding the contract to the second lowest qualified bidder, City Wide Maintenance.

The contract with City Wide Maintenance is a three-year term and begins July 1, 2023. City Wide Maintenance is a local janitorial service company that has been in business since 1987 and is committed to Green Cleaning standard operating procedures and has previous experience cleaning and maintaining some City-owned buildings.

FISCAL IMPACT AND FUNDING SOURCE

Janitorial services will be funded from the Internal Services Fund (7300).

ATTACHMENT(S)

1. Resolution
2. Grapevine Janitorial RFP 2023 Advertisement
3. Bid Opening Results
4. Contract 2023-138

CITY OF RANCHO CORDOVA

RESOLUTION NO. XX-2023

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RANCHO CORDOVA, STATE OF CALIFORNIA, AUTHORIZING THE CITY MANAGER TO APPROVE A THREE-YEAR CONTRACT FOR JANITORIAL SERVICES AND MAINTENANCE FOR ALL BUILDINGS OPERATED BY THE CITY WITH CITY WIDE MAINTENANCE FOR AN AMOUNT NOT TO EXCEED \$1,325,000

WHEREAS, the City of Rancho Cordova solicited bids for the Janitorial RFP 2023 under the requirements of State and local law and publicly opened bids on January 17, 2023; and

WHEREAS, the lowest qualified bidder was unable to meet the contract terms and provide services as detailed in the contract; and

WHEREAS, the City recommends awarding the bid to the second lowest qualified bidder, City Wide Maintenance; and

WHEREAS, adoption of this Resolution will award the general services agreement Contract No. 2023-138 to City Wide Maintenance in an amount not to exceed \$1,325,000 for janitorial services and maintenance; and

WHEREAS, funding for this contract consists of Internal Services Funds (7300); and

WHEREAS, this contract will combine all janitorial services currently provided under one contract.

NOW, THEREFORE, BE IT HEREBY RESOLVED THE CITY COUNCIL OF THE CITY OF RANCHO CORDOVA does authorize the City Manager to execute Contract No. 2023-138 in an amount not to exceed \$1,325,000 with City Wide Maintenance.

PASSED AND ADOPTED by the City Council of the City of Rancho Cordova on the 7th day of August 2023 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

Linda Budge, Mayor

Stacy Leitner, CMC
City Clerk

ITEM 9.5. INVITATION TO BID ATTACHMENT 2

CITY OF RANCHO CORDOVA

JANITORIAL SERVICES



Sealed Proposal will be received at the office of the City Clerk, City of Rancho Cordova, 2729 Prospect Park Drive, Rancho Cordova CA 95670, up to the hour of **11:00 A.M. on January 17, 2023** and will be publicly opened and read for Janitorial Services:

General Description – The City of Rancho Cordova is requesting proposals for Janitorial Services with expertise in Green Cleaning practices to maintain Rancho Cordova's City Hall, Police Station, Neighborhood Services Center, Corporation Yard, Mather Arts and Culture Center and the Rancho Cordova Youth Center.

A mandatory Pre-Submittal conference is scheduled for **January 10, 2023 at 11:00 A.M.** in the American River Room at Rancho Cordova City Hall located at 2729 Prospect Park Drive Rancho Cordova, CA 95670.

Copies of the contract documents and specifications, including bid proposal forms are available on our City's website at **www.cityofranhocordova.org**.

For more information please contact: Laurel Bane at (916) 851-8953 or **lbane@cityofranhocordova.org**.

Page 92 of 824



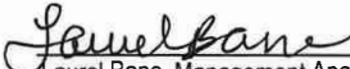
City of Rancho Cordova-Janitorial Bid Opening

Rancho Cordova City Hall
2729 Prospect Park Drive
January 17, 2023
11:00am

Letter Designation	Contractor	Total Monthly Cost Bid Amount	Envelope Sealed & marked Janitorial Services RFP	Proposal Signed	Contractor's License	Start Up Plan Included	Experience Qualification
A	RBC Enterprises	\$31,865. ⁸⁰	NOT MARKED	✓	✓	NIC	✓
B	Easter Seals	\$10,599. ⁰⁰	✓	✓	✓	✓	✓
C	Bissel Brothers	\$22,597. ¹⁴	✓	✓	✓	✓	✓
D	City Wide	\$11,975. ⁰⁰	✓	✓	✓	✓	✓
E	Quality Cleaning	\$47,600. ⁰⁰	✓	✓	✓	✓	✓
F							
G							
H							

Attendees:
Stacy Leitner, City Clerk
Laurel Bane, Management Analyst


Stacy Leitner, City Clerk

 1/17/23
Laurel Bane, Management Analyst

**GENERAL SERVICES AGREEMENT BETWEEN
THE CITY OF RANCHO CORDOVA AND CITY WIDE MAINTENANCE (Contractor)**

THIS AGREEMENT (hereinafter referred to as "Agreement") is made by and between the City of Rancho Cordova, a California municipal corporation, (herein "City") and City Wide Maintenance, (herein "Contractor"), as of July 1, 2023.

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

Section 2. TERM. The term of this Agreement shall begin on the date first noted above and shall end on June 30, 2026, with the option to renew for an additional two years, unless the term of this Agreement is otherwise terminated as provided for in Section 10. The time provided to Contractor to complete the services required by this Agreement shall not affect the City's right to terminate the Agreement, as provided for in Section 10.

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

Section 4. COMPENSATION OF CONTRACTOR. The Contractor shall be paid an amount not to exceed One million three hundred and twenty-five thousand dollars (\$1,325,000) for performance of the Services pursuant to this Agreement. The Contractor shall submit invoices to the City Finance Director on a monthly basis detailing the Services performed. In the event of a conflict between this Agreement and Contractor's Exhibit A regarding the amount of compensation, the Agreement shall prevail. Upon receipt and approval of the Contractor's invoices, the City shall remit payment to the Contractor for Services provided within thirty (30) days. Payment to Contractor shall be considered as full compensation for performing the Services.

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

Section 5. PERFORMANCE STANDARDS.

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

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

Section 6. STATUS OF CONTRACTOR

- 6.1 INDEPENDENT CONTRACTOR.** At all times during the term of this Agreement, Contractor shall be an independent contractor as defined in Labor Code Section 3353, and shall not be an employee of City. Nothing contained in this Agreement shall be construed to be inconsistent with the foregoing relationship or status. City shall have the right to control Contractor only insofar as the results of Contractor's services rendered pursuant to this Agreement and assignment of personnel; however, otherwise City shall not have the right to control the means and methods by which Contractor accomplishes services rendered pursuant to this Agreement. Contractor shall have no power or authority by this Agreement to bind the City in any respect. All employees and agents hired or retained by Contractor are employees and agents of Contractor and not of the City. The City shall not be obligated in any way to pay any wage claims or other claims made against Contractor by any such employees or agents, or any other person resulting from performance of this Agreement.

Notwithstanding any other City, state, or federal policy, rule, regulation, law, or ordinance to the contrary, Contractor and any of its employees, agents, and subcontractors providing services under this Agreement shall not qualify for or become entitled to, and hereby agree to waive any and all claims to, any compensation, benefit, or any incident of employment by City, including but not limited to eligibility to enroll in PERS as an employee of City and entitlement to any contribution to be paid by City for employer contributions and/or employee contributions for PERS benefits. Contractor shall not allow any employee, agent or subcontractor to become eligible for a claim for PERS benefits.

- 6.2 Contractor Not an Agent.** Except as City may specify in writing, Contractor shall have no authority, express or implied, to act on behalf of City in any capacity whatsoever as an agent. Contractor shall have no authority, express or implied, pursuant to this Agreement to bind City to any obligation whatsoever.

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

Section 8. INDEMNIFICATION AND CONTRACTOR'S RESPONSIBILITIES.

- 8.1 General Requirement.** Contractor shall indemnify, defend with counsel selected by the City, and hold harmless City, its officers, agents, employees and representatives from and against any and all claims, losses, liabilities or damages, demands and actions, including payment of reasonable attorney's fees, arising out of or resulting from Services performed pursuant to this Agreement caused in whole or in part by any negligent or willful act or omission of Contractor, its officers, agents, employees, or anyone directly or indirectly acting on behalf of Contractor. The foregoing obligation of Contractor shall not apply when

(1) the injury, loss of life, damage to property, or violation of law arises wholly from the negligence or willful misconduct of the City or its officers, employees, agents, or volunteers and (2) the actions of Contractor or its employees, subcontractor, or agents have contributed in no part to the injury, loss of life, damage to property, or violation of law. It is understood that the duty of Contractor to indemnify and hold harmless includes the duty to defend as set forth in Section 2778 of the California Civil Code. Acceptance by City of insurance certificates and endorsements required under this Agreement does not relieve Contractor from liability under this indemnification and hold harmless clause. This indemnification and hold harmless clause shall apply to any damages or claims for damages whether or not such insurance policies shall have been determined to apply. By execution of this Agreement, Contractor acknowledges and agrees to the provisions of this Section and that it is a material element of consideration.

- 8.2 PERS Indemnification.** In the event that Contractor or any employee, agent, or subcontractor of Contractor providing Services under this Agreement is determined by a court of competent jurisdiction of the California Public Employees Retirement System ("PERS") to be eligible for enrollment in PERS as an employee of City, Contractor shall indemnify, defend, and hold harmless City for the payment of any and all employee and/or employer contributions for PERS benefits on behalf of Contractor or its employees, agents, or subcontractors, as well as for the payment of any penalties and interest on such contributions, which would otherwise be the responsibility of City, and any attorneys' fees and costs incurred by the City to enforce this Section.

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

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

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

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

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

City: City of Rancho Cordova
2729 Prospect Park Drive
Rancho Cordova, CA 95670
ATTN: Finance Director

Contractor: City Wide Maintenance
ATTN: Mariela Corado
P.O. Box 341060
Sacramento, CA 95834-8960
Mcorado24@yahoo.com

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

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

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

Section 17. NO IMPLIED WAIVER OF BREACH. The waiver of any breach of a specific provision of this Agreement does not constitute a waiver of any other breach of that term or any other term of this Agreement.

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

Section 19. IRS Form W-9. Contractor shall complete and submit Internal Revenue Service Form W-9 to the City before execution of this Agreement. The City's Finance Director shall have authority to waive this requirement.

Section 20. ENTIRE AGREEMENT. This Agreement, including the scope of work attached hereto and incorporated herein as Exhibit A, and the insurance requirements attached hereto and incorporated herein as Exhibit B, represents the entire and integrated Agreement between City and Contractor and supersedes all prior negotiations, representations, and Agreements regarding the subject matter of this Agreement, either written or oral.

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

ITEM 9.5.

ATTACHMENT 4

CONTRACT NO.: 2023-138

CITY OF RANCHO CORDVA

By: _____
Micah Runner, City Manager

CONTRACTOR

By: Scott Waters
Scott Waters, President

Date: _____

Date: 7-24-2023

APPROVED AS TO FORM:

By: _____
Adam U. Lindgren, City Attorney

ATTEST:

By: _____
Stacy Leitner, CMC, City Clerk

Last Revised January 4, 2022

EXHIBIT A
SCOPE OF WORK



Executive Summary

All CWM Janitors, Onsite Manager and Quality Control Manager are personally trained by Scott Waters. New accounts are monitored daily for the first week (or more if needed, depending on account size). This ensures a smooth transition as well as a detailed cleaning for a fresh start. CWM Quality Control Manager and/or Owner spot check weekly thereafter to ensure contract needs are met.

All crew members work off of a checklist or provided scope of work. All crew members are fingerprinted and background checked.

City Wide Maintenance carries listed Insurances in section 16 and will provide copies of requested insurances upon award of contract.

Statement of Work shall be followed and met per City of Rancho Cordova's Requirements. In addition to Statement of Work CWM will purchase all new equipment needed; including all Green Certified cleaning chemicals.



Cover Page & Vendor Information

City Wide Maintenance is a Janitorial Service company that has been providing janitorial services since 1987 (36 Years). City Wide Maintenance is committed to Green Cleaning and Team Cleaning with standard operating procedures and regular quality control checks to confirm crews are maintaining our promise to our customer. Regular and consistent communication with our staff and account supervisors by Scott Waters (CWM Owner) & Maryella (Quality Control Manager) is our number one priority to ensure customer satisfaction. CWM is available 24 hours a day 7 days a week for your janitorial needs.

We are licensed, bonded and insured, and certified in Blood Borne Pathogen Cleaning and Bio Hazard clean ups. City Wide Maintenance has never had a liability claim and complies with all CALOSHA safety training requirements. City Wide Maintenance Crew Members are continually sent to ongoing training classes with Waxie (our janitorial supply vendor). We are kept up to date on new technologies including; Green Cleaning, and restroom disinfection procedures. Keeping our staff up to date in the latest janitorial chemicals and cleaning procedures ensures safety and a high quality of cleanliness for our customer. CWM has had NO Significant Transactional Events to date. CWM has been facilitating High profile, High Security, Large accounts for 33 years.

Please see attached References for services to Current & Similar Businesses that we provide services to.

Thank You-

City Wide Maintenance

9521 Folsom Blvd. Suite R

Sacramento, CA. 95827

Scott Waters (Owner) X

A handwritten signature in blue ink that reads 'Scott Waters'.

E-mail: cwmaintenance@aol.com

Ph.: (916)383-8269

Fax: (916)714-6159

Tax ID #: 68-0396087



Qualifications, Experience, References

City Wide Maintenance has been providing Janitorial Services for 39 years. For the past 30 years City Wide Maintenance has prided itself in having a good business relationship with all current and past High Security, High Profile, and Large Business accounts. Listed are 3 similar profile accounts.

1). Rancho Cordova Police Department

- 2897 Kilgore Road & 2729 Prospect Park Drive
- 5+ years
- Laurel Bane

(See attached bid for scope of work)

2). John Adams Academy

- 4 Locations Approx. 300,000 Square feet
- 5+ Years
- Bobby 916-580-7918

(Clean-up for 1,500+ students and staff. General Cleaning. Staff background checked with all Vaccines. Auto-Scrubbing, Victory Electrostatic Disinfecting Fogger, Sport Event Set up and tear down, pressure washing).

3). California Northstate University

- Multiple Locations over 200,000 square feet
- 5+ years
- Scott 916-212-4335

(Blood Borne Pathogen Certified for Anatomy Cadaver Lab, General Cleaning, Victory Electrostatic Disinfecting Fogger, Clean carpets, Strip and Wax Floors, Set up and tear down for special events, Clean up outside Campus areas, Window cleaning)



4). Mission Oaks Park District

- 8 Locations
- 5+ Years
- JR 530-306-0696

(General Cleaning at all park locations as well as District office)

5). Cordova Park District / Mather Sports Complex

- 12 Locations
- 2+ Years
-) • Scott Norton 916-945-0773

(General Cleaning at all Park locations as well as District office and Community Center)

6). Cardinal Health (Dixon)

- 5+ Years 100,000 square feet
- Amanda Moe Amanda.moe@cardinalhealth.com

(High Security, General Cleaning, Multiple cleanings per day 7 days per week, strip and wax, carpet cleaning)

7). Cardinal Health Elk Grove

- 5+ Years
- Jason Webb Jason.webb@cardinalhealth.com

(High Security General Cleaning, Multiple cleanings per day 5 days per week, strip and wax, carpet cleaning)



Organizational Structure

City Wide Maintenance is structured with communication and attention to detail as its top priorities.

Priority contacts are as follows:

City Wide Maintenance Owner: Scott Waters 916-383-8269

Quality Control Manager: Maryella

All calls to 916-383-8269 (CWM Office) roll over to Scott Waters, or Maryella. There is little to no wait time on contacting the Owner or Onsite Quality Control Manager. (All personal cell phone numbers in addition to last names will be given upon contract award.)

One of the 2 contacts will call the janitorial crew to notify them of changes or requests. Personal inspection by manager to follow upon completion of work.

Resolving any outstanding services issues are as follows: Facilities Manager to call, text, or e-mail CWM. Office staff will contact Onsite Quality Control Manager to resolve issue immediately. Onsite Quality Control Manager will personally confirm the issue has been resolved.

Ongoing monitoring of employee performances is done with surprise inspections by Owner and Quality Control Manager.

All CWM employees are Live Scanned and have Background Checks as well as Drug Tested at the expense of CWM before beginning services. All documents are provided upon completion.

All CWM Employees are continually sent to ongoing training classes with Waxie (CWM'S Janitorial supply company). Classes include but are not limited to; Green Cleaning, Sanitation Fogging, restroom & disinfection procedures, Certification in Blood Borne Pathogen Cleaning & Bio Hazard Clean Ups as well as complying with all CALOSHA safety Training Requirements.

In the event of an absence, back up staff that is Fingerprinted, Background Checked, and Trained is always available as well as Onsite Quality Control Manager.



Start Up Plan

All CWM Janitors, Onsite Manager and Quality Control Manager are personally trained by Scott Waters. New accounts are monitored daily for the first week (or more if needed, depending on account size). Current accounts that go out to bid (such as this) and are awarded to City Wide Maintenance are treated as a new account. A Quality Control Manager will be onsite the first week for smooth transition. City Wide Maintenance will provide detail cleaning during the first week as well for a fresh start. CWM Quality Control Manager and/or Owner spot check weekly thereafter to ensure contract needs are met. Scott Waters or the assigned Quality Control Manager will also perform monthly Work Performance Inspections and provide written reports to the Facility Manager.

Green Cleaning Janitorial Service to be provided at:

*Rancho Cordova City Hall 2729 Prospect Park Drive 70,300 sq ft, 9 Restrooms, 22 Stalls, 6 Urinals, 4 Showers (Excluding Suites: 117, 120, 130, 230)

*RCPD 2897 Kilgore Rd. 30,000 sq ft, 9 Restrooms, 18 Stalls, 3 Urinals, 3 Showers

(3 Janitors – 4 will be trained)

*RCNC 2880 Gold Tailings Ct. 4,400 sq ft, 4 Restrooms, 5 Stalls, 1 Urinal, 3 Showers

(2 Janitors – 3 will be trained)

Youth Center 10455 Investment Circle 9,500 sq ft, 6 Restrooms, 6 Stalls

(2 Janitors – 3 will be trained)

Corporation Yard 3303 Luyung Drive 2,030 sq ft, 3 Restrooms, 3 Stalls, 1 Urinal

(2 Janitors – 3 will be trained)

MACC 10191 Mills Station 2,231 sq ft, 4 Restrooms, 6 Stalls, 2 Urinals

(2 Janitors – 3 will be trained)

(* 2 Day Porters will be trained for these 3 Locations)



All crew members will be trained and Background checked for said locations. Statement of Work shall be followed and met per City of Rancho Cordova's Requirements. In addition to Statement of Work CWM will purchase all new equipment needed; including Hepa-filter vacuums, dual trash can caddy/dolly, and all Green Certified cleaning chemicals and products.



Statement of Acceptance of Terms and Conditions

Exclusion hereof is certification that the undersigned has read and understands the terms and conditions hereof and that the undersigned's principle is fully bound and committed.

Company Name: City Wide Maintenance

Street Address: 9521 Folsom Blvd. Suite R

City: Sacramento

Signature: Scott Waters

Printed Name: Scott Waters

Title: Owner

Date: 01/16/2023



Pricing Sheet Exhibit-B

Please provide your total monthly costs and total hourly rates in the appropriate space in the table below to perform the Work as described in, Statement of Work of this RFP. The quoted costs and rates shall include all taxes and shall be fixed for a period of at least one year, unless a change in governmental regulations, such as a change in the prevailing wage, necessitates a revision to the costs or rates. Contractor must pay its employees the prevailing wages in accordance with the standards set forth in Section 1773 of the Labor Code.

Facility Base Maintenance	Total Monthly Cost
2729 Prospect Park Drive- Includes Dayporter Service	\$5,400.00
2897 Kilgore Rd. – Includes Dayporter Service	\$2,950.00
2880 Gold Tailings Ct.- Includes Dayporter Service	\$900.00
3303 Luyung Drive	\$700.00
10191 Mills Station Rd.	\$750.00
10455 Investment Circle	\$1,275.00
Total Monthly Cost	\$11,975.00

Additional Services as Requested by the City	Total Hourly Rate
Power washing/ On Call hourly rate	\$50.00
Janitor/ On Call hourly rate	\$25.00



Request for Proposals for Janitorial Services

Sealed Proposal Submittal Deadline:
January 17, 2023

By 11:00 a.m.

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

Table of Contents

<i>Section</i>	<i>Page</i>
Introduction	1
Procedures for Submitting and Evaluating Bids	1
Proposal Evaluation Criteria	4
Contents of Proposal	5
Statement of Work	7
Contract Requirements	14
Statement and Acceptance of Terms and Conditions	29
Pricing Sheet	31
Bid Checklist for Vendors	32

Introduction

The City of Rancho Cordova is requesting proposals for professional janitorial services at the following locations: **2729 Prospect Park Drive, 2897 Kilgore Rd., 2880 Gold Tailings Ct., 3303 Luyung Drive, 10455 Investment Circle and 10191 Mills Station Road.** The services provided shall be in accordance with the Terms and Conditions and Statement of Work set forth herein.

The City will be contracting for an initial 3-year term anticipated March 1, 2023, to February 28, 2026. The City will have an option to renew for two (2) additional two (2) year contract terms.

Procedures for Submitting and Evaluating Proposals

1. Procurement Schedule and General Instructions

- a. The City has developed the following list of key events from RFP issuance through notice of contract award. All deadlines are subject to change at the City's discretion.

No.	Events	Key Dates
1	Issue RFP	December 23, 2022
2	Pre-Submittal Conference	January 10, 2023, 11:00 a.m. City Hall, 2729 Prospect Park Drive
3	Proposal Due Date and Time	January 17, 2023 by: 11:00am City Hall, 2729 Prospect Park Drive
4	Notice of Award	January 31, 2023
8	Contract to Begin	March 1, 2023

- b. The RFP and any addenda that may be issued will be available on the following website, referred to as "City website," www.cityofranhocordova.org and in the Grapevine newspaper.
- c. The provider shall submit in a sealed envelope one signed original completed copy of the proposal addressed to:

City Clerk
City of Rancho Cordova
2729 Prospect Park Drive, Suite 100
Rancho Cordova, CA 95670

Document Submittal

- d. Respondents to the RFP must choose to quote on all locations.
- e. Proposals must be received no later than 11:00 a.m. January 17, 2023. This means that proposals must be mailed prior to the due date in order for the City to receive them by the deadline. Hand delivery is acceptable. No proposals will be accepted after 11:00 a.m. on the bid due date.
- f. All information entered on the RFP must be clearly typed. No erasures are permitted. Errors may be crossed out and corrections printed in ink or typewritten adjacent and must be initialed in ink by the person signing the RFP. The outside of your sealed bid envelope should be marked "Janitorial Services RFP."
- g. All costs of provider's proposal preparation shall be borne by the provider.
- h. All materials submitted in response to this solicitation will become the property of the City and will be returned only at the City's option and at the expense of the vendor submitting the proposal. One copy of a submitted proposal will be retained for official files and become a public record. Any material that a vendor considers as confidential but does not meet the disclosure exemption requirements of the California Public Records Act should not be included in the vendor's proposal as it may be made available to the public.
- i. Failure to comply with any and all parts of the RFP may be considered non-conforming and ineligible for consideration.
- j. The City may reject any or all proposals, or where provided for in the RFP, portions of proposals. The City may reject proposals failing to conform to requirements set forth in the RFP. The City shall reject the response of any Bidder who received any form of consideration from the City for the preparation of the RFP, or any portion thereof. The City shall document the Contract Record regarding any decisions to reject all proposals, indicating why rejection is in the best interest of the City. The City will notify all Bidders, in writing, if the City rejects all quotes.

Mandatory Pre-Submittal Conference

- k. There is a mandatory pre-submittal conference scheduled on January 17, 2023, at 11:00am at City Hall, 2729 Prospect Park Drive.
- l. The purpose of this mandatory Pre-Submittal Conference is to permit interested Vendors to ask questions about the facilities in order to better understand the proposal requirements an authorized representative may attend on their behalf. A representative may only sign in for one Vendor.

2. Requests for Clarification or Modifications

Vendors interested in this solicitation may ask questions during the Pre-

Submittal Conference. No questions about the work or proposal will be answered before or after this meeting.

3. Requests for Additional Information

The City reserves the right to seek clarification or additional information from any vendor throughout the solicitation process. The City may require a Vendor's representative to answer questions during the evaluation process with regard to the Vendors' proposal. Failure of a Vendor to demonstrate that the claims made in its proposal are in fact true may be sufficient cause for deeming a proposal non-responsive.

4. Ambiguity, Discrepancies, Omissions

- a. If a Vendor submitting a proposal discovers any ambiguity, conflict, discrepancy, omission, or other error in this solicitation document, the Vendor shall immediately provide the Solicitation Contact Notice via email of the problem and request that the solicitation document be clarified or modified.
- b. If prior to the proposal deadline a Vendor submitting a proposal knows of or should have known of an error in the solicitation document but fails to notify the Solicitation Contact of the error, the Vendor shall submit a proposal at its own risk, and if the Vendor is awarded the purchase, the Vendor shall not be entitled to additional compensation or time by reason of the error or its later correction.

5. RFP Addenda

- a. The City may modify this solicitation document prior to the date fixed for submissions of proposals by posting any addenda on the City's website. If any potential Vendor determines that an addendum unnecessarily restricts its ability to propose, it must notify the Submittal Contact person no later than three (3) business days following the date the addendum was posted.
- b. It is the responsibility of all interested participants in this RFP process to check the City's website for the posting of any addenda. Pricing shall reflect all addenda issued by the City. Failure to do so will permit the City to interpret the bid to include all addenda issued in any resulting contract.

6. Contact with City

Vendors are specifically directed NOT to contact any City personnel or consultants for meetings, conferences, or discussions that are specifically related to this RFP at any time prior to any award of a contract. Unauthorized contact with any City personnel or consultants may be cause for rejection of the Vendor's response.

7. Negotiations

- a. If the City desires to enter into negotiations, it will do so with one or more Bidders at its discretion. If the City enters into negotiations and no contract is reached, the City can negotiate with other Bidders or make no award under this RFP. The City reserves the right to award a contract, if any, without negotiations.

8. Award of Contract

The Evaluation Committee will make a final recommendation for award of the contract. Upon award, the successful bidder will be required to execute a Contract in accordance with the Statement of Work and the General Conditions. Certificates of insurance with endorsements must be in conformance with the requirements set forth in the contract and included with the signed agreement. The period for execution of the Contract may be changed by mutual contract of the parties. Contracts are not effective until signed by both parties.

Proposal Evaluation Criteria

Selection Criteria

Selection of a vendor and determination of the award will be made to the qualified vendor whose proposal is determined to be of superior quality, responsive to the requirements of this RFP and competitively priced. Selection will result from the City's overall judgment that a proposal meets or exceeds its requirements, as measured against the following criteria (not listed in order of importance):

- Confidence that the vendor has the ability to best deliver high quality janitorial services consistent with the stated specifications.
- Superior responsiveness to specifications, quality of work plan, and demonstrated understanding of city security regulations. Vendor qualifications, office hours, and prompt and continuous availability of quality emergency services are critical.
- Financial feasibility and cost effectiveness of the bid.
- The number of years the Vendor has been providing this type of service.
- Vendor's capabilities in terms of qualifications and relevant past experience. Vendors shall indicate their past performance in providing similar services with organizations of similar size.
- Vendor's complete documentation of the number, scope and service specifications for similar services, including (a) a list of contact names, addresses and telephone numbers for such services, and (b) demonstration that the key people proposed and guaranteed as available by the Vendor to work on the project resulting from this RFP have participated

in a significant number of these services.

- Qualifications and experience of key individuals proposed and guaranteed as available and committed to this service. In the case of positions that will be filled by new-hires, the Vendor's stated and guaranteed minimum qualifications and the guaranteed start date of any to be hired.
- The reasonableness of the proposed work plan, including the capabilities and number of personnel and/or personnel hours allocated to specific tasks, a detailed description of each task, the time frames for completion and the logical sequence of tasks to be performed.
- The City may contact some or all of the references provided in order to determine the vendor's work performance. The City reserves the right to contact references other than those provided in the proposal and to use the information gained from them in the evaluation process.
- The City reserves the right to request additional information to assure itself of a vendor's financial status.

Contents of Proposal

Responsive bids should provide straightforward, concise information that satisfies the requirements of this solicitation. Emphasis should be placed on conformity to the City's instructions, requirements of this solicitation, and the completeness and clarity of content.

1. Executive summary

The vendor must provide an Executive Summary of its proposal. The Executive Summary should be a general overview of how the vendor proposes to accomplish the requirements of this RFP. The Executive Summary should demonstrate the vendor understanding of the requirements, particularly with Statement of Work. The vendor must also address in this section how it meets the qualification requirements.

2. Cover Page and Vendor Information

The vendor's proposal must provide the information requested below.

- a. Cover page to include complete name, address, company name, fax and phone numbers, and email address. The authorized signature and name of submitting authority must be included.
- b. Vendor profile and California locations (a short description of the vendor).
- c. Federal tax identification number.
- d. If incorporated, the state in which incorporated.
- e. A short narrative description of the vendor's organization, including organizational charts and indication of vendor officers, if applicable.
- f. Principle type of business.
- g. Total number of years in business.

- h. Number of years providing services similar in size and scope to those requested in this RFP.
- i. Significant transactional events in the past five (5) years such as: bankruptcies, mergers, acquisitions, initial public offerings (IPO's).

3. Qualifications, Experience and References

The City requires the vendor and its subcontractors to have prior experience in all aspects of the services described in this RFP for customers similar to or with relevance in the size, complexity and scope of this RFP. Vendor shall:

- a. Describe the vendor's experience as it pertains to providing services similar in size, complexity and scope to those required under this RFP and in the manner required pursuant to this RFP.
- b. Provide the names, addresses and telephone numbers for a minimum of three (3) customers for whom the vendor has provided similar products and services within the last 18 months. The vendor should include a brief description of the scope of services provided to the customer and the duration of the contract. The City may contact some or all of the references provided in order to determine the vendor's performance records. The City reserves the right to contact references other than those provided in the proposal and to use the information gained from them in the evaluation process.

4. Organizational Structure

- a. Include the Customer Service Structure, contact process, response time, and follow up procedures.
- b. Describe the escalation process to resolve outstanding service issues.
- c. Describe the procedures and practices for ongoing monitoring of employee performance.
- d. Describe the hiring and pre-employment screening procedures (fingerprinting, drug testing, criminal background check).
- e. Describe any on-going training plans including Green Cleaning.
- f. Describe the policy and utilization of back-up staff in the event of any absences.

5. Start-Up Plan

- a. Describe the employee training program that will be utilized at the start of the contract.
- b. Explain the staffing that will be used at both locations.
- c. Explain how the needs of the City will be met as per Statement of Work.

*Statement of Work***1. General Description**

- a. The City has a need for a Contractor to perform Green Cleaning janitorial services Monday through Friday after 6:00 p.m. An additional janitorial service (day porter) for 4 hours between 10:00 a.m. to 2:00 p.m. (2729 Prospect Park Drive, 2897 Kilgore Rd. and 2880 Gold Tailings Ct. **Only**) Monday through Friday. In the Technical Specifications for Janitorial Services, the frequency marked 2x daily and as needed will be performed by the janitorial service once during the hours of 10:00 a.m. to 2:00 p.m. and once by evening janitorial service.

Location	Square Feet
Rancho Cordova City Hall <u>Excluding suites: 117, 120, 130, 230</u> 2729 Prospect Park Drive Rancho Cordova, CA 95670	Approx.: 70,300
Rancho Cordova Police Station (RCPD) 2897 Kilgore Rd. Rancho Cordova, CA 95670	Approx.: 30,000
Rancho Cordova Neighborhood Center (RCNC) 2880 Gold Tailings Ct. Rancho Cordova, CA 95670	Approx: 4,400
Youth Center 10455 Investment Circle Rancho Cordova CA 95670	Approx: 9,500
Corporation Yard 3303 Luyung Drive Rancho Cordova, CA 95670	Approx: 2,030
Mather Art & Culture Center (MACC) 10191 Mills Station Road Rancho Cordova, CA 95670	Approx: 2,231

- b. Restrooms at each location:

	Total Restrooms	No. of Stalls	No. of Urinals	No. of Showers
2729 Prospect Park Drive	9	22	6	4
2897 Kilgore Rd.	9	18	3	3
2880 Gold Tailings Ct.	4	5	1	3
10455 Investment Circle	6	6	0	0
3303 Luyung Drive	3	3	1	0
Mills Station	4	6	2	0

2. Technical Specifications for Janitorial Services – Specific Requirements

Extent of Services	Frequency of Service
Floors – Public Areas	
Mop hard floors	Daily
Vacuum all carpet areas	
Empty exterior ashtrays	
Empties recycle and food waste containers	Daily
Replace recycle and food waste container liners	
Dust from floor level above	Weekly
Empty waste containers	2x Daily
Replace waste container liners	
Clean hand and fingerprints on glass doors	
Strip and wax all hard surface floors with anti-slip floor wax	Quarterly
Floors – Private Areas/Offices	
Dust and damp mop hard floors	Daily
Empty trash and recycling bins	
Vacuum carpet all areas	Daily
Dust from floor level above	Weekly
Strip and wax hard surface floors with anti-slip floor wax	Quarterly
Restrooms	
Refill all soap dispensers	2x Daily
Empty and clean waste containers, insert liners	2x Daily
Clean and sanitize all fixtures	
Replenish toilet tissue, paper towels, toilet seat liners, and feminine hygiene dispensers	
Clean and polish all metal and mirrors	
Spot clean walls, areas around fixtures, doors	
Damp Mop hard floor/tile	Daily
Clean and sanitize showers	
Clean and sanitize feminine hygiene disposal containers	
Report defective soap dispensers to facility manager	
Wash and sanitize walls and partitions	Daily
Dust fixtures, surfaces, ledges and vents	Weekly
Strip and wax tile with a anti-slip floor wax	Quarterly
Extent of Services	Frequency

Trash and Recycling Private Areas	
Empty all trash, recycling, and food waste	Daily
Replace all liners	
Empty trash and food waste in liquid tight container or vessel	
Empty exterior trash and recycling containers (except at 10191 Mills Station Rd.)	Daily
Miscellaneous	
Clean and sanitize drinking fountains	Daily
Sanitize sink and counter in staff break areas, kitchenettes, and catering kitchen	
Clean Range in kitchen (RCPD only)	
Spot clean interior and exterior glass doors	
Spot clean doors, door frames, counters, handles and railings	3x Week
Ensure floor drains have been wet treated in all restrooms, locker rooms, janitorial closets and catering kitchen	Weekly
Clean and sanitize exterior of all refrigerators	Weekly
Dust all surfaces, ledges and vents	Weekly
Carpet Shampooing/cleaning	Annually (Dec.)
Security and Maintenance	
Turn off all lights except night lights	Daily
Verify public entrances are locked	
Lock all doors	
Notify Facility Manager of irregularities (unlocked doors, plumbing problems, lights not working, etc.)	
Conference Rooms	
Vacuum all carpet	Daily
Empty trash, food waste and recycling and replace liners	
Dust blinds and windowsills	Weekly
Strip and wax catering kitchen with anti-slip wax	Monthly
Customer Service	
Review/check communication log	Daily
Customer service visits	Monthly

Please note services listing a frequency two-times daily cleaning will be serviced once daily during the daytime by the day porter and once in the evenings by the nightly janitorial crew.

3. Miscellaneous Services

Miscellaneous Services shall be included in the total monthly cost.

- a. Please include the following services for additional sites:
- b. At City Hall site, the contractor shall empty the exterior trash cans at 2701 Prospect Park Drive daily by Dayporter.
- c. At RCPD site, the contractor shall empty exterior trash cans at 2911 Kilgore Rd. daily by the Dayporter.

4. Refuse Separation

Contractor shall separate all waste, recycling and food waste and place in the proper dumpster bins labeled Trash, Recycling and Food Waste in accordance with the state law Senate Bill 1383.

5. Changes to the Specific Requirements

The City reserves the right to add or delete any given type of janitorial work to the requirements described in this Statement of Work. The cost shall be calculated or negotiated at the time the change is required. There may be a need for janitorial services on weekends for special after hour's events, including but not limited to special events held after hours or weekend events that continue after hours; notification will be given to the Contractor identifying the type of service and areas to be serviced. No modification or change to this Agreement, including any changes to this Statement of Work, will be valid without written approvals by the City in the form of an amendment, as set forth in General Terms and Conditions.

6. General Requirements

- a. Contractor shall furnish all necessary labor, supervision, travel, equipment, Materials and supplies to perform the services described in this Statement of Work.
- b. Contractor shall provide sufficient labor and supervision at all times to carry out the Work satisfactorily and shall ensure that only competent workers who are skilled in the type of work specified are employed. If the City determines that a person is incompetent or unsuitable, the Contractor shall immediately remove such person from performing any further service and make sure all keys/badges and any other items that belong to the City are returned to the City within 24 hours.
- c. Contractor shall keep a record of each of its employees working on this Agreement as follows:
 - Name, address and telephone number
 - Date of Birth
 - Social Security number
 - California Driver's License Number
 - City Work Location
 - Bi-Weekly hours worked
 - Emergency Contact Information
- d. The above information will be provided to the City prior to the employee working on site. The Social Security number shall be left off of the City copy.
- e. Contractor shall provide relief personnel as necessary to ensure that each assignment is performed per specifications and deliverables, regardless of

employee absenteeism.

- f. The lead person and all supervisors on any janitorial crew shall be able to read, write, speak and understand the English language to the extent required for communication in person, via telephone, and in writing with designated Facilities and City representatives in connection with the janitorial duties to be performed. Further, the communication ability shall extend to being able to call the appropriate law enforcement agencies and/or alarm company in the event of a break-in or inadvertent activation of a burglar alarm system. The English-speaking person shall be over the age of eighteen (18) years.
- g. Contractor is required to learn the proper operation of the security alarm systems used in the Facilities, if necessary, and ensure that the building is properly secured and locked when they are the last ones to leave the building after hours. In addition, the Contractor shall ensure that all employees are properly trained on safety and emergency procedures (such as fire building evacuations, etc.) for the facilities in which they work.
- h. Together with the City's Facility Manager, establish safety and security procedures that strictly control access to the City facilities, the facilities keys, and alarm systems.
- i. Contractor shall notify the City of any irregularities noted during performance of services including, but not limited to, doors left unlocked, lights not working or left on, defective plumbing, broken windows, broken bathroom fixtures, unstable or broken furniture, graffiti, vandalism and/or damage to the building or its contents.
- j. No unauthorized visitors or workers will be allowed on the Facilities premises. The City must approve all individuals visiting or working in the Facilities.
- k. Contractor employees are prohibited from using, tampering with, or removing from City premises City equipment, including, but not limited to, computers, networks, photo copiers, fax machines, telephones, printers, consumable supplies and office supplies. The removal of City equipment or consumable supplies is prohibited, and the City will seek prosecution of any individual(s) who may do so. The City will also seek financial restitution for the use and or removal of equipment and or supplies from the City. Contractor employees are also prohibited from moving or otherwise disturbing papers on desks or other work areas, removing any food stored in refrigerators or on desks, and opening any drawers or cabinets.
- l. If the City finds any Contractor's employees to not be satisfactorily performing the services as described in this Statement of Work, the City shall reserve the right to direct the Contractor to replace this employee immediately. This provision in no way requires the Contractor to terminate the employment of any employee replaced pursuant to this paragraph. Nor, by the terms of this section, does City endorse or approve (express or implied) any termination by Contractor of any employee replaced pursuant to this paragraph.
- m. The Contractor is responsible for maintaining satisfactory standards for employees regarding conduct appearance and integrity (i.e., use of foul language, use of City staff's personal items, cooking, phone and TV usage). The

Contractor's employees shall always present a neat and clean appearance while performing work at the facilities.

- n. Contractor shall ensure that staff working after business hours keeps voices, radios, and compact disc and tape players at a low decibel level so as not to disturb facilities staff.
- o. The Contractor shall conduct its Work in a manner that will cause a minimum of inconvenience to the facilities' employees and the general public. The facilities' business must be maintained without interruption during the progress of the Work, and no unnecessary interference shall be permitted.

7. Equipment

- a. The equipment used by Contractor and methods used in the handling of the Work will be such that a satisfactory quality of work will be maintained, and which will ensure compliance with the intent of the Agreement.
- b. In cases where particular types of equipment have been banned, or in cases where designated City contact or his or her designee has condemned for use any piece of equipment, the Contractor shall remove such equipment from the site of work. Failure to do so within a reasonable time may affect a breach of Agreement.
- c. All vacuums used must be equipped with Hepa Filtration.

8. Materials and Supplies

- a. Only Materials and supplies meeting Green industry standards will be acceptable in the performance of this Work. The Facility Manager reserves the right to specify the type and quality of all Materials used in the Work. In the event a substitution is necessary for a required Material, written Notice will be provided to the Contractor and a Material of equal value will be substituted at no additional cost to the City. Floor finishes, polishes, cleaners, detergents and germicides shall be harmless to the surfaces on which they are used. Floor wax shall be the "anti-slip" type.
- b. Under no circumstances will cleaning tools and Materials be left unattended during normal business hours.
- c. The Contractor shall handle chemicals provided at each site to minimize the possibility of exposure of facility occupants to acid based or caustic based Materials. A list of all chemicals and SDS sheets used for these services shall be submitted and pre-approved by City's designated contact.
- d. The City will supply to the Contractor light, power and hot and cold water as may be required for the performance of the Work.
- e. The City reserves the option to supply the Contractor with janitorial supplies such as toilet paper, paper towels, bag liners, and trash receptacles, at mutually agreed upon cost.
 - If it is agreed upon that the Contractor is to supply the above items, the Contractor shall replenish any of the items necessary, and before the stock of any item is depleted. The Contractor shall provide the City with an invoice detailing the supplies purchased, and the specific quantities to each individual location.
 - If the City obtains the supplies elsewhere, the Contractor shall notify the Facility Manager when replenishment of any of these items is necessary and before the stock of any item is depleted so that a sufficient supply remains until the stock is replenished.
- f. All unused products and empty containers shall be properly disposed of by the Contractor as required by Federal, state, and local laws and regulations. The Contractor shall provide the City with documentation of proper disposal of all

products and containers used in the performance of services.

9. Storage of Equipment and Materials

- a. The Contractor shall obtain prior approval from the designated City representative for any space or area required for storage of the Contractor's equipment and Materials. The City shall not be held liable for any loss or damages.
- b. Equipment and Materials shall not be piled or stored at any location to hinder normal business operations or to constitute a hazard to persons or property.
- c. All Materials which are stored in liquid form shall be stored on shelves not higher than three (3) feet above the floor.
- d. All products stored in secondary containers shall be properly labeled as to the contents.

10. Drug Testing/Criminal Background Check

- a. Prior to performing any Work, Contractor's employees shall be required to pass a drug test administered at a certified medical lab or facility. The Contractor shall be responsible for all costs to perform this drug test. The Contractor's employees will be required to sign a release form to provide a copy of the test results to the Contractor and the City.
- b. Personnel must successfully pass a criminal background check. The Contractor's employees will be required to sign a release form to provide a copy of the criminal background check to the Contractor and the City.

11. Hours of Operation and Holiday Schedule

- a. The Contractor is responsible for providing services as described herein between 6:00 p.m. and 12:00 a.m. regardless of the Contractor's holiday schedule. The Contractor shall review the sites observed holiday schedule with the City annually.
- b. The hours of work under a resulting Agreement shall be in accordance with, and subject to, the provisions of the State of California labor code. The City reserves the right to reschedule Contractor's hours of Work.
- c. The Contractor shall be available twenty-four (24) hours a day, seven (7) days a week to perform emergency services as requested by the City and shall begin to perform these services within two hours after receiving the City's service request. Such services shall be provided at a rate as set forth in Attachment B, Pricing Sheet.

12. Acceptance of Work, Inspection and Reporting Requirements

- a. The City's Facility Manager or his or her designee will make field inspections of the Contractor's Work at their discretion and will be responsible for signing-off acceptance of all the Work submitted. Prior to sign-off, Facility Manager will apply the acceptance criteria (including timeliness, completeness, technical accuracy and conformance to statistical, industry or marketplace standards) to determine if contractor's work is acceptable. Contractor shall provide the work

to the City, and City shall accept that Work, if delivered in accordance with the criteria. Facility Manager shall notify the Contractor of the Work's acceptability. If rejecting the Work, Facility Manager shall detail its failure to meet the criteria. Contractor shall have ten business days from receipt of notice of rejection to correct the failure(s) to conform to the criteria. For contractor's ongoing failure to meet the acceptance criteria, parties should refer to the dispute resolution provisions in General Terms and Conditions.

- b. Inspection shall not relieve the Contractor of its obligations to inspect and furnish Material and workmanship in accordance with the Agreement, Imperfections of Materials or workmanship overlooked by the inspectors shall not be exempted from rejection if they shall later be discovered.
- c. The Contractor's designated supervisor shall perform a monthly inspection of the work performed at the Facilities and submit a written report to the Facility Manager which shall provide enough information to determine if the Contractor is performing the work in accordance with this Statement of Work. The Facility Manager may then instruct the Contractor's designated supervisor to take immediate and appropriate action to resolve any deficiencies.

13. Customer Service

- a. The Contractor's customer service process shall ensure that all customer service issues are addressed in a consistent manner, including problem escalation and resolution. The Contractor must respond to all messages within a time period of eight (8) business hours (business hours are 8:00 a.m. to 5:00 p.m., Monday through Friday). The customer service process includes, but is not limited to:
 - Customer service organizational structure
 - Contact process (phone, email, fax, etc)
 - Follow up process
 - Internal procedures to track customer service contact and resolution
 - Escalation process to resolve outstanding service issues.
- b. Develop administrative, personnel and security policies that reflect an understanding of the City requirements (in conjunction with the City Facility Manager).
- c. Establish procedures and practices for ongoing monitoring of employee performance.
- d. Conduct regular and timely performance reviews for all staff.

Contract Requirements

Vendors should be aware that a contract for the services noted in this proposal will include all, but not be limited to, the following sections:

General Terms and Conditions

1. Accounting

Contractor will maintain a system of accounting and internal controls that meets Generally Accepted Accounting Principles (U.S. GAAP).

2. Audit; Retention of Records

- a. Audit. Upon reasonable Notice, Contractor will provide to the City, to any federal or state entity with monitoring or reviewing authority, or to City's authorized representatives, access to and the right to examine and audit all records and documents relating to performance and billing under this Agreement, and, as necessary, to determine compliance with relevant federal, state, and local statutes, rules, and regulations. Contractor agrees to provide the City with all relevant information requested, and will permit access to its premises at reasonable times, for the purpose of interviewing employees and inspecting and copying any relevant records.
- b. Retention of Records. Contractor will maintain all financial information, supporting documents, and all other records relating to performance and billing under this Agreement for a period in accordance with state and federal law. The minimum retention period will be four years from the date of the submission of the final payment request or until audit findings are resolved, whichever is later.

3. Assignment

Contractor will not assign its rights or obligations under this Agreement, either in whole or in part, without the prior written consent of the City, in the form of an Amendment. Any attempted assignment in violation of this clause shall be null and void.

4. Choice of Law; Jurisdiction and Venue

- a. Choice of Law. This Agreement and performance under it will be exclusively governed by the laws of the State of California without regard to its conflict of law provisions.
- b. Jurisdiction. Contractor irrevocably consents to the exclusive jurisdiction of the state and federal City's located in California in any legal action concerning or relating to this Agreement.

5. Certifications and Representations

Contractor's signature on the cover page shall also serve as certification for the following paragraphs, A-G below.

- a. ADA Compliance. Contractor certifies that it and its Subcontractors comply with applicable provisions of the Americans with Disabilities Act ("ADA") of 1990 (42 U.S.C. Sections 012101 et seq.), which prohibits discrimination on the basis of disability, as well as with all applicable regulations and guidelines issued pursuant to the ADA.
- b. FEHA Compliance. Contractor certifies that it and its Subcontractors comply with all applicable provisions of the Fair Employment and Housing Act, Calif. Gov. Code, § 12990 et seq., and all applicable regulations promulgated under Calif. Code of Regulations, title 2, § 7285 et seq.

Contractor certifies that it and its Subcontractors will not unlawfully discriminate against any employee or applicant for employment because of race, religion, color, national origin, ancestry, disability, marital status, age (over 40), sex, or sexual orientation. Contractor will ensure that the evaluation and treatment of employees and applicants for employment are free of such discrimination.

Contractor certifies that it and its Subcontractors will not unlawfully harass, including sexually harass, any persons with whom Contractor or its Subcontractors interact in the performance of this Work. Contractor and its Subcontractors will take all reasonable steps to prevent such harassment.

- c. Labor Code Section 1060(b) (1) The Displaced Janitor Opportunity Act. Contractor certifies that it will meet any and all requirements contained in Labor Code Section 1060(b)-(f) of The Displaced Janitor Opportunity Act and provide documentation to the City.
- d. Section 504 of the Rehabilitation Act of 1973. Pursuant to Section 504 (Public Law 93-112), the Contractor agrees that no otherwise qualified disabled individual shall, solely by reason of a disability, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination in the performance of this contract.

Compliance of Section 504 of the Rehabilitation Act of 1973, as amended, requires that all benefits, aids, and services are made available to disabled persons on an equivalent basis with those received by non-disabled persons. Contractor shall agree to be in compliance with Section 504 requirements.

- Non-Discrimination – General. No person shall, on the grounds of age (over 40), ancestry, creed, color, disability, marital status, medical conditions, national origin, political or religious affiliation, race, sex, sexual orientation or any non-job related criteria be excluded from participation in, be denied benefits, or be subjected to discrimination under this Agreement.
- Non-Discrimination – Employment. Contractor shall ensure equal opportunity employment based on objective standards of recruitment, selection, promotion, classification, compensation, performance evaluations, and management relations, for all employees under this Agreement. Contractor's equal employment opportunity policies shall be made available to the City upon request.
- e. Drug-free Workplace. Contractor certifies that it and its Subcontractors will provide a drug- free workplace as required by Calif. Gov. Code, § 8355-8357.
- f. Labor/Collective Bargaining. Contractor certifies that it and its Subcontractors will provide Notice of their obligations under the foregoing provisions to labor organizations with which it or they have collective bargaining agreements, prior to execution of this Agreement.
- g. National Labor Relations Board (NLRB) Certification. Contractor certifies that, within the immediately preceding two-year period, no more than one final,

unappealable finding of contempt of court by a federal court has been issued against Contractor because of Contractor's failure to comply with an order of the National Labor Relations Board.

6. Changes in Work

- a. The City reserves the right to require Contractor to make changes in the Work, which may include additions, deletions, or modifications to the Work, or changes in the timing or level of effort for the Work. Contractor may also request additions, deletions or modifications to the Work
- b. For any change proposed by the City or Contractor, Contractor will submit in writing:
 - i. A description of the proposed change and the reasons for the change;
 - ii. A summary of the total compensation to be paid Contractor with a breakdown of Tasks and costs, including any increase or reduction in work or costs resulting from the change; and
 - iii. A statement of the expected impact on schedule.
- c. If, with respect to any change requested by the City, the City agrees to the terms submitted by Contractor under this section, Contractor shall undertake such change following execution of an Amendment documenting such change(s). If the City and Contractor agree on any change requested by Contractor, Contractor may undertake such change following execution by the parties of an Amendment documenting such change(s).
- d. If the parties cannot agree to the terms of a change, Contractor will proceed diligently with Work unless otherwise directed by the City, and any continuing disagreement will follow the dispute resolution process set forth in Section 11. Contractor should not proceed with any change prior to receiving a written directive or Amendment from the City. All costs for changes performed by Contractor without City's prior written approval will be at Contractor's sole risk and expense.

7. Stop Work.

- a. The City may, at any time, by delivery of a written Stop Work Order to Contractor, require Contractor to stop any or all of the Work, for ninety days after the Stop Work Order is delivered to Contractor, and for any further period to which the parties may agree.
- b. Upon receipt of the Stop Work Order, Contractor will immediately comply with its terms and take all reasonable steps to minimize the costs incurred to the City during the applicable Stop Work period. Within ninety days after a Stop Work Order is delivered to Contractor, or within any mutually agreed extension of that period, The City will either cancel the Stop Work Order or terminate the Work, as provided in Section 22 (Termination).
- c. If a Stop Work Order is cancelled, or the period of the Stop Work Order or any extension thereof expires, Contractor will resume Work. The City may make an

equitable adjustment in the delivery schedule, the Agreement Amount, or both, if (a) the Stop Work Order increases Contractor's costs or the time required for performance; and (b) Contractor asserts its right to an equitable adjustment within thirty days after the end of the applicable Stop Work period.

- d. If a Stop Work Order is not canceled and the Work covered by the Stop Work Order is terminated other than for cause, The City may allow reasonable costs resulting from the Stop Work Order.
- e. The City will not be liable to Contractor for loss of profits because of any Stop Work Order.

8. Confidential Information

- a. Requirements of Strict Confidence. While performing Work under this Agreement, Contractor and its Subcontractors may gain access to Confidential Information that, if disclosed to Third Parties, may be damaging to the City, its personnel, city users, or other government entity. Neither Contractor nor its Subcontractors acquires any right or title to the Confidential Information, and Contractor and its Subcontractors agree not to disclose any Confidential Information to any Third Party. All Confidential Information disclosed to Contractor or its Subcontractor will be held in strict confidence and used only in performance of Work under this Agreement. In the event of any unauthorized disclosure or loss of Confidential Information, Contractor will immediately provide Notice to the City, with pertinent details of the unauthorized disclosure or loss, and any remedial measures taken.
- b. Permissible Disclosures. Contractor may disclose City's Confidential Information on a "need to know" basis to Contractor's employees and Subcontractors and any representatives of the City that are working on the project. Additionally, Contractor may disclose the Confidential Information, to the extent necessary to (i) comply with any applicable law, rule, regulation, or ruling; (ii) respond to any enforceable summons or subpoena; or (iii) enforce its rights under this Agreement.

9. Conflict of Interest

- a. Contractor covenants that it and its Subcontractors presently have no interest, and will acquire no interest, which would directly or indirectly conflict in any manner or to any degree, with the full and complete performance required under this Agreement. Contractor further agrees to submit full disclosure statements, if required by law to do so, pursuant to the requirements of the California Fair Political Practices Act or any other applicable federal or state law, regulation, or conflict of interest code.
- b. Contractor and its Subcontractors and employees will not participate in proceedings that involve the use of the City funds or that are sponsored by the City if the Contractor, its Subcontractors, or their employees, principals, partners, family members, or organizations have a financial interest in the outcome of the proceedings.
- c. Contractor and its Subcontractors and employees will not engage in actions

resulting in, or creating the appearance of:

- Use of an official position with the government for private gain;
- Preferential treatment to any particular person associated with this Work or Agreement;
- Impairment of City's independence or impartiality;
- A decision made outside official channels; or
- Adverse effects on the confidence of the public in the integrity of City.

10. Prohibition Against Gratuities.

- a. Contractor covenants that no gratuities, in the form of entertainment, gifts, or otherwise, were offered by Contractor or any agent, director, or representative of Contractor, to any officer, official, agent, or employee of the City, in an effort to secure the Agreement or favorable treatment with respect to any determinations concerning the performance of the Agreement.
- b. For any breach or violation of this covenant, the City has the right to terminate the Agreement for cause, whether whole or in part. Any loss or damage sustained by the City in procuring, on the open market, replacement goods or services that Contractor agreed to provide, will be borne and paid for by Contractor. City's rights and remedies under this provision are in addition to any other rights and remedies provided by law or under this Agreement.

11. Consideration

The consideration paid to Contractor is the entire compensation for all Work performed under this Agreement, including all of Contractor's expenses incurred, such as travel and per diem expenses, unless otherwise expressly provided.

- a. Payment Does Not Imply Acceptance of Work. City's payment will not relieve Contractor from its obligation to replace unsatisfactory Work, even if the unsatisfactory character of such Work may have been apparent or detected at the time such payment was made. Work, that does not conform to requirements of this Agreement will be rejected, and will be redone by Contractor, without delay or additional cost to the City.
- b. Disallowance. If Contractor receives payment from the City for a service or reimbursement that is later disallowed or rejected by the City, Contractor will promptly refund the disallowed amount to the City upon City's request. At its option, the City may offset the amount disallowed from any payment due to Contractor, under this Agreement or any other agreement.

12. Contractor Status

- a. Independent Contractor.
 - i. Contractor, Subcontractors, and their agents, employees, and all others acting on behalf of Contractor for this Work, act as independent Contractors and not as the City agents, or employees. Contractor has no authority to bind or incur any obligation on behalf of the City. Contractor

has no authority or responsibility to exercise any rights or power vested in the City.

- ii. This Agreement will not be considered under any circumstance to create a joint-venture relationship.
- iii. If any governmental entity concludes that Contractor is not an independent Contractor, the City may terminate this Agreement immediately upon Notice. Alternatively, Contractor may agree to a reduction in City's financial liability, so that City's total costs under this Agreement do not exceed the originally contemplated amount.

b. Contractor's Employees.

- i. Contractor's employees will be entirely and exclusively under the direction, supervision, and control of Contractor. All terms of employment including hours, wages, working conditions, discipline, hiring, and termination, or any other employment issues or requirements of law, will be determined by Contractor.
- ii. On site employees must not have a criminal history and/or currently be on probation or parole (reference not in violation of Labor Code 432.7).
- iii. Contractor will issue W-2 forms or other forms as required by law for income and employment tax purposes for all of Contractor's employees, consultants, and independent Contractors.
- iv. If the Internal Revenue Service or any other federal or state governmental entity should investigate or challenge Contractor's independent status with respect to the City, the parties agree that (i) each will inform the other party of such investigation or challenge; and (ii) The City will have the right, but not the obligation, to participate in any discussion or negotiation occurring with the federal or state entity, regardless who initiates such discussions or negotiations.
- v. Contractor will indemnify and hold the City harmless from all claims, costs, and liabilities resulting from third-party actions alleging an employment relationship between the City and any Contractor or Subcontractor personnel.

c. Exclusive Control of Means and Method of Performance. Contractor will determine the method, details, and means of performing or supplying the Work under this Agreement. Contractor will be responsible to the City only for the requirements and results specified in this Agreement and more particularly as set forth – Statement of Work, and will not be subjected to City's control with respect to the physical action or activities of Contractor in fulfillment of this Agreement. Contractor will have the "right to control" and bear the sole responsibility for the job site conditions and safety.

d. Permits, Laws, and Regulations.

- i. Contractor must observe and comply with all applicable laws, rules, and regulations affecting the Work. During the term of this Agreement,

Contractor will obtain and keep in full force and effect, all permits and licenses necessary to accomplish the Work. Such permits and licenses will be made available to the City, upon request.

- ii. Contractor will promptly provide Notice to the City of any conflict discovered between this Agreement and any applicable laws, rules, regulations, and/or permits and licenses, and await resolution of the conflict. If Contractor proceeds with the Work in question without resolution of the conflict, Contractor will be solely liable for any costs, fines, penalties, or damages that accrue, including costs for remedial work required to comply with such requirements.
- e. Subcontracting.
 - i. Contractor will not engage a Subcontractor to perform any portion of this Work, without the express written consent of the City. Any Subcontracting without City's written consent is a material breach of this Agreement.
 - ii. Contractor warrants and represents that all Subcontractors will be subject to and bound by the same terms and conditions applicable to Contractor under this Agreement. Contractor will be liable for all acts or omissions for employees, Subcontractors or other Third Party performing service under this Agreement, including any and all indemnity obligations.
- f. Signature Authority. Contractor has all requisite power and authority to conduct its business, and to execute and perform the Agreement.

13. Dispute Resolution

City and Contractor will attempt, in good faith, to resolve any disputes informally. Contractor will meet with City's Facility Manager or other designated representative to discuss the matter and any actions necessary to resolve a dispute.

- a. Escalation.
 - i. If a dispute remains unresolved following Notice by either party, each party's Chief Executive Officer ("CEO") or designated representative will meet to exchange information and attempt resolution within fifteen days of the effective date of the Notice.
 - ii. If the matter is not resolved as set forth in Section 11.A.1, the aggrieved party will submit a second Notice which will:
 - Provide detailed factual information;
 - Identify the specific provisions in this Agreement on which any demand is based;
 - Advise if the demand involves a cost adjustment and, if so, provide the exact amount, accompanied by all supporting records; and
 - Attach a declaration that the demand is made in good faith, the supporting data are accurate and complete, and the amount

requested properly reflects the necessary adjustment. Notice will be signed by an authorized representative of the aggrieved party.

- iii. Each party will comply with reasonable requests for additional information. Any additional information will be provided within fifteen days after receipt of a written request, unless otherwise agreed.

b. Confidentiality During Dispute Resolution.

- i. All dispute resolution negotiations are considered confidential, and will be treated as compromise and settlement negotiations, to which California Evidence Code § 1152 applies.
- ii. Pending final resolution of any dispute, Contractor agrees to proceed diligently with the performance of the Work, including Work associated with the dispute, unless otherwise directed by the City. Contractor's failure to diligently proceed in accordance with City's instructions will be considered a material breach of the Agreement.

14. Force Majeure

- a. Force Majeure events include, but are not limited to:
 - i. Catastrophic acts of nature, or public enemy;
 - ii. Civil disorder;
 - iii. Fire or other casualty for which a party is not responsible; and
 - iv. Quarantine or epidemic.

The party asserting a Force Majeure event will immediately provide Notice to the other party of the occurrence and nature of the Force Majeure event, and its expected impact on schedule. The party claiming Force Majeure will use commercially reasonable efforts to continue or resume performance, including alternate sources or means. Contractor will have no right to additional payment for costs incurred as a result of a Force Majeure event.

- b. Any assertion of a Force Majeure event by Subcontractors will be attributed to Contractor.

15. Indemnification

- a. To the fullest extent permitted by law, Contractor will indemnify, hold harmless, and defend (with counsel satisfactory to the City) The City and its agents, officers, and employees from and against any and all claims, damages, losses, judgments, liabilities, expenses, and other costs, including litigation costs and attorneys' fees, arising or resulting from, or in connection with, the performance or breach of this Agreement by Contractor or its officers, employees, agents, representatives, or Subcontractors. Such indemnification will not include loss, damage, or expense arising from the sole negligence or willful misconduct of the City or its agents, officers, and employees.
- b. Contractor's obligation to defend, indemnify, and hold the City and its agents, officers, and employees harmless is not limited to, or restricted by, any

requirement in this Agreement that Contractor procure and maintain a policy of insurance.

16. Insurance

- a. General Insurance Requirements. Contractor will obtain and maintain the minimum insurance set forth in subparagraph B, below. By requiring such minimum insurance, the City will not be deemed or construed to have assessed the risks applicable to Contractor. Contractor will assess its own risks, and if it deems appropriate and/or prudent, maintain greater limits and/or broader coverage. For full coverage, each insurance policy shall be written on an "occurrence" form; excepting that insurance for professional liability, when required, may be acceptable on a "claims made" form. If coverage is approved and purchased on a "claims made" basis, Contractor warrants continuation of coverage, either through policy renewals or the purchase of an extended discovery period, for three years from the date of completion of the Work.
- b. Minimum Scope & Limits of Coverage. Contractor will maintain the following coverage:
 - i. Workers' Compensation at statutory requirements of the state of residency.
 - ii. Employers' Liability with minimum limits of **\$1,000,000.00** for each accident.
 - iii. Commercial General Liability Insurance with minimum limits of **\$2,000,000.00** for each occurrence and annual aggregate. The Contractor may satisfy these limits of liability through any combination of primary, excess or umbrella insurance. Each policy must include coverage for liabilities arising out of premises, operations, independent contractors, products and completed operations, personal and advertising injury, and liability assumed under contract. The policy must not contain exclusions for replacement of lost keys or the cost to install new locks or for damage to the City's property that must be repaired or replaced because work was performed incorrectly.
 - iv. Business Automobile Liability Insurance with minimum limits of **\$1,000,000.00** for each occurrence, Combined Single Limit Bodily Injury and Property Damage, including owned and non-owned and hired automobile coverage, as applicable.
 - v. A Crime Insurance covering the dishonest acts of employees furnished by Contractor, including coverage for theft of property of the City by the Contractor, its employees or subcontractors. The limit shall not be less than **\$250,000** each occurrence.
- c. Deductibles and Self-Insured Retentions. Any deductibles or self-insured retentions must be declared to, and approved by, the City. The deductible and/or self-insured retentions will not limit or apply to Contractor's liability to the City and will be the sole responsibility of Contractor.
- d. Endorsements; Additional Insureds. The General Liability policy will contain, or

be endorsed to contain, the following provisions:

- i. City, its officers, officials, employees and agents will be covered as additional insureds for liability arising out of activities performed by, or on behalf of, Contractor;
 - ii. To the extent of Contractor's negligence, Contractor's insurance coverage will be primary insurance as respects City, its officers, officials, employees and agents. Any insurance and/or self-insurance maintained by City, its officers, officials, employees or agents will not contribute with the insurance, or benefit Contractor in any way;
 - iii. Contractor's insurance will apply separately to each insured against whom a claim is made and/or lawsuit is brought, except with respect to the limits of the insurer's liability;
 - iv. Contractor will provide City with certificates of insurance satisfactory to City, evidencing all required coverages before Contractor begins any Work, and complete copies of each policy upon City's request;
 - v. If at any time, the foregoing policies become unsatisfactory to City, as to form or substance, or if a company issuing any such policy becomes unsatisfactory to City, Contractor will, upon Notice from City, promptly obtain a new policy, and submit the same to City, with the appropriate certificates and endorsements, for approval;
 - vi. All of Contractor's policies will be endorsed to provide Notice to City of cancellation, non-renewal, and reduction in coverage, within fifteen days, mailed to the City's representative for Notices named on the Agreement Cover Sheet. Such Notice will reference the relevant project, and Agreement number.
- e. Waiver of subrogation. Contractor and its insurance carrier waive any and all rights of subrogation against the City. This waiver will be reflected on the Certificate of Insurance, provided by Contractor. If Contractor fails to obtain the appropriate waivers of subrogation, additional insured status, or certificates of insurance from carrier, Contractor will indemnify City from all costs and liability caused by Contractor's breach.

17. Limitation of Liability

City will not be liable to Contractor, its officers, employees, Subcontractors, or Third Parties for any indirect, special, incidental, or consequential damages, including lost profits or revenue, arising from or relating to this Agreement, regardless whether City was advised of the possibility of such loss or damage. In no event will City's liability for direct damages arising from or related to this Agreement, for any cause whatsoever, and regardless of the form of action, whether in Agreement or in tort, exceed the amounts paid to Contractor by City under this Agreement.

18. Safety Data Sheets

If any of the products used by Contractor to perform the Work are on CAL OSHA's "Hazardous Substances List," Contractor shall forward a completed Safety Data Sheet

(SDS) to the City.

19. Modification.

No modification or change to this Agreement will be valid without written approval by City, in the form of an Amendment, including any changes to Statement of Work.

20. Statement of Work; Acceptance

- a. Statement of Work. Contractor will perform and complete all Work described in Statement of Work, in compliance with the requirements of this Agreement, and to the satisfaction of City.
- b. Acceptance. All Work provided by Contractor under this Agreement is subject to written acknowledgement and acceptance by City's Facility Manager. The City's Facility Manager will apply the acceptance criteria set forth in – Statement of Work, (including timeliness, completeness, technical accuracy and conformance to statistical, industry or marketplace standards) to determine acceptance or non-acceptance of the Work.
 - i. If the Work is not acceptable, Facility Manager shall detail its failure to meet the acceptance criteria. Contractor shall have ten business days from receipt of Notice to correct the failure(s) to conform to the acceptance criteria. Contractor will re-submit the Work and the Facility Manager shall re-apply the acceptance criteria to determine its acceptance or non-acceptance. Thereafter, the parties shall repeat the process set forth in this section 18 until Contractor's receipt of the City's written acceptance of such corrected Work; provided, however, that if the City rejects any Work on at least two (2) occasions, the City may terminate that portion of this Agreement which relates to the rejected Work at no expense to the City.
- c. Prior Work. Prior work, performed by Contractor pursuant to City's authorization, but before execution of this Agreement, will be considered as having been performed subject to the provisions of this Agreement.
- d. Non-Exclusivity. This is a non-exclusive agreement. The City reserves the right to perform, or have others perform the Work of this Agreement. The City reserves the right to bid the Work to others or procure the Work by other means.

21. Standard of Performance; Warranties

- a. Standard of Performance. Contractor will perform all Work with the requisite skill and diligence consistent with professional standards for the industry and type of work performed under the Agreement, and pursuant to the governing rules and regulations of the industry. Contractor understands that the City relies on the accuracy, competence, and completeness of Contractor's services.
- b. Warranties.
 - i. Services Warranty. Contractor warrants and represents that the services rendered and Work performed under this Agreement shall be performed in a competent and professional manner with requisite skill and diligence consistent with professional standards for the industry and type of work being performed, and in compliance with all applicable laws, rules and regulations. Contractor further warrants and represents that each of

Contractor's employees, subcontractors, and agents assigned to perform the Work shall possess the training, background, and skills reasonably commensurate with the level of performance required. Contractor hereby acknowledges that the City relies on the accuracy, competence, and completeness of the services and Work to be performed hereunder by Contractor.

- ii. Non-Infringement. Contractor represents and warrants to the City that it is and will be either own, or be authorized to use for its own and the City's benefit, all intellectual property rights used and to be used in connection with providing and/or performing the Work.
- iii. All warranties will inure to the City, its successors, assigns, customer agencies, and users of the Work provided hereunder.
- iv. Unless otherwise specified, the warranties set forth in this section 19 commence after Work has been approved by the City.

c. Personnel Requirements.

- i. Contractor will use adequate numbers of qualified individuals with suitable training, education, experience, and skill to perform the Work. For continuity, Contractor will endeavor to retain the same individuals as proposed during the performance of Work.
- ii. The City reserves the right to disapprove Contractor's personnel, if dissatisfied with their performance. Upon receipt of such Notice, Contractor will immediately assign replacement personnel, with equivalent or greater experience and skills, who are acceptable to the Facility Manager.
- iii. Contractor will be responsible for all costs associated with replacing personnel, including additional costs to familiarize replacement personnel with the Work. If Contractor does not promptly furnish replacement personnel acceptable to the Facility manager, the City may terminate this Agreement for cause.
- iv. No minor under 18 years of age shall work in any City facility without the express written approval of the City's Facility Manager.

d. Background Checks.

- i. For Contractor's employees, Subcontractors, or agents performing work, and with access to City's systems (on-site or remotely) in the performance of their Work under this Agreement, the City will have the right, but not the obligation, to request or conduct a background check, before granting access to City's premises or systems or at any other time.
- ii. Contractor will cooperate with the City in performing any background checks; will provide prompt Notice to the City of:
 - Any person refusing to undergo such background check, and will immediately remove person from the project, and
 - The results of any background check as requested by the City.
- iii. Contractor will obtain all releases, waivers, or permissions required for the

release of such information to the City. Any additional costs will be borne by Contractor.

- iv. Verification of clearance for any employees with access and entry into the facilities must be received by the City PRIOR to the start of Work.

22. Survival

Terms that will survive termination or expiration of this Agreement include, but are not limited to: Assignment, Audit Rights and Retention of Records, Confidentiality, Indemnification, Limitation of Liability, Warranties.

23. Term

This Agreement shall be effective March 1, 2023 and shall remain in effect for an initial three-year term, unless otherwise terminated as provided herein. This Agreement is of no force or effect until signed by both parties. Contractor shall not perform any of its obligations under this Agreement, until this Agreement is fully executed. The City shall have the option to extend this Agreement for two additional one-year periods.

24. Termination

- a. Termination for Cause. The City may terminate this Agreement, in whole or in part, and be relieved of any payments, if Contractor fails to perform the requirements of this Agreement at the time and in the manner agreed. The City may proceed with the Work in any manner deemed proper. All costs to the City arising from Contractor's default, including costs to complete or correct the Work, and any and all costs associated with re-keying any City facility, will be deducted from any sum due Contractor. Contractor will not be entitled to recover overhead or profit on the uncompleted portions of the Work.
- b. Termination for Convenience.
 - i. The City may terminate this Agreement, in whole or in part, at any time and for any reason, upon at least thirty days Notice to Contractor. Upon receipt of the termination Notice, Contractor will promptly discontinue Work as specified in the Notice.
 - ii. If the City terminates all or part of this Agreement other than for cause; the City will pay Contractor for the Work satisfactorily performed prior to the termination. Contractor will not recover overhead or profit on the uncompleted portions of the Work.
- c. Termination due to Fund Appropriation and Availability.
 - i. City's obligations under this Agreement are subject to the availability of funds authorized for this Work. Expected or actual funding may be withdrawn, reduced, or limited prior to the expiration or other termination of this Agreement. Funding beyond the current Appropriation Year is conditioned upon appropriation of sufficient funds to support the activities described in this Agreement.
 - ii. Upon Notice, the City may terminate this Agreement in whole or in part, without prejudice to any right or remedy of the City, for lack of

appropriation of funds. Upon termination, the City will pay Contractor for the fair value of Work satisfactorily performed prior to the termination, not to exceed the total Agreement amount.

d. Effect of Termination.

- i. Upon any expiration or termination, the City will have the right to take possession of any materials, equipment, deliverables, and other Work including partially completed Work. Contractor will immediately assign to the City all of Contractor's right, title, and interest in and to such Work and related materials and work product, and any and all intellectual property rights.
- ii. Upon termination of any kind, the City may withhold from payment any sum that the City determines to be owed to the City by Contractor, or necessary to protect the City against loss due to outstanding liens or claims of former lien holders.

25. Time is of the Essence.

Time of performance is of the essence in the performance of services by Contractor under this Agreement.

26. Waiver; Severability

- a. Waiver of Rights. City's action, inaction, or failure to enforce any right or provision of this Agreement is not a waiver of its rights, and will not prevent the City from enforcing such rights on any future occasion.
- b. Severability. The provisions of this Agreement will be effective in all cases, unless otherwise prohibited by applicable state or federal law. The provisions of this Agreement are separate and severable. The invalidity of any sentence, paragraph, provision, section, or portion of this Agreement will not affect the validity of the remainder of this Agreement.

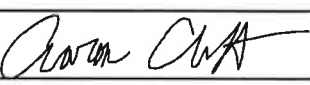
CI CW A02 10 11

CERTIFICATE OF INSURANCE

This certificate is issued for informational purposes only. It certifies that the policies listed in this document have been issued to the Named Insured. It does not grant any rights to any party nor can it be used, in any way, to modify coverage provided by such policies. Alteration of this certificate does not change the terms, exclusions or conditions of such policies. Coverage is subject to the provisions of the policies, including any exclusions or conditions, regardless of the provisions of any other contract, such as between the certificate holder and the Named Insured. The limits shown below are the limits provided at the policy inception. Subsequent paid claims may reduce these limits.

Certificate Holder: CITY OF RANCHO CORDOVA 2729 PROSPECT PARK DR RANCHO CORDOVA, CA USA 956706291	Named Insured: SCOTT WATERS 9521 FOLSOM BLVD STE R SACRAMENTO CA 95827-1208 DBA: City Wide Maintenance
---	---

Automobile Liability			
Insurer Name: Allstate Insurance Company			
Policy Number: 648882277			
☐ 1 -- Any Auto	☐ 2 -- Owned Autos Only	☐ 3 -- Owned Priv. Pass. Autos Only	
☐ 4 -- Owned Autos Other Than Priv. Pass. Autos Only	☐ 5 -- Owned Autos Subject to No Fault	☐ 6 -- Owned Autos Subject to a Compulsory UM Law	
☒ 7 -- Specifically Described Autos	☒ 8 -- Hired Autos Only	☒ 9 -- Nonowned Autos Only	
Policy Effective Date : 03-20-2023		Policy Expiration Date: 03-20-2024	
Limits of Insurance:	\$1,000,000	Combined Single Limit (each accident)	
	BI Per Person	BI Per Accident	PD Per Accident
Description of Operations/Locations/Vehicles/Endorsements/Special Provisions			
Interested Party Type: Additional Insured - All Other			
THIS CERTIFICATE DOES NOT GRANT ANY COVERAGE OR RIGHTS TO THE CERTIFICATE HOLDER. IF THIS CERTIFICATE INDICATES THAT THE CERTIFICATE HOLDER IS AN ADDITIONAL INSURED, THE POLICY(IES) MUST EITHER BE ENDORSED OR CONTAIN SPECIFIC LANGUAGE PROVIDING THE CERTIFICATE HOLDER WITH ADDITIONAL INSURED STATUS. THE CERTIFICATE HOLDER IS AN ADDITIONAL INSURED ONLY TO THE EXTENT INDICATED IN SUCH POLICY LANGUAGE OR ENDORSEMENT.			

Producer: AARON CLIFT	
Authorized Representative: 	
Date: 01-04-23	

Includes copyrighted material of Insurance Services Office, Inc., with its permission

POLICY NUMBER: 648882277

COMMERCIAL AUTO
CA 20 48 10 13**THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.****DESIGNATED INSURED FOR
COVERED AUTOS LIABILITY COVERAGE**

This endorsement modifies insurance provided under the following:

AUTO DEALERS COVERAGE FORM
BUSINESS AUTO COVERAGE FORM
MOTOR CARRIER COVERAGE FORM

With respect to coverage provided by this endorsement, the provisions of the Coverage Form apply unless modified by this endorsement.

This endorsement identifies person(s) or organization(s) who are "insureds" for Covered Autos Liability Coverage under the Who Is An Insured provision of the Coverage Form. This endorsement does not alter coverage provided in the Coverage Form.

This endorsement changes the policy effective on the inception date of the policy unless another date is indicated below.

Named Insured: SCOTT WATERS**Endorsement Effective Date:** 03-20-2023**SCHEDULE****Name Of Person(s) Or Organization(s):**CITY OF RANCHO CORDOVA
2729 PROSPECT PARK DR
RANCHO CORDOVA, CA USA 956706291

Information required to complete this Schedule, if not shown above, will be shown in the Declarations.

Each person or organization shown in the Schedule is an "insured" for Covered Autos Liability Coverage, but only to the extent that person or organization qualifies as an "insured" under the Who Is An Insured provision contained in Paragraph A.1. of Section II – Covered Autos Liability Coverage in the Business Auto and Motor Carrier Coverage Forms and Paragraph D.2. of Section I – Covered Autos Coverages of the Auto Dealers Coverage Form.



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

7/10/2023

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER THINK Ins & Fin Svs, LLC 300 S Park Ave Suite 903 Pomona CA 91766		CONTACT NAME: Ashley Kyes PHONE (A/C, No, Ext): (855) 484-4654 E-MAIL: Ashley@think-ins.com ADDRESS:		FAX (A/C, No):
		INSURER(S) AFFORDING COVERAGE		NAIC #
		INSURER A: EMPLOYERS PREFERRED INS CO		10346
		INSURER B:		
		INSURER C:		
		INSURER D:		
		INSURER E:		
		INSURER F:		

COVERAGES

CERTIFICATE NUMBER:

REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
	COMMERCIAL GENERAL LIABILITY ☐ CLAIMS-MADE ☐ OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: ☐ POLICY ☐ PRO-JECT ☐ LOC OTHER:						EACH OCCURRENCE \$ DAMAGE TO RENTED PREMISES (Ea occurrence) \$ MED EXP (Any one person) \$ PERSONAL & ADV INJURY \$ GENERAL AGGREGATE \$ PRODUCTS - COMP/OP AGG \$ \$	
	AUTOMOBILE LIABILITY ☐ ANY AUTO ☐ OWNED AUTOS ONLY ☐ SCHEDULED AUTOS ☐ HIRED AUTOS ONLY ☐ NON-OWNED AUTOS ONLY						COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$	
	UMBRELLA LIAB ☐ OCCUR EXCESS LIAB ☐ CLAIMS-MADE DED ☐ RETENTION \$						EACH OCCURRENCE \$ AGGREGATE \$ \$	
A	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N	N/A	Y	EIG4898119-01	12/08/2022	12/08/2023	☒ PER STATUTE ☐ OTH-ER E.L. EACH ACCIDENT \$ 1,000,000 E.L. DISEASE - EA EMPLOYEE \$ 1,000,000 E.L. DISEASE - POLICY LIMIT \$ 1,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

The City of Rancho Cordova, its elected officials, officers, agents, and employees.

CERTIFICATE HOLDER

CANCELLATION

The City of Rancho Cordova Insurance Compliance PO Box 100085 - II Duluth GA 30096	SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE <i>Ashley Kyes</i>
---	---

© 1988-2015 ACORD CORPORATION. All rights reserved.

MEMORANDUM



ITEM 9.6.

DATE: August 7, 2023
TO: Honorable Mayor and Council Members
FROM: Albert Stricker, Public Works Director
Jesse Yabes, Assistant Civil Engineer
SUBJECT: **A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE CONTRACT AMENDMENT NO. 2022-67-1 WITH BENNETT ENGINEERING SERVICES, INC. TO INCREASE THE CONTRACT AMOUNT FROM \$733,170 TO AN AMOUNT NOT TO EXCEED \$811,597 FOR THE SUNRISE BOULEVARD REHABILITATION PHASE 2 PROJECT**

RECOMMENDATION

Adopt the Resolution.

RESULT OF RECOMMENDED ACTION

Adoption of the Resolution would authorize the City Manager to execute Contract Amendment No. 2022-67-1 with Bennett Engineering Services, Inc. for the Sunrise Boulevard Rehabilitation Phase 2 Project. This would result in an increase to the contract amount from \$733,170 to an amount not to exceed \$811,597 with no change to the contract term.

BACKGROUND

The Sunrise Boulevard Rehabilitation Phase 2 Project has been identified as a high priority road rehabilitation project. The project area is Sunrise Boulevard, between White Rock Road and Douglas Road, and Mechanical Drive, between Sunrise Boulevard and Recycle Road.

This Project will include an overlay of existing pavement to improve the road surfaces, median landscape enhancements, sidewalk repairs, and curb ramp upgrades to achieve compliance with the Americans with Disabilities Act, drainage upgrades to improve flood protection and stormwater conveyance, and other incidental work as required.

Sunrise Boulevard is identified as critical backbone infrastructure because it supports the movement of goods and promotes residential development and economic growth in the City. By rehabilitating the roadway and improving safety features, the City will increase the reliability of a principal transportation corridor which will bring long-term economic benefits to its community and region.

On June 20, 2022, the City Council adopted Resolution No. 106-2022 to approve Contract No. 2022-67 for Bennett Engineering Services, Inc. to provide on-call engineering and design

services for the Sunrise Boulevard Rehabilitation Phase 2 Project in an amount not to exceed \$733,170.

This amendment will add funds to the project to perform structural analysis and detailing for the installation of decorative metal fencing at a culvert crossing on Sunrise Blvd. Additionally, this amendment will add geotechnical investigation to support the design of two storm drainage improvements, and add construction engineering support. City staff recommend including these additional services which were not included in the original contract.

Performing these additional services will result in completion of project design and will reduce the risk of change orders and save cost during construction. Therefore, it is recommended to proceed with this contract amendment to include this additional scope of work.

It is anticipated that the project design will be complete in Summer 2023 and construction is anticipated to begin in early 2024.

FISCAL IMPACT AND FUNDING SOURCE

There is no fiscal impact to the City's General Fund. Funding for this project would consist of Community Enhancement Funds, Measure R, Gas Tax, Road Maintenance and Rehabilitation Fund, Measure A Maintenance, Stormwater Enterprise Fund, and State and/or Federal Grants.

The project is included in the City's current approved Capital Improvement Plan and in the adopted 2023-2025 budget.

ATTACHMENT(S)

1. Resolution
2. First Amendment Contract No. 2022-67-1

CITY OF RANCHO CORDOVA

RESOLUTION NO. XX-2023

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RANCHO CORDOVA, STATE OF CALIFORNIA, AUTHORIZING THE CITY MANAGER TO EXECUTE CONTRACT AMENDMENT NO. 2022-67-1 WITH BENNETT ENGINEERING SERVICES, INC. TO INCREASE THE CONTRACT AMOUNT FROM \$733,170 TO AN AMOUNT NOT TO EXCEED \$811,597 FOR THE SUNRISE BOULEVARD REHABILITATION PHASE 2 PROJECT

WHEREAS, the Parties entered into Professional Services Agreement (“PSA”) No. 2021-337 on July 11, 2022, in an amount not to exceed \$733,170, for the purpose of providing on-call engineering and design services for the Sunrise Boulevard Rehabilitation Phase 2 Project; and

WHEREAS, Amendment No. 1 will increase the contract amount from \$733,170 to an amount not to exceed \$811,597 with no change to the contract term; and

WHEREAS, this will facilitate the additional Scope outlined in Exhibit “C” for structural analysis and detailing, supplemental geotechnical investigation, and bidding and construction support services; and

WHEREAS, the cost of services exceeds the maximum amount the City Manager has authorization to approve; and

WHEREAS, funding for the contract amendment will consist of Community Enhancement Funds, Measure R, Gas Tax, Road Maintenance and Rehabilitation Fund, Measure A Maintenance, Stormwater Enterprise Fund, and State and/or Federal Grants.

NOW, THEREFORE, BE IT HEREBY RESOLVED THE CITY COUNCIL OF THE CITY OF RANCHO CORDOVA does authorize the City Manager to execute Contract Amendment No. 2022-67-1 with Bennett Engineering Services, Inc. to increase the contract amount from \$733,170 to an amount not to exceed \$811,597 in a form approved by the City Attorney.

PASSED AND ADOPTED by the City Council of the City of Rancho Cordova on the 7th day of August, 2023 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

Linda Budge, Mayor

Stacy Leitner, CMC
City Clerk

**FIRST AMENDMENT TO THE PROFESSIONAL SERVICES AGREEMENT
BETWEEN THE CITY OF RANCHO CORDOVA AND BENNETT ENGINEERING SERVICES, INC.**

This First Amendment to the Agreement for Professional Services ("Amendment") is made by and between the City of Rancho Cordova ("City") and Bennett Engineering Services, Inc. ("Professional") as of August 8, 2023. City and Professional are hereinafter collectively referred to as the "Parties."

RECITALS

WHEREAS, the Parties entered into a Professional Services Agreement ("PSA") dated July 11, 2022, in the amount of \$733,170, for the purpose of providing on-call engineering and design services for the Sunrise Boulevard Rehabilitation Phase 2 Project; and

WHEREAS, this Amendment will include additional services outlined in Exhibit "C" for the Professional to provide bidding and construction support services, structural analysis, and geotechnical investigation for the Sunrise Boulevard Phase 2 Project, and will increase the contract compensation amount from \$733,170 to \$811,597; and

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

NOW, THEREFORE, the Parties hereto agree as follows:

AGREEMENT

1. Section 2 of the PSA, "Compensation," provides for the City to pay Professional a sum not to exceed Seven Hundred Thirty-Three Thousand, One Hundred Seventy Dollars and no cents (\$733,170.00). 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 Eight Hundred Eleven Thousand, Five Hundred Ninety-Seven Dollars and no cents (\$811,597.00), notwithstanding any contrary indication that may be contained in Professional's proposal, for services to be performed and reimbursable costs incurred under this Agreement."

2. The attached Exhibit "C" is hereby added to the PSA which provides additional services and compensation as specified therein.
3. 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.

4. 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.
5. **Contract Administration.** This Agreement shall be administered by Jesse Yabes ("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:

Keith Rhodes, PE

1082 Sunrise Ave, Suite 100

Roseville, CA 95661

Email Address (for Insurance Update Requests):

krhodes@ben-en.com

Any written notice to City shall be sent to:

Jesse Yabes

2729 Prospect Park Drive

Rancho Cordova, CA 95670

jyabes@cityofranchocordova.org

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

CITY OF RANCHO CORDOVA

PROFESSIONAL

Micah Runner, City Manager

Leo Rubio, President

Date: _____

Date: _____

Attest:

Stacy Leitner, CMC, City Clerk

Date: _____

Approved as to Form:

Adam U. Lindgren, City Attorney

Date: _____

Scope of Services – Amendment 1



TRUSTED ENGINEERING ADVISORS

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

T 916.783.4100

F 916.783.4110

www.ben-en.com

Client: City of Rancho Cordova

Consultant: Bennett Engineering Services Inc.

Project: Sunrise Boulevard Rehabilitation Project - Phase 2

Date: 07/12/23

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

As requested by the City of Rancho Cordova (City), Bennett Engineering Services (BEN|EN) will provide engineering support services to City staff to assess the structural integrity of the existing concrete barrier at culvert locations. There are two culverts along Sunrise Blvd between Refinement Rd and Douglas Rd.

TASK 5. Final Plans, Specifications, and Estimate Documents

Subtask 5.2 (a) Structural Analysis

BEN|EN will provide fence check calculations and details to be used in the plans. The analysis will ensure that the existing concrete barrier is capable of bearing the additional loads (bending and anchor embeds) from the fence anchors without developing cracks or other structural issues.

Deliverables: Fence Calculations at expansion joint locations, anchor calculations, 2 sheets of details

Subtask 5.2 (b) Supplemental Geotechnical Investigation

The purpose of our services will be to evaluate the subsurface soil and geologic conditions along the project alignment and provide conclusions and recommendations relative to the geotechnical aspects of designing and constructing the project as presently proposed. Our investigation will include a field exploration program, geotechnical laboratory testing, engineering analysis, and report preparation.

- Perform a limited geologic/geotechnical literature review to aid in evaluating the geologic and geotechnical conditions in the project area, including our previous geotechnical pavement evaluation report (dated November 18, 2022) which included some borings near the current project. We will reference subsurface information from our previous report that is pertinent to the current project.
- Perform a site reconnaissance to determine access and mark out the proposed exploration locations.
- Notify subscribing utility companies via Underground Service Alert (USA) a minimum of two working days (as required by law) prior to performing exploratory excavations at the site.
- Depth to groundwater in the area is on the order of 100 feet. Our proposed borings will not be within 10 feet of groundwater and therefore, a drilling permit from Sacramento County Environmental Management Department (SCEMD) is not required.
- Submit an application and obtain an encroachment permit from the City of Rancho Cordova. (We assume that any fees will be waived by the City for this project.)
- Perform 2 to 3 exploratory borings (one on Mechanical Drive and up to two on Recycle Road) using a truck-mounted drill rig equipped with solid flight and hollow-stem augers to depths of 10 to 15 feet, or refusal if shallower.
- Provide necessary traffic control measures during our field exploration activities.
- Measure the existing pavement section material thicknesses at each boring location.
- Obtain representative soil samples for the exploratory borings.

- Measure the depth to groundwater in each boring location, if encountered.
- Log the borings in accordance with the Unified Soil Classification System (USCS).
- Upon completion, the borings will be backfilled with excess soil cuttings and the surface restored with high-strength rapid set concrete dyed black. We will cover USA markings within our designated work areas with an asphalt-emulsion-based product. Excess drill cuttings, if any, will be spread within unpaved portions of the City right-of-way. We assume that saw cutting and patching our boring locations with hot-mix asphalt is not required and therefore, have excluded this effort from our fee estimate.
- Perform laboratory testing to evaluate the index and engineering properties of the soils encountered.
- Analyze the field and laboratory testing data and develop geotechnical recommendations and design parameters with respect to open-cut pipeline installation.

We will review the progress project plans and specifications to verify that our recommendations have been properly implemented and/or to provide additional recommendations, if necessary.

Deliverables: *A summary report with our findings, conclusions, and recommendations will be prepared and the report will include, but not be limited to, the following:*

- *Site plan showing the locations of the exploratory borings, including previous borings considered pertinent to the current project;*
- *Description of site geology;*
- *Logs of the exploratory borings, including depth to groundwater (if encountered);*
- *Laboratory test results;*
- *Anticipated excavation characteristics;*
- *Temporary excavation and shoring conditions;*
- *Utility trench excavation and backfill recommendations;*
- *Screening-level soil corrosion potential; and*
- *Pavement structural section replacement recommendations.*
- *Submit a draft report for your review. Any comments will be addressed prior to finalizing the report and one electronic copy (PDF format) of our final report will follow.*

TASK 6. Bidding and Construction Assistance

Subtasks 6.1, 6.2 and 6.3 were originally included in the executed Contract No. 2022-67 dated July 11, 2022. On January 26, 2023, the City approved a budget transfer to reallocate BEN|EN's Task 6 budget to fund additional geotechnical services required for the project in the amount of \$32,304. This amendment is to reallocate such funds back to BEN|EN for bidding and construction assistance services originally identified as Task 6 in the fully executed City Agreement (Contract # 2022-67) dated July 11, 2022.

Subtask 6.1 Bidding Assistance

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

Subtask 6.2 Construction Assistance

BEN|EN will attend the pre-construction meeting and will assist the City staff to review any RFI and change order requests. BEN|EN will also perform field reviews during construction as requested by the City. Our team assumes responding to three (3) field visits and six (6) RFI's.

Subtask 6.3 Record Drawings

Upon completion of construction, BEN|EN will provide Record Drawing and an Electronic file submittal in accordance to the City of Rancho Cordova Specifications for Digital Submission of Civil Engineering Plans (version 1.4).

Subtask 6.4 Geotechnical Construction Services

To maintain continuity of geotechnical interpretation, we recommend providing geotechnical testing and observation services during construction. Our testing and observation services are important to verify that conditions encountered during grading/earthwork are similar to those encountered during our investigation, and that our recommendations have been properly implemented. Our experience indicates that maintaining the same Geotechnical Engineer of Record throughout design and construction significantly reduces the potential for contractor change orders.

Client: City of Rancho Cordova
Consultant: Bennett Engineering Services Inc
Project: Amendment #1 - Sunrise Boulevard Rehabilitation Project - Phase 2
Date: 07/12/2023

Fee Estimate		Principal Engineer 280 \$/hr		Project Manager IV 221 \$/hr		Engineer III 194 \$/hr		Engineer II 176 \$/hr		Engineer I 161 \$/hr		Designer III 175 \$/hr		Administrative 95 \$/hr		BEN EN Subtotal		MISC. EXPENSES	Geocon		MAK CIVIL		TOTAL
		Qty	Cost	Qty	Cost	Qty	Cost	Qty	Cost	Qty	Cost	Qty	Cost	Qty	Cost	Qty	Cost		Contract	Contract	Contract	Contract	
Task 5 Final Plans, Specifications, and Estimate Documents																							
5.2(a) Structural Analysis		hrs	\$0	hrs	\$0	2 hrs	\$388	2 hrs	\$352	hrs	\$0	hrs	\$0	hrs	\$0	4 hrs	\$740	\$0	\$0	\$8,418			\$9,158
5.2(b) Supplemental Geotechnical Investigation		hrs	\$0	hrs	\$0	2 hrs	\$388	2 hrs	\$352	hrs	\$0	hrs	\$0	hrs	\$0	4 hrs	\$740	\$0	\$18,975	\$0			\$19,715
Subtotal		hrs	\$0	hrs	\$0	4 hrs	\$776	4 hrs	\$704	hrs	\$0	hrs	\$0	hrs	\$0	8 hrs	\$1,480	\$0	\$18,975	\$8,418			\$28,873
Task 6 Bidding and Construction Assistance																							
6.1. Bidding Assistance		hrs	\$0	4 hrs	\$884	8 hrs	\$1,552	hrs	\$0	hrs	\$0	8 hrs	\$1,400	hrs	\$0	20 hrs	\$3,836	\$0	\$0	\$0			\$3,836
6.2. Construction Assistance		hrs	\$0	24 hrs	\$5,304	48 hrs	\$9,312	hrs	\$0	hrs	\$0	48 hrs	\$8,400	hrs	\$0	120 hrs	\$23,016	\$200	\$0	\$0			\$23,216
6.3. Record Drawings		hrs	\$0	4 hrs	\$884	8 hrs	\$1,552	16 hrs	\$2,816	hrs	\$0	hrs	\$0	hrs	\$0	28 hrs	\$5,252	\$0	\$0	\$0			\$5,252
6.4. Geotechnical Construction Services		hrs	\$0	hrs	\$0	hrs	\$0	hrs	\$0	hrs	\$0	hrs	\$0	hrs	\$0	hrs	\$0	\$0	\$17,250	\$0			\$17,250
Subtotal		hrs	\$0	32 hrs	\$7,072	64 hrs	\$12,416	16 hrs	\$2,816	hrs	\$0	56 hrs	\$9,800	hrs	\$0	168 hrs	\$32,104	\$200	\$17,250	\$0			\$49,554
AMENDMENT NO. 1 TOTAL		hrs	\$0	32 hrs	\$7,072	68 hrs	\$13,192	20 hrs	\$3,520	hrs	\$0	56 hrs	\$9,800	hrs	\$0	176 hrs	\$33,584	\$200	\$36,225	\$8,418			\$78,427

- Additional Fee Information**
- ▶ This fee estimate is valid for 90 days from the date show above.
 - ▶ This fee estimate contains an abbreviated list of staff classifications and does not restrict BEN|EN to those classifications. The Standard Rate Schedule with a full list of staff classifications is available upon request.
 - ▶ This fee estimate contains an approximation of the breakdown between labor, expense, and consultants. BEN|EN reserves the rights to distribute funds differently based on project needs.
 - ▶ Standard hourly rates do not apply to a demand to perform work during an overtime period. Work required to be performed during an overtime period (as mandated by California law) may be charged at a 50% premium. Work mandated by Prevailing Wage laws may be charged at a 25% premium.
 - ▶ Hourly rates include all compensation for wages, salary-related benefits, overhead, general office administration, and profit. Direct project administrative hours will be billed at the rate shown above.
 - ▶ Classifications may be added or removed as-needed without notice.
 - ▶ Changes in the requested scope of work or projected schedule may result in the revision of the proposed fees and amendment to the total contract amount.

INITIALS:

MEMORANDUM



ITEM 9.7.

DATE: August 7, 2023
TO: Honorable Mayor and Council Members
FROM: Albert Stricker, Public Works Director
Drew Hart, Senior Transportation Planner
SUBJECT: **A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE CONTRACT NO. 2023-167 WITH 50 CORRIDOR TRANSPORTATION MANAGEMENT ASSOCIATION IN AN AMOUNT NOT TO EXCEED \$158,000 FOR TRANSPORTATION DEMAND MANAGEMENT SERVICES FOR ENCOURAGEMENT AND EDUCATION OF SUSTAINABLE TRANSPORTATION WITHIN THE CITY**

RECOMMENDATION

Adopt the Resolution.

RESULT OF RECOMMENDED ACTION

Adoption of the Resolution would authorize the City Manager to execute a contract with 50 Corridor Transportation Management Association in an amount not to exceed \$158,000 for transportation demand management services.

BACKGROUND

The City of Rancho Cordova has created a partnership with the 50 Corridor Transportation Management Association (50 TMA) to provide programs and innovative solutions that encourage the use of sustainable modes of transportation such as active modes, carpooling, and transit. The 50 TMA provides services for communities in Rancho Cordova, Folsom, and unincorporated Sacramento County, along with private employers along the US-50 Corridor.

The funding for this agreement comes from a levy within Transit Zones 1, 2, and 3. These funds are returned to source, therefore the services outlined in the attached agreement are limited to these zones. The establishment of transit zones was originally formed as early as 2003 as a County of Sacramento County Services Areas (CSA). After incorporation, the City assumed the service responsibility and funding for the existing transit zones. Future developments will be added to transit zones to likewise offer transportation services. The purpose of the Transit Zones is to provide an ongoing financial mechanism to fund a broad range of transportation services intended to benefit property with the zones by reducing congestion and pollution. The services include but are not limited to the following: transit shuttles, guaranteed ride home program, transit subsidies, transportation planning for employers and/or residents, education programs, infrastructure support like bike racks and bus stops, and bicycle and alternative fuel incentives. The City contracts with Sacramento Regional Transit (SacRT) for the Rancho

CordoVan shuttle service, and the 50 Corridor TMA for the majority of the other services listed.

In Fiscal Year 2022-23, the 50 Corridor TMA programs incentivized residents of Rancho Cordova to carpool, bike, walk, and/or take transit. Participants in the program recorded miles by travel mode. Table 1 shows the total miles traveled by participants.

Table 1: Total Miles Traveled by Mode

Mode of Travel	Collective Miles Traveled
Amtrak	19,624
Bicycle	6,398
Carpool	1,820
Transit (shuttle, bus, or light rail)	13,823
Walk	789
Grand Total	59,110

Additional highlights from the year include holding 15 bike events, servicing 252 bikes for free, and holding a community bike ride that attracted over 80 riders from McGarvey

Elementary School families.

The scope of services contained in the agreement includes:

1- Performance Metrics. This task will build on the origin-and-destination analysis completed in Fiscal Year 2022-23 to explore ways of measuring program performance and effectiveness. Work associated with this task would include the following: researching options for better measuring travel behavior among residents in each Transit Zone; utilizing the 50 TMA's new, custom Salesforce Customer Relationship Management tool to better track travel behavior change and engagement in programs; and reporting to City staff, City Council, and residents on the performance of our programs.

2- Sustainable Trips. Rideshare matching, discount transit fares, encouragement and incentives, and guaranteed ride home services have proved to reduce private vehicle trips. This task will allocate resources to provide and market these proven strategies.

3- Active Transportation Events. Bicycle repair tune-ups, family-friendly bike rides, and safety workshops have been well received in the communities. This task will continue these traditions along with additional events supporting "May is Bike Month."

4- Smart Routes to School. This task takes the education and encouragement into the elementary schools of McGarvey Elementary School and Sunrise Elementary School, which are located in the identified zones, to ensure a safe community.

FISCAL IMPACT AND FUNDING SOURCE

The contract is not to exceed \$158,000 funded by the annual levy and collection of charges for the Rancho Cordova transit related services benefit districts, Zones 1, 2, and 3. There is no impact to the City's General Fund.

ATTACHMENT(S)

1. Resolution
2. 50 Corridor Transportation Management Association Contract No. 2023-167

CITY OF RANCHO CORDOVA

RESOLUTION NO. XX-2023

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RANCHO CORDOVA, STATE OF CALIFORNIA, AUTHORIZING THE CITY MANAGER TO EXECUTE CONTRACT NO. 2023-167 WITH 50 CORRIDOR TRANSPORTATION MANAGEMENT ASSOCIATION IN AN AMOUNT NOT TO EXCEED \$158,000 FOR TRANSPORTATION DEMAND MANAGEMENT SERVICES FOR ENCOURAGEMENT AND EDUCATION OF SUSTAINABLE TRANSPORTATION WITHIN THE CITY FOR FISCAL YEAR 2023-24

WHEREAS, the services provided will encourage walking and bicycling to school, building healthy habits and reducing traffic congestion; and

WHEREAS, the services will utilize education and incentive programs to encourage carpooling, taking transit, and bicycling to work; and

WHEREAS, the services will promote a positive image of the City and encourage thoughtful, sustainable travel behaviors; and

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

WHEREAS, there are sufficient funds budgeted to cover the costs of the contract.

NOW, THEREFORE, BE IT HEREBY RESOLVED THE CITY COUNCIL OF THE CITY OF RANCHO CORDOVA does authorize the City Manager to execute Contract No. 2023-167 with 50 Corridor Transportation Management Association in an amount of \$158,000 to provide transportation demand management services in a form approved by the City Attorney.

PASSED AND ADOPTED by the City Council of the City of Rancho Cordova on the 7th day of August 2023 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

Linda Budge, Mayor

Stacy Leitner, CMC
City Clerk

**PROFESSIONAL SERVICES AGREEMENT BETWEEN
THE CITY OF RANCHO CORDOVA AND 50 CORRIDOR TRANSPORTATION
MANAGEMENT ASSOCIATION**

THIS AGREEMENT for professional services is made by and between the City of Rancho Cordova, a California municipal corporation ("City"), and 50 Corridor Transportation Management Association ("Professional") as of July 1, 2023.

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

- 1.1 **Term of Services.** The term of this Agreement shall begin on the date first noted above and shall end on **June 30, 2024**, the date of completion specified in Exhibit A. 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 for in Section 8. The time provided to Professional to complete the services required by this Agreement shall not affect the City's right to terminate the Agreement, as provided for in Section 8.
- 1.2 **Standard of Performance.** Professional shall perform all services required pursuant to this Agreement in the manner and according to the standards observed by a competent practitioner of the profession in which Professional is engaged in the geographical area in which Professional practices its profession. Professional shall prepare all work products required by this Agreement in a substantial, first-class manner and shall conform to the standards of quality normally observed by a person practicing in Professional's profession.
- 1.3 **Assignment of Personnel.** Professional shall assign only competent personnel to perform services pursuant to this Agreement. In the event that City, in its sole discretion, at any time during the term of this Agreement, desires the reassignment of any such persons, Professional shall, immediately upon receiving notice from City of such desire of City, reassign such person or persons.
- 1.4 **Time.** Professional shall devote such time to the performance of services pursuant to this Agreement as may be reasonably necessary to meet the standard of performance provided in Section 1.2 above and to satisfy Professional's obligations hereunder.

Section 2. COMPENSATION. City hereby agrees to pay Professional a sum not to exceed **ONE HUNDRED FIFTY-EIGHT THOUSAND (\$158,000.00)** notwithstanding any contrary indications that may be contained in Professional's proposal, for services to be performed and reimbursable costs incurred under this Agreement. In the event of a conflict between this Agreement and Professional's proposal, attached as Exhibit B, regarding the amount of compensation, the Agreement shall prevail. City shall pay Professional for services rendered pursuant to this Agreement at the time and in the manner set forth herein. The payments specified below shall be the only payments from City to Professional for services rendered pursuant to this Agreement. Professional shall submit all invoices to City in the manner specified herein.

Except as specifically authorized by City, Professional shall not bill City for duplicate services performed by more than one person.

Professional and City acknowledge and agree that compensation paid by City to Professional under this Agreement is based upon Professional's estimated costs of providing the services required hereunder, including salaries and benefits of employees and subcontractors of Professional. Consequently, the parties further agree that compensation hereunder is intended to include the costs of contributions to any pensions and/or annuities to which Professional and its employees, agents, and subcontractors may be eligible. City therefore has no responsibility for such contributions beyond compensation required under this Agreement.

2.1 Invoices. Professional shall submit invoices, not more often than once a month during the term of this Agreement, based on the cost for services performed and reimbursable costs incurred prior to the invoice date. Invoices shall contain the following information:

- Serial identifications of progress bills; i.e., Progress Bill No. 1 for the first invoice, etc.;
- The beginning and ending dates of the billing period;
- A Task Summary containing the original contract amount, the amount of prior billings, the total due this period, the balance available under the Agreement, and the percentage of completion;
- At City's option, for each work item in each task, a copy of the applicable time entries or time sheets shall be submitted showing the name of the person doing the work, the hours spent by each person, a brief description of the work, and each reimbursable expense;
- The total number of hours of work performed under the Agreement by Professional and each employee, agent, and subcontractor of Professional performing services hereunder, as well as a separate notice when the total number of hours of work by Professional and any individual employee, agent, or subcontractor of Professional reaches or exceeds 800 hours, which shall include an estimate of the time necessary to complete the work described in Exhibit A;
- The Professional's signature.

2.2 Monthly Payment. City shall make monthly payments, based on invoices received, for services satisfactorily performed, and for authorized reimbursable costs incurred. City shall have thirty (30) days from the receipt of an invoice that complies with all of the requirements above to pay Professional.

2.3 Final Payment. City shall make the final payment within sixty (60) days after completion of the services and submittal to City of a final invoice, if all services required have been satisfactorily performed.

2.4 Total Payment. City shall pay for the services to be rendered by Professional pursuant to this Agreement. City shall not pay any additional sum for any expense or cost whatsoever incurred by Professional in rendering services pursuant to this Agreement. City shall make no payment for any extra, further, or additional service pursuant to this Agreement.

In no event shall Professional submit any invoice for an amount in excess of the maximum amount of compensation provided above either for a task or for the entire Agreement, unless the Agreement is modified prior to the submission of such an invoice by a properly executed change order or amendment.

- 2.5 **Hourly Fees.** Fees for work performed by Professional on an hourly basis shall not exceed the amounts shown on the fee schedule set forth in Exhibit B.
- 2.6 **Reimbursable Expenses.** Reimbursable expenses, if any, are set forth in Exhibit B, and shall not exceed ONE HUNDRED FIFTY-EIGHT THOUSAND DOLLARS (\$158,000). Expenses not listed in Exhibit B are not chargeable to City. Reimbursable expenses are included in the total amount of compensation provided under this Agreement that shall not be exceeded.
- 2.7 **Payment of Taxes.** Professional is solely responsible for the payment of employment taxes incurred under this Agreement and any similar federal or state taxes.
- 2.8 **Payment upon Termination.** In the event that the City or Professional terminates this Agreement pursuant to Section 8, the City shall compensate the Professional for all outstanding costs and reimbursable expenses incurred for work satisfactorily completed as of the date of written notice of termination. Professional shall maintain adequate logs and timesheets in order to verify costs incurred to that date.
- 2.9 **Authorization to Perform Services.** The Professional is not authorized to perform any services or incur any costs whatsoever under the terms of this Agreement until receipt of authorization from the Contract Administrator.

Section 3. FACILITIES AND EQUIPMENT. Except as set forth herein, Professional shall, at its sole cost and expense, provide all facilities and equipment that may be necessary to perform the services required by this Agreement. City shall make available to Professional only the facilities and equipment listed in this section, and only under the terms and conditions set forth herein.

City shall furnish physical facilities such as desks, filing cabinets, and conference space, as may be reasonably necessary for Professional's use while consulting with City employees and reviewing records and the information in possession of the City. The location, quantity, and time of furnishing those facilities shall be in the sole discretion of City. In no event shall City be obligated to furnish any facility that may involve incurring any direct expense, including but not limited to computer, long-distance telephone or other communication charges, vehicles, and reproduction facilities.

Section 4. INSURANCE REQUIREMENTS. Before beginning any work under this Agreement, Professional, at its own cost and expense, shall procure "occurrence coverage" insurance against claims for injuries to persons or damages to property that may arise from or in connection with the performance of the work hereunder by the Professional and its agents, representatives, employees, and subcontractors. Professional shall provide proof satisfactory to City of such insurance that meets the requirements of this section and under forms of insurance satisfactory in all respects to the City. Professional shall maintain the insurance policies required by this section throughout the term of this Agreement. The cost of such insurance shall be included in the Professional's bid. Professional shall not allow any subcontractor to commence work on any subcontract until Professional has obtained all insurance required herein for the subcontractor(s) and provided evidence thereof to City. Verification of the required insurance shall be submitted and made part of this Agreement prior to execution. Professional shall maintain all required insurance listed herein for the duration of this Agreement.

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

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

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

4.2 Commercial General and Automobile Liability Insurance.

- 4.2.1 General requirements.** Professional, at its own cost and expense, shall maintain commercial general liability insurance for the term of this Agreement in an amount not less than TWO MILLION DOLLARS (\$2,000,000.00) and automobile liability insurance for the term of this Agreement in an amount not less than ONE MILLION DOLLARS (\$1,000,000.00). The commercial general liability and automobile liability insurance shall be per occurrence, combined single limit coverage for risks

associated with the work contemplated by this Agreement. If a commercial general liability insurance or an automobile liability form or other form with a general aggregate limit is used, either the general aggregate limit shall apply separately to the work to be performed under this Agreement or the general aggregate limit shall be at least twice the required occurrence limit. Such coverage shall include but shall not be limited to, protection against claims arising from bodily and personal injury, including death resulting therefrom, and damage to property resulting from activities contemplated under this Agreement, including the use of owned and non-owned automobiles.

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

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

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

requested, has been given to the City. Professional shall notify City within fourteen (14) days of notification from Professional's insurer if such coverage is suspended, voided or reduced in coverage or in limits.

4.3 Professional Liability Insurance. Professional, at its own cost and expense, shall maintain for the period covered by this Agreement professional liability insurance for licensed professionals performing work pursuant to this Agreement in an amount not less than TWO MILLION DOLLARS (\$2,000,000) covering the licensed professionals' errors and omissions.

4.3.1 Any deductible or self-insured retention shall not exceed \$150,000 per claim.

4.3.2 An endorsement shall state that coverage shall not be suspended, voided, canceled by either party, or reduced in coverage or in limits, except after thirty (30) days' prior written notice by certified mail, return receipt requested, has been given to the City.

4.3.3 The following provisions shall apply if the professional liability coverages are written on a claims-made form:

- a. The retroactive date of the policy must be shown and must be before the date of the Agreement.
- b. Insurance must be maintained and evidence of insurance must be provided for at least five (5) years after completion of the Agreement or the work, so long as commercially available at reasonable rates.
- c. If coverage is canceled or not renewed and it is not replaced with another claims-made policy form with a retroactive date that precedes the date of this Agreement, Professional must provide extended reporting coverage for a minimum of five (5) years after completion of the Agreement or the work. The City shall have the right to exercise, at the Professional's sole cost and expense, any extended reporting provisions of the policy, if the Professional cancels or does not renew the coverage.
- d. A copy of the claim reporting requirements must be submitted to the City prior to the commencement of any work under this Agreement.

4.4 All Policies Requirements.

4.4.1 Acceptability of insurers. All insurance required by this section is to be placed with insurers with a Bests' rating of no less than A:VII.

4.4.2 Verification of coverage. Prior to beginning any work under this Agreement, Professional shall furnish City with certificates of insurance and with original

endorsements effecting coverage required herein. The certificates and endorsements for each insurance policy are to be signed by a person authorized by that insurer to bind coverage on its behalf. The City reserves the right to require complete, certified copies of all required insurance policies, at any time.

4.4.3 Subcontractors. Professional shall include all subcontractors as insureds under its policies or shall furnish separate certificates and endorsements for each subcontractor. All coverages for subcontractors shall be subject to all of the requirements stated herein.

4.4.4 Deductibles and Self-Insured Retentions. Professional shall disclose to and obtain the approval of City for the self-insured retentions and deductibles before beginning any of the services or work called for by any term of this Agreement.

During the period covered by this Agreement, only upon the prior express written authorization of Contract Administrator, Professional may increase such deductibles or self-insured retentions with respect to City, its officers, employees, agents, and volunteers. The Contract Administrator may condition approval of an increase in deductible or self-insured retention levels with a requirement that Professional procure a bond, guaranteeing payment of losses and related investigations, claim administration, and defense expenses that is satisfactory in all respects to each of them.

4.4.5 Waiver of Subrogation. Professional hereby agrees to waive subrogation which any insurer or contractor may require from vendor by virtue of the payment of any loss. Consultant agrees to obtain any endorsements that may be necessary to effect this waiver of subrogation. The Workers' Compensation policy shall be endorsed with a waiver of subrogation in favor of the entity for all work performed by the Professional, its employees, agents, and subcontractors.

4.4.6 Notice of Reduction in Coverage. In the event that any coverage required by this section is reduced, limited, or materially affected in any other manner, Professional shall provide written notice to City at Professional's earliest possible opportunity and in no case later than five (5) days after Professional is notified of the change in coverage.

4.5 Remedies. In addition to any other remedies City may have if Professional fails to provide or maintain any insurance policies or policy endorsements to the extent and within the time herein required, City may, at its sole option exercise any of the following remedies, which are alternatives to other remedies City may have and are not the exclusive remedy for Professional's breach:

- Obtain such insurance and deduct and retain the amount of the premiums for such insurance from any sums due under the Agreement;

- Order Professional to stop work under this Agreement or withhold any payment that becomes due to Professional hereunder, or both stop work and withhold any payment, until Professional demonstrates compliance with the requirements hereof; and/or
- Terminate this Agreement.

Section 5. INDEMNIFICATION AND PROFESSIONAL'S RESPONSIBILITIES.

- 5.1 General Requirement.** Professional shall indemnify, defend with counsel selected by the City, and hold harmless the City and its officials, officers, employees, agents, and volunteers from and against any and all losses, liability, claims, suits, actions, damages, and causes of action arising out of any personal injury, bodily injury, loss of life, or damage to property, or any violation of any federal, state, or municipal law or ordinance, to the extent caused, in whole or in part, by the willful misconduct or negligent acts or omissions of Professional or its employees, subcontractors, or agents, by acts for which they could be held strictly liable, or by the quality or character of their work. The foregoing obligation of Professional shall not apply when (1) the injury, loss of life, damage to property, or violation of law arises wholly from the negligence or willful misconduct of the City or its officers, employees, agents, or volunteers and (2) the actions of Professional or its employees, subcontractor, or agents have contributed in no part to the injury, loss of life, damage to property, or violation of law. It is understood that the duty of Professional to indemnify and hold harmless includes the duty to defend as set forth in Section 2778 of the California Civil Code. Acceptance by City of insurance certificates and endorsements required under this Agreement does not relieve Professional from liability under this indemnification and hold harmless clause. This indemnification and hold harmless clause shall apply to any damages or claims for damages whether or not such insurance policies shall have been determined to apply. By execution of this Agreement, Professional acknowledges and agrees to the provisions of this Section and that it is a material element of consideration.
- 5.2 PERS Indemnification.** In the event that Professional or any employee, agent, or subcontractor of Professional providing services under this Agreement is determined by a court of competent jurisdiction or the California Public Employees Retirement System ("PERS") to be eligible for enrollment in PERS as an employee of City, Professional shall indemnify, defend, and hold harmless City for the payment of any and all employee and/or employer contributions for PERS benefits on behalf of Professional or its employees, agents, or subcontractors, as well as for the payment of any penalties and interest on such contributions, which would otherwise be the responsibility of City, and any attorneys' fees and costs incurred by the City to enforce this Section.
- 5.3 Design Professionals.** To the extent that the services under this Agreement include design professional services subject to California Civil Code Section 2782.8, as may be amended from time to time, Professional's duty to indemnify under Sections 5.1 and 5.2 shall only be to the maximum extent permitted by California Civil Code Section 2782.8.

Section 6. STATUS OF PROFESSIONAL.

- 6.1 **Independent Contractor.** At all times during the term of this Agreement, Professional shall be an independent contractor as defined in Labor Code Section 3353, and shall not be an employee of City. Nothing contained in this Agreement shall be construed to be inconsistent with the foregoing relationship or status. City shall have the right to control Professional only insofar as the results of Professional's services rendered pursuant to this Agreement and assignment of personnel pursuant to Subparagraph 1.3; however, otherwise City shall not have the right to control the means and methods by which Professional accomplishes services rendered pursuant to this Agreement. Professional shall have no power or authority by this Agreement to bind the City in any respect. All employees and agents hired or retained by Professional are employees and agents of Professional and not of the City. The City shall not be obligated in any way to pay any wage claims or other claims made against Professional by any such employees or agents, or any other person resulting from performance of this Agreement.

Notwithstanding any other City, state, or federal policy, rule, regulation, law, or ordinance to the contrary, Professional and any of its employees, agents, and subcontractors providing services under this Agreement shall not qualify for or become entitled to, and hereby agree to waive any and all claims to, any compensation, benefit, or any incident of employment by City, including but not limited to eligibility to enroll in PERS as an employee of City and entitlement to any contribution to be paid by City for employer contributions and/or employee contributions for PERS benefits. Professional shall not allow any employee, agent or subcontractor to become eligible for a claim for PERS benefits.

- 6.2 **Professional Not an Agent.** Except as City may specify in writing, Professional shall have no authority, express or implied, to act on behalf of City in any capacity whatsoever as an agent. Professional shall have no authority, express or implied, pursuant to this Agreement to bind City to any obligation whatsoever.

Section 7. LEGAL REQUIREMENTS.

- 7.1 **Governing Law.** The laws of the State of California shall govern this Agreement.
- 7.2 **Compliance with Applicable Laws.** Professional and any subcontractors shall comply with all laws and regulations applicable to the performance of the work hereunder, including but not limited to, the California Building Code, the Americans with Disabilities Act, and any copyright, patent or trademark law. Professional's failure to comply with any law(s) or regulation(s) applicable to the performance of the work hereunder shall constitute a breach of contract.
- 7.3 **Other Governmental Regulations.** To the extent that this Agreement may be funded by fiscal assistance from another governmental entity, Professional and any subcontractors

shall comply with all applicable rules and regulations to which City is bound by the terms of such fiscal assistance program.

7.4 Licenses and Permits. Professional represents and warrants to City that Professional and its employees, agents, and any subcontractors have all licenses, permits, qualifications, and approvals of whatsoever nature that are legally required to practice their respective professions. Professional represents and warrants to City that Professional and its employees, agents, any subcontractors shall, at their sole cost and expense, keep in effect at all times during the term of this Agreement any licenses, permits, and approvals that are legally required to practice their respective professions. In addition to the foregoing, Professional and any subcontractors shall obtain and maintain valid Business Licenses from City during the term of this Agreement.

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

Professional shall include the provisions of this Subsection in any subcontract approved by the Contract Administrator or this Agreement.

Section 8. TERMINATION AND MODIFICATION.

8.1 Termination. City may cancel this Agreement at any time and without cause upon written notification to Professional.

Professional may cancel this Agreement upon 30 days' written notice to City and shall include in such notice the reasons for cancellation.

In the event of termination, Professional shall be entitled to compensation for services performed to the effective date of termination; City, however, may condition payment of such compensation upon Professional delivering to City any or all documents, photographs, computer software, video and audio tapes, and other materials provided to Professional or prepared by or for Professional or the City in connection with this Agreement.

8.2 Extension. City may, in its sole and exclusive discretion, extend the end date of this Agreement beyond that provided for in Subsection 1.1. Any such extension shall require a written amendment to this Agreement, as provided for herein. Professional understands

and agrees that, if City grants such an extension, City shall have no obligation to provide Professional with compensation beyond the maximum amount provided for in this Agreement. Similarly, unless authorized by the Contract Administrator, City shall have no obligation to reimburse Professional for any otherwise reimbursable expenses incurred during the extension period.

- 8.3 Amendments.** The Parties may amend this Agreement only by a writing signed by all the Parties.
- 8.4 Assignment and Subcontracting.** City and Professional recognize and agree that this Agreement contemplates personal performance by Professional and is based upon a determination of Professional's unique personal competence, experience, and specialized personal knowledge. Moreover, a substantial inducement to City for entering into this Agreement was and is the professional reputation and competence of Professional. Professional may not assign this Agreement or any interest therein without the prior written approval of the Contract Administrator. Professional shall not subcontract any portion of the performance contemplated and provided for herein, other than to the subcontractors noted in the proposal, without prior written approval of the Contract Administrator.
- 8.5 Survival.** All obligations arising prior to the termination of this Agreement and all provisions of this Agreement allocating liability between City and Professional shall survive the termination of this Agreement.
- 8.6 Options upon Breach by Professional.** If Professional materially breaches any of the terms of this Agreement, City's remedies shall include, but not be limited to, the following:
- 8.6.1** Immediately terminate the Agreement;
 - 8.6.2** Retain the plans, specifications, drawings, reports, design documents, and any other work product prepared by Professional pursuant to this Agreement;
 - 8.6.3** Retain a different Professional to complete the work described in Exhibit A not finished by Professional; or
 - 8.6.4** Charge Professional the difference between the cost to complete the work described in Exhibit A that is unfinished at the time of breach and the amount that City would have paid Professional pursuant to Section 2 if Professional had completed the work.

Section 9. KEEPING AND STATUS OF RECORDS.

- 9.1 Records Created as Part of Professional's Performance.** All reports, data, maps, models, charts, studies, surveys, photographs, memoranda, plans, studies, specifications, records, files, or any other documents or materials, in electronic or any other form, that Professional prepares or obtains pursuant to this Agreement and that relate to the matters

covered hereunder shall be the property of the City. Professional hereby agrees to deliver those documents to the City upon termination of the Agreement. It is understood and agreed that the documents and other materials, including but not limited to those described above, prepared pursuant to this Agreement are prepared specifically for the City and are not necessarily suitable for any future or other use. City and Professional agree that, until final approval by City, all data, plans, specifications, reports and other documents are confidential and will not be released to third parties without prior written consent of both parties.

9.2 Professional's Books and Records. Professional shall maintain any and all ledgers, books of account, invoices, vouchers, canceled checks, and other records or documents evidencing or relating to charges for services or expenditures and disbursements charged to the City under this Agreement for a minimum of three (3) years, or for any longer period required by law, from the date of final payment to the Professional pursuant to this Agreement.

9.3 Inspection and Audit of Records. Any records or documents that Section 9.2 of this Agreement requires Professional to maintain shall be made available for inspection, audit, and/or copying at any time during regular business hours, upon oral or written request of the City. Under California Government Code Section 8546.7, if the amount of public funds expended under this Agreement exceeds TEN THOUSAND DOLLARS (\$10,000.00), the Agreement shall be subject to the examination and audit of the State Auditor, at the request of City or as part of any audit of the City, for a period of three (3) years after final payment under the Agreement.

Section 10 MISCELLANEOUS PROVISIONS.

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

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

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

- 10.4 **No Implied Waiver of Breach.** The waiver of any breach of a specific provision of this Agreement does not constitute a waiver of any other breach of that term or any other term of this Agreement.
- 10.5 **Successors and Assigns.** The provisions of this Agreement shall inure to the benefit of and shall apply to and bind the successors and assigns of the Parties.
- 10.6 **Use of Recycled Products.** Professional shall prepare and submit all reports, written studies and other printed material on recycled paper to the extent it is available at equal or less cost than virgin paper.
- 10.7 **Conflict of Interest.** Professional may serve other clients, but none whose activities within the corporate limits of City or whose business, regardless of location, would place Professional in a "conflict of interest," as that term is defined in the Political Reform Act, codified at California Government Code Section 81000 *et seq.*

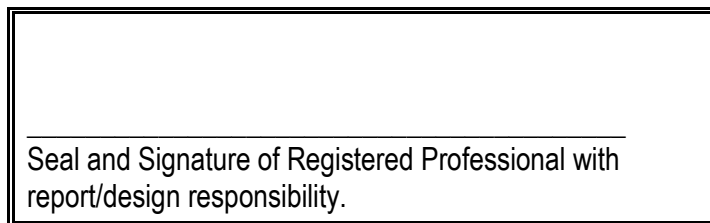
Professional shall not employ any City official in the work performed pursuant to this Agreement. No officer or employee of City shall have any financial interest in this Agreement that would violate California Government Code Sections 1090 *et seq.*

Professional hereby warrants that it is not now, nor has it been in the previous twelve (12) months, an employee, agent, appointee, or official of the City. If Professional was an employee, agent, appointee, or official of the City in the previous twelve months, Professional warrants that it did not participate in any manner in the forming of this Agreement. Professional understands that, if this Agreement is made in violation of Government Code §1090 *et seq.*, the entire Agreement is void and Professional will not be entitled to any compensation for services performed pursuant to this Agreement, including reimbursement of expenses, and Professional will be required to reimburse the City for any sums paid to the Professional. Professional understands that, in addition to the foregoing, it may be subject to criminal prosecution for a violation of Government Code § 1090 and, if applicable, will be disqualified from holding public office in the State of California.

- 10.8 **Solicitation.** Professional agrees not to solicit business at any meeting, focus group, or interview related to this Agreement, either orally or through any written materials.
- 10.9 **Contract Administration.** This Agreement shall be administered by **Drew Hart** ("Contract Administrator"). All correspondence shall be directed to or through the Contract Administrator or his or her designee.
- 10.10 **Notices.** Any written notice to Professional shall be sent to:
Cheryl Croshere, Executive Director
50 Corridor TMA
Mail only: 11230 Gold Express Drive, 310-263, Gold River, CA 95670
Email Address (for Insurance Update Requests)
executivedirector@50corridor.com

Any written notice to City shall be sent to:
Drew Hart
Senior Transportation Planner, Public Works Department
City of Rancho Cordova
2729 Prospect Park Drive
Rancho Cordova, CA 95670

- 10.11 Professional Seal.** Where applicable in the determination of the Contract Administrator or when required by law, the first page of a technical report, first page of design specifications, and each page of construction drawings shall be stamped/sealed and signed by the licensed professional responsible for the report/design preparation. The stamp/seal shall be in a block entitled "Seal and Signature of Registered Professional with report/design responsibility," as in the following example.



- 10.12 Integration.** This Agreement, including the scope of work attached hereto and incorporated herein as Exhibit A, and the compensation schedule attached hereto and incorporated herein as Exhibit B, represents the entire and integrated agreement between City and Professional and supersedes all prior negotiations, representations, or agreements, either written or oral.
- 10.13 IRS Form W-9.** Professional shall complete and submit Internal Revenue Service Form W-9 to the City before execution of this Agreement. The City's Finance Director shall have authority to waive this requirement.

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

CITY OF RANCHO CORDOVA

50 CORRIDOR TMA

Micah Runner, City Manager

Cheryl Croshere, Executive Director

Date: _____

Date: _____

Attest:

Stacy Leitner, CMC, City Clerk

Date: _____

Approved as to Form:

Adam U. Lindgren, City Attorney



Exhibit A - Scope of Services

Background

The purpose of this memo is to outline the Transportation Demand Management (TDM) services that the 50 Corridor Transportation Management Association (TMA) proposes to provide to the City of Rancho Cordova in Transit Zones 1, 2, and 3. This memo is organized into three sections:

1. Background
2. Scope of Services
3. Cost Estimate

Rancho Cordova Transit Zones

Transit Zone 1

The boundaries of Transit Zone 1 and the former County Service Area 10 Benefit Zone 1 are congruent. Transit Zone 1 covers the Zinfandel Special Planning Area, which is generally located south of International Boulevard, north of Mather Boulevard, east of Femoyer Street, and West of the Folsom South Canal.

Transportation service fees are levied annually from property owners within the Transit Zone, and this funding is earmarked for transit shuttle and other transportation demand management services described in the CSA Formation Report and in conditions of development included in County Ordinance No SCZ 2000-018 and related planning documents, including a Transportation System Management Plan and AQ-15 Plan.

Transit Zone 2

The boundaries of Transit Zone 2 and the former County Service Agreement 10 Benefit Zone 2 are congruent. Transit Zone 2 covers the Sunrise Douglas Community Plan and SunRidge Specific Plan Areas, which are generally located south of Douglas Boulevard (plus a small triangular section adjoining to the north), north of Kiefer Boulevard, east of Sunrise Boulevard, and west of Grant Line Road. Transportation service fees are levied annually from property owners within the Transit Zone, and this funding is earmarked for transit shuttle and other transportation demand management services described in the CSA Formation Report and in conditions of development included in County Ordinance SCZ 2002-014 and related planning documents, including a Transportation System Management Plan and AQ-15 Plan. In particular, Transit Zone 2 has a targeted goal of 30% reduction in daily vehicle trips.

Transit Zone 3

Transit Zone 3 covers the Capital Village Area, which is generally located south of Disk Drive, north of International Drive, east of Zinfandel Drive, and west of Prospect Park Drive. Transportation service fees are levied annually from property owners within the Transit Zone, and this funding is earmarked for transit shuttle and other transportation demand management services.

50 TMA History

The 50 Corridor TMA was founded in 1994 as the Folsom-Rancho Cordova-El Dorado Transportation Management Association. In its 29-year history, it has served as a public private partnership delivering programs and innovative solutions that empower people to choose modes of transportation that enhance economic, environmental and public health. This includes serving as the exclusive TMA to six different residential communities:

1. Capital Village (City of Rancho Cordova)
2. Folsom Plan Area (City of Folsom)
3. North Vineyard Station Specific Plan Area (Unincorporated Sacramento County)
4. Rosemont (Pilot) Community (Unincorporated Sacramento County)
5. Sunrise Douglas Community Plan/SunRidge Specific Plan Areas (City of Rancho Cordova)
6. Zinfandel Special Planning Area (City of Rancho Cordova)

We also have member employers representing over 20,000 employees along the US-50 corridor and manage the Sacramento TMA, which represents over 90,000 employees within the City of Sacramento. To all of these constituents, we serve as a point of reference for new innovations and options in sustainable transportation, providing information, education, and direct services to help residents and workers choose sustainable modes of transportation.

50 TMA Approach

The COVID-19 pandemic forced us to rethink Transportation Demand Management; while the mass movement towards work-from-home means many people are no longer commuting regularly to an office or work site, it does not necessarily mean they are driving less. In fact, many studies show that work-from-home results in higher Vehicle Miles Traveled (VMT) because people make more trips, are less likely to trip-chain, and have more flexibility to carry out household-serving trips throughout the day. For these and other reasons, the 50 TMA does not limit our TDM approach to commute trips. Rather, we provide information and strategies to help individuals assess all of their travel habits and to identify those trips they can most conveniently shift to sustainable modes. We make these strategies broadly appealing so that everyone has an opportunity to shift their behavior and so that small changes by many people can create change at scale.

Our approach to TDM is backed by the latest research, including best practices, case studies, and academic literature. The gold standard reference for measuring trip reduction and VMT reduction effectiveness in our region is the Handbook for Analyzing Greenhouse Gas Emission Reductions, Assessing Climate Vulnerabilities, and Advancing Health and Equity, published in August 2021 by the

Sacramento Air Quality Management District, among other government agencies. Estimates of VMT reduction effectiveness included in the Scope of Services below are taken from this resource, unless otherwise footnoted.

Scope of Services

The 50 Corridor Transportation Management Association will provide the City of Rancho Cordova the following scope of services for Transit Zones 1, 2, and 3 for July 2023 through June 2024. Costs include staff time per the billing rate summary, hard program costs, marketing, data purchase, and reporting. Marketing costs include: printing, postage, and ad-buys. Hard program costs include but are not limited to: subsidies, event expenses (food, rentals, vendor services), and incentives. These costs are estimates; funds may be reallocated between tasks and zones with approval from the City.

Task 1 - Performance Metrics

This task will build on the origin-and-destination analysis completed in fiscal year 2022-2023 to explore ways of measuring program performance and effectiveness.

Work associated with this task would include the following:

- Researching options for better measuring travel behavior among residents in each Transit Zone, including piloting of the NREL Open Path tool or similar mobile phone-based travel diary applications.
- Utilize the 50 TMA's new, custom Salesforce Customer Relationship Management tool to better track travel behavior change and engagement in our programs.
- Reporting to City staff, City Council, and residents on the performance of our programs.

Task 2 - Sustainable Trips

Trip reduction programs have been shown to reduce VMT by between 4% and 26% depending on the level of reporting and penalties for missing trip reduction targets. Such programs include a standard suite of TDM strategies, including:

- Rideshare matching
- Discounted transit fare
- Encouragement and incentives for bicycling
- Vanpool coordination
- Guaranteed ride

Marketing alone to support such strategies has been shown to reduce VMT by up to 4%. In fact, a pilot carried out in Rancho Cordova in 2003-2004 achieved a 4% reduction in VMT, or about 160,000 miles per year, through individualized marketing to promote light rail as an alternative to driving.¹ Work completed

¹ *Federal Transit Administration Individualized Marketing Demonstration Program*, 2006. Available at: https://www.transit.dot.gov/sites/fta.dot.gov/files/docs/IMDP_Final_Report.pdf

towards this task will continue to take this pilot as inspiration and draw on best practices from other TMAs around the country.

Community-based travel planning is a related trip-reduction strategy that can be integrated with our marketing efforts. This might include sending maps to residents' homes that show transit routes and bikeways from their neighborhood to popular nearby destinations. Such community-based travel planning has been shown to reduce VMT by over 2%.

Work associated with this task would include the following:

- Provide incentives to residents and employees within the Transit Zones when they carpool, walk, bike, and take transit. May also include subsidies for vanpools, carsharing, or electric mobility, such as in-home electric vehicle chargers and electric-assist bicycles when those subsidies are determined to be the most effective emissions reduction strategy for a household.
- Provide guaranteed rides to support mode shift, including subsidized rides by Lyft/Uber, Yellow Cab and Enterprise Rental Car to support residents when they choose sustainable modes and need a ride.
- Continue to build toward individualized marketing using the 50 TMA's new, custom Salesforce Customer Relationship Management tool, including improved segmented marketing and improved engagement tracking.
- Marketing for sustainable trips incentive programs and guaranteed ride, as well as education around sustainable transportation options and community-based travel planning via direct mail, social media ads, email, events, and other marketing channels. New resident welcome packs and coordination with local real estate agents and developer staff. This task also includes staff time to administer incentives, guaranteed ride, and develop and carry out related marketing campaigns.

Task 3 - Active Transportation Events

Reducing barriers to bicycling has been shown to reduce VMT by over 4%. Work associated with this task would include the following:

- Bicycle tune-ups, family-friendly bike rides, bike safety and education workshops, ebike demonstrations and test-rides, and/or ebike conversion workshops to encourage bicycling for public health, convert recreational riders into active transportation cyclists, and empower riders to make more trips by bicycling.
- Support and promote May is Bike Month through Love to Ride online platform and in-person events.
- Marketing for active transportation events and education around active transportation options via direct mail, social media ads, email, and other marketing channels.
- Staff time to plan and carry out active transportation events and to develop and carry out related marketing campaigns.

Task 4 - Smart Routes to School

School pools and smart routes to school programs do not have quantified VMT benefits, according to the *Handbook for Analyzing Greenhouse Gas Emission Reductions*, but the Handbook does include the strategies as options that may have co-benefits when combined with other VMT reduction strategies. It also means there simply may not be enough research to support a quantified VMT reduction.

Work associated with this task would include the following:

- Continue trip tracking program at Robert J. McGarvey Elementary School, using Active4.me barcode scanning technology, 6th grade student leader volunteers, and parent volunteers. Support the program with prizes, such as books and ice cream parties.
- Renew programming at Sunrise Elementary School, building capacity with parent volunteers and school staff. The 50 TMA worked at Sunrise Elementary for many years before the pandemic. School staff and parents involved in the Parent Faculty Organization are excited to get the program back up and running. This may include using Active4.me barcode scanning technology and/or friendly competition with McGarvey Elementary, which is down the road.
- Support and organize bicycling education and safety programs at McGarvey and Sunrise Elementary Schools, including events to support Clean Air Day and May is Bike Month.

Task 5 - Project Management

Work associated with this task would include staff time to complete monthly invoices and periodic reports to City staff and/or City Council.



Exhibit B - Cost Estimate

Cost Estimate

	Zone 1 Zinfandel/ Stone Creek	Zone 2 Anatolia	Zone 3 Capital Village	Total
Task 1 - Demand + Performance	\$2,000	\$7,000	\$1,000	\$10,000
Task 2 - Sustainable Trips	\$12,000	\$43,000	\$7,000	\$62,000
Task 3 - Active Transportation Events	\$17,000	\$20,000	\$14,000	\$51,000
Task 4 - Smart Routes to School	\$0	\$20,000	\$0	\$20,000
Task 5 - Project Management	\$5,000	\$6,000	\$4,000	\$15,000
Total Budgeted	\$36,000	\$96,000	\$26,000	\$158,000

Billing Rate Summary

Staff Position	Hourly Rate	Hourly Pay Range
Executive Director	\$175	\$50 - \$60
Part Time Staff (without benefits)	Actual hourly wage x 2	\$20 - \$50
Full Time Staff (with benefits)	Actual hourly wage x 2.5	\$25 - \$50

MEMORANDUM



ITEM 9.8.

DATE: August 7, 2023
TO: Honorable Mayor and Council Members
FROM: Stacy Leitner, City Clerk
SUBJECT: **A RESOLUTION DESIGNATING A VOTING DELEGATE AND ALTERNATES FOR THE 2023 LEAGUE OF CALIFORNIA CITIES ANNUAL CONFERENCE TO BE HELD SEPTEMBER 20-22, 2023, IN SACRAMENTO, CALIFORNIA**

RECOMMENDATION

Adopt the Resolution.

RESULT OF RECOMMENDED ACTION

Adoption of the Resolution would designate Vice Mayor David Sander as Voting Delegate and Council Member Garrett Gatewood as the Alternate Voting Delegate for the 2023 League of California Cities Annual Conference Business Meeting.

BACKGROUND

The 2023 Annual League of California Cities Conference is scheduled for September 20-22, 2023 in Sacramento, California. An important part of the Annual Conference is the General Assembly Business Meeting. At this meeting, the League membership considers and takes action on Resolutions that establish League policy. In order to vote at this meeting, the City Council must designate a voting delegate.

FISCAL IMPACT AND FUNDING SOURCE

There is no Fiscal Impact.

ATTACHMENT(S)

1. Resolution

CITY OF RANCHO CORDOVA

RESOLUTION NO. XX-2023

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RANCHO CORDOVA, STATE OF CALIFORNIA, DESIGNATING A VOTING DELEGATE AND VOTING ALTERNATES FOR THE 2023 LEAGUE OF CALIFORNIA CITIES ANNUAL CONFERENCE AND GENERAL ASSEMBLY BUSINESS MEETING

WHEREAS, the 2023 Annual League of California Cities Conference will be held September 20-22, 2023, in Sacramento, California; and

WHEREAS, in order to vote at the Annual General Assembly Business Meeting, the City Council must designate its Voting Delegate and Voting Delegate Alternates.

NOW, THEREFORE, BE IT HEREBY RESOLVED THE CITY COUNCIL OF THE CITY OF RANCHO CORDOVA that Vice Mayor David Sander is designated as the City's Voting Delegate and Council Member Garrett Gatewood as the Alternate Voting Delegate for the 2023 Annual League of California Cities Conference and General Assembly Business Meeting.

BE IT FURTHER RESOLVED that the City Clerk will submit a certified copy of this resolution to the Cal Cities office by August 28, 2023.

PASSED AND ADOPTED by the City Council of the City of Rancho Cordova on the 7th day of August, 2023 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

Linda Budge, Mayor

Stacy Leitner, CMC
City Clerk

MEMORANDUM



ITEM 9.9.

DATE: August 7, 2023
TO: Honorable Mayor and Council Members
FROM: Lorianne Ulm, Community Engagement Manager
SUBJECT: **A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE GENERAL SERVICES CONTRACT NO. 2020-175-4 IN AN AMOUNT NOT TO EXCEED \$314,000 WITH ETHAN FLEENER CONSTRUCTION FOR FUNDING THE RESIDENTIAL BEAUTIFICATION PROGRAM**

RECOMMENDATION

Adopt the Resolution.

RESULT OF RECOMMENDED ACTION

Adoption of the Resolution would enhance qualified properties visible from the public street or sidewalk with improvements which are highlighted in the City's Good Neighbor Guide, which would benefit the City of Rancho Cordova and its residents by creating beautiful and sustainable properties in the City of Rancho Cordova.

BACKGROUND

On June 20, 2022, the City Council approved Resolution No. 119-2022 for projects and programs to be funded from the approved Measure H 1/2 cent sales tax measure for the fiscal year ending June 30, 2023. Additionally, on June 15, 2020, the City Council approved Resolution No. 64-2020 which also approved projects and programs to be funded from the approved Measure H 1/2 cent sales tax measure for the fiscal year ending June 30, 2021. Exhibit A to both Resolution No. 64-2020 and Resolution No. 119-2022 allocated funding for community development, community building, outreach, community service activities, and beautification projects, programs, and incentives.

In an effort to provide various beautification opportunities for our community, the City entered into a contract with Ethan Fleener Construction in November of 2020 to enhance qualified properties visible from the public street or sidewalk with improvements which are highlighted in the City's Good Neighbor Guide, which will benefit the City of Rancho Cordova and its residents by creating beautiful and sustainable properties in the City of Rancho Cordova.

This fourth amendment to the General Services Agreement (GSA) modifies the end date of the contract to support the Residential Beautification Program, also known as the Good Neighbor Assistance Program, and provides additional funds to support this effort through the fiscal year

ending June 30, 2024. The fourth amendment increases the overall budget by \$150,000, bringing the total GSA amount to \$314,000.

FISCAL IMPACT AND FUNDING SOURCE

There is no additional fiscal impact since the available funding was already authorized under Resolution No. 64-2020 and Resolution No. 119-2022 under Measure H and approved under the Measure R budget for Fiscal Year 2023/24.

ATTACHMENT(S)

1. Resolution
2. General Service Agreement Amendment 4

CITY OF RANCHO CORDOVA

RESOLUTION NO. XX-2023

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RANCHO CORDOVA,
STATE OF CALIFORNIA, AUTHORIZING THE CITY MANAGER TO ENTER INTO AN
AGREEMENT WITH ETHAN FLEENER CONSTRUCTION IN AN AMOUNT NOT TO EXCEED
\$314,000 FOR FUNDING THE RESIDENTIAL BEAUTIFICATION PROGRAM**

WHEREAS, the parties will enter into a General Services Agreement (GSA) in an amount not to exceed \$314,000 for the Residential Beautification Program; and

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

WHEREAS, funding for the amended GSA will be from Measure R, Community Enhancement and Investment Funds in Fiscal Year 2023-24.

NOW, THEREFORE, BE IT HEREBY RESOLVED THE CITY COUNCIL OF THE CITY OF RANCHO CORDOVA does authorize the City Manager to enter into a GSA in an amount not to exceed \$314,000 for funding of the Residential Beautification Program, also known as the Good Neighbor Assistance Program.

PASSED AND ADOPTED by the City Council of the City of Rancho Cordova on the 7th day of August 2023 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Linda Budge, Mayor

ATTEST:

Stacy Leitner, CMC
City Clerk

**FOURTH AMENDMENT TO THE GENERAL SERVICES AGREEMENT
BETWEEN THE CITY OF RANCHO CORDOVA AND ETHAN FLEENER CONSTRUCTION**

This Fourth Amendment to the General Services Agreement ("Amendment") is made by and between the City of Rancho Cordova ("City") and Ethan Fleener Construction ("Contractor") as of August 7, 2023. City and Contractor are hereinafter collectively referred to as the "Parties."

RECITALS

WHEREAS, the Parties entered into a General Services Agreement ("GSA") dated November 12, 2020 for the purpose of beautification improvements associated with our Good Neighbor Assistance Program; and

WHEREAS, this Amendment will modify the date of the contract continuing to support our Residential Beautification Program, also known as the Good Neighbor Assistance Program, enhancing qualified properties visible from the public street or sidewalk with improvements which are highlighted in the City's Good Neighbor Guide through the fiscal year ending June 30, 2024; and

WHEREAS, the Parties agree to increase the total available project allocation by an additional One Hundred and Fifty Thousand Dollars (\$150,000), in order to provide Good Neighbor Assistance Program support through the next fiscal year.

NOW, THEREFORE, the Parties hereto agree as follows:

AGREEMENT

1. The Parties agree to modify the end date of the GSA from June 30, 2023, to June 30, 2024. The first sentence of Section 2 of the GSA, "Term," is amended to read as follows:

"The term of this Agreement shall begin on the date first noted above and shall end on June 30, 2024, and Contractor 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 13."

2. Section 4 of the GSA, "Compensation," provides for the City to pay Contractor a sum not to exceed \$164,000. The Parties agree to amend Section 2 of the GSA in order to increase the compensation amount to pay Contractor for additional services. The first sentence of Section 4 of the GSA is amended to read as follows:

"City hereby agrees to pay Contractor a sum not to exceed Three Hundred Fourteen Thousand Dollars (\$314,000), notwithstanding any contrary indication that may be contained in Contractor's proposal, for services to be performed and reimbursable costs incurred under this Agreement."

3. All other terms and conditions in the GSA shall remain in full force and effect to the extent they are not in conflict with this Amendment.

ITEM 9.9.

ATTACHMENT 2
CONTRACT NO. 2020-175-4

4. 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.
5. **Contract Administration.** This Agreement shall be administered by The City of Rancho Cordova's Community Engagement Manager ("Contract Administrator"). All correspondence shall be directed to or through the Contract Administrator or his or her designee.
6. **Notices.** Any written notice to Professional shall be sent to:
Ethan Fleener Construction
2544 Vernaccia Circle
Rancho Cordova, CA 95670

Any written notice to City shall be sent to:
Lorianne Ulm
Community Engagement Manager
City of Rancho Cordova
2729 Prospect Park Drive
Rancho Cordova, CA 95670

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

CITY OF RANCHO CORDOVA

CONTRACTOR

Micah Runner, City Manager

Ethan Fleener, Owner

Date: _____

Date: _____

Attest:

Stacy Leitner, CMC, City Clerk

Date: _____

Approved as to Form:

Adam U. Lindgren, City Attorney

ITEM 9.9.

ATTACHMENT 2
CONTRACT NO. 2020-175-4

Date: _____

MEMORANDUM



ITEM 9.10.

DATE: August 7, 2023
TO: Honorable Mayor and Council Members
FROM: Lorianne Ulm, Community Engagement Manager
SUBJECT: **A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE GENERAL SERVICES CONTRACT NO. 2022-93-1 IN AN AMOUNT NOT TO EXCEED \$250,000 WITH EXCEL LANDSCAPING, FOR FUNDING THE RESIDENTIAL BEAUTIFICATION PROGRAM**

RECOMMENDATION

Adopt the Resolution.

RESULT OF RECOMMENDED ACTION

Adoption of the Resolution would enhance qualified properties visible from the public street or sidewalk with improvements which are highlighted in the City's Good Neighbor Guide, which would benefit the City of Rancho Cordova and its residents by creating beautiful and sustainable properties in Rancho Cordova.

BACKGROUND

On June 20, 2022, the City Council approved Resolution No. 119-2022 for projects and programs to be funded from the approved Measure H 1/2 cent sales tax measure for the fiscal year ending June 30, 2023. Additionally, on June 15, 2020, the City Council approved Resolution No. 64-2020 which also approved projects and programs to be funded from the approved Measure H 1/2 cent sales tax measure for the fiscal year ending June 30, 2021. Exhibit A to both Resolution No. 64-2020 and Resolution No. 119-2022, allocated funding for community development, community building, outreach, community service activities, and beautification projects, programs, and incentives.

In an effort to provide various beautification opportunities for our community, the City entered into a contract with Excel Landscaping in July of 2022 to enhance qualified properties visible from the public street or sidewalk with improvements which are highlighted in the City's Good Neighbor Guide, which will benefit the City of Rancho Cordova and its residents by creating beautiful and sustainable properties in Rancho Cordova.

This first amendment to the General Services Agreement (GSA) modifies the end date of the contract to support the Residential Beautification Program, also known as the Good Neighbor Assistance Program, and provides additional funds to support this effort through the fiscal year ending June 30, 2024. The first amendment increases the overall budget by \$150,000, bringing the total GSA amount to \$250,000.

FISCAL IMPACT AND FUNDING SOURCE

There is no additional fiscal impact since the available funding was already authorized under Resolution No. 64-2020 and Resolution No. 119-2022 under Measure H and approved under the Measure R budget for Fiscal Year 2023/24.

ATTACHMENT(S)

1. Resolution
2. General Service Agreement Amendment 1

CITY OF RANCHO CORDOVA

RESOLUTION NO. XX-2023

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RANCHO CORDOVA,
STATE OF CALIFORNIA, AUTHORIZING THE CITY MANAGER TO ENTER INTO AN
AGREEMENT WITH EXCEL LANDSCAPING IN AN AMOUNT NOT TO EXCEED \$250,000
FOR FUNDING THE RESIDENTIAL BEAUTIFICATION PROGRAM**

WHEREAS, the parties will enter into the first amendment to the General Services Agreement (GSA) for the amount of \$250,000 for the Residential Beautification Program; and

WHEREAS, this is an increase of \$150,000, from \$100,000 to \$250,000; and

WHEREAS, this first amendment also aligns the GSA to end at the fiscal year end date of June 30, 2024; and

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

WHEREAS, funding for the amended GSA will be from Measure R, Community Enhancement & Investment Fund.

NOW, THEREFORE, BE IT HEREBY RESOLVED THE CITY COUNCIL OF THE CITY OF RANCHO CORDOVA does authorize the City Manager to enter into the fourth amendment to the GSA in the amount of \$250,000 for funding the Residential Beautification Program, also known as the Good Neighbor Assistance Program.

PASSED AND ADOPTED by the City Council of the City of Rancho Cordova on the 7th day of August, 2023 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Linda Budge, Mayor

ATTEST:

Stacy Leitner, CMC
City Clerk

**FIRST AMENDMENT TO THE GENERAL SERVICES AGREEMENT
BETWEEN THE CITY OF RANCHO CORDOVA AND EXCEL LANDSCAPING**

This First Amendment to the General Services Agreement ("Amendment") is made by and between the City of Rancho Cordova ("City") and Excel Landscaping ("Contractor") as of August 7, 2023. City and Contractor are hereinafter collectively referred to as the "Parties."

RECITALS

WHEREAS, the Parties entered into a General Services Agreement ("GSA") dated July 11, 2022 for the purpose of beautification improvements associated with our Good Neighbor Assistance Program; and

WHEREAS, this Amendment will modify the date of the contract continuing to support our Residential Beautification Program, also known as the Good Neighbor Assistance Program, enhancing qualified properties visible from the public street or sidewalk with improvements which are highlighted in the City's Good Neighbor Guide through the fiscal year ending June 30, 2024; and

WHEREAS, the Parties agree to increase the total available project allocation by an additional One Hundred and Fifty Thousand Dollars (\$150,000), in order to provide Good Neighbor Assistance Program support through the next fiscal year.

NOW, THEREFORE, the Parties hereto agree as follows:

AGREEMENT

1. The Parties agree to modify the end date of the GSA from December 31, 2023, to June 30, 2024. The first sentence of Section 2 of the GSA, "Term," is amended to read as follows:

"The term of this Agreement shall begin on the date first noted above and shall end on June 30, 2024, and Contractor 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 13."

2. Section 4 of the GSA, "Compensation," provides for the City to pay Contractor a sum not to exceed \$100,000. The Parties agree to amend Section 2 of the GSA in order to increase the compensation amount to pay Contractor for additional services. The first sentence of Section 2 of the GSA is amended to read as follows:

"City hereby agrees to pay Contractor a sum not to exceed Two Hundred Fifty Thousand Dollars (\$250,000), notwithstanding any contrary indication that may be contained in Contractor's proposal, for services to be performed and reimbursable costs incurred under this Agreement."

3. All other terms and conditions in the GSA shall remain in full force and effect to the extent they are not in conflict with this Amendment.

4. 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.

5. **Contract Administration.** This Agreement shall be administered by The City of Rancho Cordova's Community Engagement Manager ("Contract Administrator"). All correspondence shall be directed to or through the Contract Administrator or his or her designee.

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

Excel Landscape
9624 Kiefer Blvd. #2
Sacramento, CA 95827
ATTN: Ray Williams, Owner
excellandscape@hotmail.com

Any written notice to City shall be sent to:
Lorianne Ulm
Community Engagement Manager
City of Rancho Cordova
2729 Prospect Park Drive
Rancho Cordova, CA 95670

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

CITY OF RANCHO CORDOVA

CONTRACTOR

Micah Runner, City Manager

Ray Williams, Owner Excel Landscape

Date:_____

Date:_____

Attest:

Stacy Leitner, CMC, City Clerk

Date:_____

Approved as to Form:

Adam U. Lindgren, City Attorney

ITEM 9.10.

ATTACHMENT 2
CONTRACT NO. 2022-93-1

Date: _____

MEMORANDUM



ITEM 10.1.

DATE: August 7, 2023
TO: Honorable Mayor and Council Members
FROM: Michelle Mingay, Senior Finance Analyst
SUBJECT: **A RESOLUTION AUTHORIZING DELINQUENT RESIDENTIAL SOLID WASTE SERVICE CHARGES TO BE COLLECTED ON THE 2023-2024 PROPERTY TAX ROLL**

RECOMMENDATION

Adopt the Resolution.

RESULT OF RECOMMENDED ACTION

Adoption of the Resolution would authorize delinquent residential solid waste service charges to be collected on the 2023-24 property tax roll.

BACKGROUND

The Collection Services Contract ("Contract"), between the City of Rancho Cordova and Republic Services, formerly Allied Waste Services, ("Republic"), for residential garbage collection and recycling, allows Republic to take any action legally available to collect past due amounts. Pursuant to Government Code Sections 38790.1 and 25831, one such action is for the City to assist Republic by placing the delinquent accounts on the property tax roll.

The City's Municipal Code allows for the property tax rolls to be utilized for collecting delinquent charges, but in order for the City to assist Republic, the City Council must approve two separate Resolutions prior to recording a tax levy for delinquent residential solid waste accounts. The first resolution, which was adopted by the Council on May 15, 2023, established the intent of the City Council to transfer delinquent residential solid waste accounts to the tax rolls, as well as setting a Public Hearing for July 3, 2023, at 5:30 p.m. to take comments and objections from the public regarding the transfer of delinquent residential solid waste accounts to the tax roll. At the conclusion of the Public Hearing today, the Council will be asked to adopt the second resolution titled "A Resolution of the City Council of the City of Rancho Cordova Authorizing Delinquent Residential Solid Waste Service Charges to be collected on the Property Tax Roll."

As of July 21, 2023, the total number of accounts with delinquent charges that have been identified to be transferred to the tax roll is 658, and a total amount of \$393,591.74. The amount to be submitted to the County Auditor's Office for inclusion on the tax roll will be reduced by the number of current delinquent accounts that submit payment in the interim. Republic will provide the City with a final delinquency list immediately after the County levy submission on August 7, 2023, which will capture any last minute payments made to Republic.

The amount collected on the tax rolls may not reflect all of the total-to-date delinquent charges, since the delinquent solid waste levy may only legally include accounts that were delinquent at March 1, 2023.

Public Notification Process

As required by the County Assessor's Office for the property tax lien process, Republic sent two letters to the property owners of delinquent solid waste accounts, one in June and the second in July. The letters requested payment of the account and advised that unpaid delinquent accounts would be included on a list and presented to the City Council at a Public Hearing on August 7, 2023, to be confirmed by Council resolution. The letter also informed the property owners that the confirmed delinquent accounts, together with a ten percent penalty and five percent administrative charge, would be placed on the County of Sacramento tax rolls to be collected with the property tax.

Property Tax (Levy) Collection Process

The Sacramento County Assessor's office places delinquent utility charges on the property tax rolls. Under the Property Tax Collection Process, the delinquent utility charges are placed on the property tax roll annually in August, collected by the County the following December and April, and remitted to the City in January and May. The City then processes a payment to Republic for the amount received from the County minus a City administrative cost.

FISCAL IMPACT AND FUNDING SOURCE

The City will receive a 10% administrative fee, based on the final balance transferred to the property tax roll, to cover the cost of administering the program.

ATTACHMENT(S)

1. Resolution
2. Exhibit A to the Resolution - Fiscal Year 2023-24

CITY OF RANCHO CORDOVA

RESOLUTION NO. XX-2023

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RANCHO CORDOVA, STATE OF CALIFORNIA, AUTHORIZING DELINQUENT RESIDENTIAL SOLID WASTE SERVICE CHARGES BE COLLECTED ON THE 2023-2024 PROPERTY TAX ROLL

WHEREAS, in 2017 the City of Rancho Cordova executed the Collection Services Contract with Allied Waste Services of North America, LLC, a subsidiary of Republic Services ("Republic") for the provision of residential solid waste collection and recycling services; and

WHEREAS, the Collection Services Contract requires Republic to bill residential solid waste accounts for garbage collection and recycling services; and

WHEREAS, pursuant to Government Code Sections 38790.1 and 25831, the City may assist Republic in collection of past due accounts; and

WHEREAS, the property tax collection process has been used, by both the City of Rancho Cordova and County of Sacramento, for many years to collect delinquent utility charges; and

WHEREAS, Republic did, on the June 6, 2023, file with the City of Rancho Cordova a written report containing a description of each parcel of real property and the amount of the delinquent solid waste service charges proposed to be collected on the tax roll; and

WHEREAS, the City Council subsequently did, on June 19, 2023, adopt a Resolution of Intention No. 86-2023 to order delinquent solid waste service charges and late penalties to be collected on the tax roll at the same time and in the same manner as the general tax levy for County purposes and to set a public hearing for such purpose; and

WHEREAS, the Clerk of said City Council has duly caused notice by publication in the time, form and manner provided by law, of the time when and the place where any and all persons having objections to the proposed collection should not be carried out; and

WHEREAS, this is the time and place set for hearing on said matter; and

WHEREAS, said City Council has received no objections or protests of any kind or nature against the proposed action or against the amount of such charges.

NOW, THEREFORE, BE IT HEREBY RESOLVED THE CITY COUNCIL OF THE CITY OF RANCHO CORDOVA the delinquent solid waste service charges report provided by Republic, attached hereto as Exhibit A, is hereby adopted, confirmed, ratified and approved to be transferred to the County property tax rolls for collection.

BE IT FURTHER RESOLVED that Republic is hereby authorized and directed to delete from the report any and all delinquent accounts which are paid in full on or before the August 7, 2023, the date when the Direct Levy data file must be received by the County.

PASSED AND ADOPTED by the City Council of the City of Rancho Cordova on the 7th

ITEM 10.1.

ATTACHMENT 1

day of August 2023 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

Stacy Leitner, CMC
City Clerk

Linda Budge, Mayor

ITEM 10.1.

ATTACHMENT 2
Exhibit A to the Resolution

City of Rancho Cordova
Residential Refuse Delinquencies
as of July 21, 2023

Account #	Parcel Number	Billing Name	Street #	Street Name/PO BOX	City	State	Zip Code	Total Levy
77762	07701630110000	JOSEPH LOUIS & MARQUEL FOSTER	10162	CRAWFORD WAY	SACRAMENTO	CA	95827-2461	2,991.00
82296	05801310350000	ADRIENNE & ROCKY CARIVEAU	2480	QUEENWOOD DR	RANCHO CORDOVA	CA	95670-5109	2,568.68
181067	05801140050000	SCOTT WILLIAMS	10816	BERWICK WAY	RANCHO CORDOVA	CA	95670-4936	1,931.10
222658	06804710290000	KRYSTAL WILLIAMS	3245	PEGASUS WAY	SACRAMENTO	CA	95827-2317	1,670.64
77760	07701630110000	JOSEPH LOUIS & MARQUEL FOSTER	10160	CRAWFORD WAY	SACRAMENTO	CA	95827-2461	1,597.68
204370	06705600260000	SCOTT HAYNES	4415	NIOBE CIR	RANCHO CORDOVA	CA	95742-8044	1,407.92
67872	07701410010000	FRANCIS NELSON	3208	LAURELHURST DR	RANCHO CORDOVA	CA	95670-5815	1,402.32
612312	05701610080000	MARIBEL TREJO	2628	RIBIER WAY	RANCHO CORDOVA	CA	95670-3716	1,375.92
541422	07601330140000	EVELYN GAYFIELD	10370	DOLECETTO DR	RANCHO CORDOVA	CA	95670-3545	1,367.62
35446	05801620120000	SHARON CEBRIAN	2320	CANO CT	RANCHO CORDOVA	CA	95670-3916	1,366.84
60314	05603400420000	DAMIEN HALL	2185	EDEN RIVER CT	RANCHO CORDOVA	CA	95670-2807	1,349.68
102862	05603700460000	MARGO FRANK	5155	ARDEN WAY	CARMICHAEL	CA	95608-6041	1,307.80
638648	06803460230000	DEMETRIUS BELLAMY	5050	LAGUNA BLVD	ELK GROVE	CA	95758-4193	1,293.12
556663	07502430020000	BETTY KRAUS	2274	LA GRAMA DR	RANCHO CORDOVA	CA	95670-3155	1,289.80
17182	05800230060000	CHERYL DORMAN/MICHAEL MANOFF	2530	ANGIE WAY	RANCHO CORDOVA	CA	95670-4930	1,287.80
77780	07703240160000	TELISA S LEAVY	3369	HARTSELLE WAY	SACRAMENTO	CA	95827-2449	1,280.92
102721	07232300450000	STANLEY MCDOWELL	10836	SAMASCO WAY	RANCHO CORDOVA	CA	95670-8021	1,278.60
551892	06805000330000	DENISE LEMONS	10044	CRIMORA CT	SACRAMENTO	CA	95827-2946	1,265.74
136109	05701040120000	ANNE H MATTHEWS	2541	FURMINT WAY	RANCHO CORDOVA	CA	95670-3619	1,256.66
9479	06704900170000	RICHARD PATTERSON	4224	TOPAZ VALLEY WAY	RANCHO CORDOVA	CA	95742-8023	1,253.56
127886	05602500120000	RICHARD AL GIVENS	10641	COLOMA RD	RANCHO CORDOVA	CA	95670-3938	1,253.56
485008	06804920270000	JOANN WOOLFOLK	10082	LINCOLN VILLAGE DR	SACRAMENTO	CA	95827-2971	1,253.56
558433	06805200200000	EBONY ALLEN	3059	EXPLORER DR	SACRAMENTO	CA	95827-2718	1,253.36
28025	06801260050000	CAROLYN THOMAS	10005	LINCOLN VILLAGE DR	SACRAMENTO	CA	95827-2931	1,253.28
32857	07703240040000	CHRIS FRY	10218	ROCKINGHAM DR	SACRAMENTO	CA	95827-2454	1,251.58
549766	05601120080000	TERRY FORTNER	2117	DANBURY WAY	RANCHO CORDOVA	CA	95670-2206	1,251.10
189910	07701720190000	WAYNE MONTROYA	10413	BUENA PLAZA CIR	RANCHO CORDOVA	CA	95670-5403	1,249.52
395027	07703700880000	JOHN BALBUENA	3451	MISTY MORNING CIR	SACRAMENTO	CA	95827	1,248.30
29493	05801030110000	WILLIAM F FECHER JR	2344	ROSADO WAY	RANCHO CORDOVA	CA	95670-5232	1,246.76
21163	06706800130000	THELMA CASH	6971	MITCHLEN CT	SLOUGHHOUSE	CA	95683-9600	1,244.58
585867	07220200280000	JAMES CANNON	10981	PELARA WAY	RANCHO CORDOVA	CA	95670-6911	1,240.22
64166	06803480060000	DEREK POINTER	3366	ROUTIER RD	SACRAMENTO	CA	95827-2322	1,230.38
71747	05803900530015	BRIE M BENNETT	11012	COBBLESTONE DR	RANCHO CORDOVA	CA	95670-4231	1,225.30
66057	07701030060000	GERARDO PEREZ	10282	CROYDON WAY	RANCHO CORDOVA	CA	95670-5312	1,217.40
148247	05703110150000	BROOKE KENT	2406	CARIEL CT	RANCHO CORDOVA	CA	95670-4924	1,215.30
53119	07201620020000	BRIDGET T GOMEZ	2904	WESTON WAY	RANCHO CORDOVA	CA	95670-5525	1,212.44
19333	07701420010000	JAVIER RAMIREZ	3207	LAURELHURST DR	RANCHO CORDOVA	CA	95670-5814	1,205.62
646971	07223700670000	RAZA TOUHIDUR	3601	AMICI CT	RANCHO CORDOVA	CA	95670-6955	1,202.40
14857	06707300600000	AMY LEUGERS & ERIC WORRELL	5317	DUSTY ROSE WAY	RANCHO CORDOVA	CA	95742-8124	1,194.24
64734	06803660150000	VETERANS ADMN	9975	OLD PLACERVILLE RD	SACRAMENTO	CA	95827-3531	1,188.18
82421	07223900050000	REBECCA KRAMER	3351	TUALATIN WAY	RANCHO CORDOVA	CA	95670-6957	1,177.62
579783	07703000270000	TINA MANNING	3230	HOGARTH DR	SACRAMENTO	CA	95827-2357	1,163.08
250770	07702210260000	LORI MEJIA	3117	CHETTENHAM DR	RANCHO CORDOVA	CA	95670-5708	1,159.98
398065	07201820060000	JOSE CHAVEZ	2980	WINCHESTER DR	RESCUE	CA	95672-9374	1,151.36
518043	05800610060000	ABGAR SARKISIAN	2248	BENITA DR	RANCHO CORDOVA	CA	95670-4009	1,150.68
60653	06800910310000	JAMI N GORDON	9921	REDSTONE DR	SACRAMENTO	CA	95827-3501	1,150.46
217568	07501910110000	DIANE C RAFAEL	2229	W LA LOMA DR	RANCHO CORDOVA	CA	95670-3153	1,137.94
34486	05801710060000	KARLEN NALBANDYAN	10717	CAMPANA WAY	RANCHO CORDOVA	CA	95670-3915	1,124.20
71554	07232900010000	KRISHNAPPA BANGALORE	11058	INTERNATIONAL DR	RANCHO CORDOVA	CA	95670-8005	1,123.50
15202	06706700580000	PETER PARRENAS	5412	JADE SPRINGS WAY	RANCHO CORDOVA	CA	95742-8133	1,122.68
142229	05701930050000	BETTY J SMITH	2638	CHASSELLA WAY	RANCHO CORDOVA	CA	95670-4833	1,103.34
205928	07201920110000	KAREN LOSER LUXTON	10522	SILVERWOOD WAY	RANCHO CORDOVA	CA	95670-5519	1,099.26
11939	05801220070000	RAY TOLENTINO	2271	ZINFANDEL DR	RANCHO CORDOVA	CA	95670-5138	1,088.16
96857	05602800810000	MARK T HOPKINS	3637	EASTERN AVE	SACRAMENTO	CA	95821-3203	1,082.82
27605	07703800010000	ALISON BAKER	3633	MADDIEWOOD CIR	SACRAMENTO	CA	95827-3066	1,072.68
432331	07203610850000	GLENN AND LEANN RAE OSBORNE	2911	PLATINUM CT	RANCHO CORDOVA	CA	95670-5625	1,060.80
100392	07504100020000	CHRISTINA RODRIQUEZ	2252	EL CEJO CIR	RANCHO CORDOVA	CA	95670-3161	1,057.88
34459	07502910030000	ALLEN SCARBROUGH	2418	EL BURLON CIR	RANCHO CORDOVA	CA	95670-3116	1,055.66
27708	05601950150000	LEE & KARINE NORMAN	2005	MCGREGOR DR	RANCHO CORDOVA	CA	95670-2416	1,053.30
195032	06705500170000	QIANG LI	11761	LOISDALE WAY	RANCHO CORDOVA	CA	95742-8028	1,050.92
4668	07701040080000	PATY BARBA	3017	PORTSMOUTH DR	RANCHO CORDOVA	CA	95670-5320	1,044.90
42654	07501550050000	THR CALIFORNIA LP		PO BOX 4698	LOGAN	UT	84323-4698	1,041.72
45387	05701720190000	DOUGLAS PARKER	2610	BARBERA WAY	RANCHO CORDOVA	CA	95670-3706	1,028.74
52281	06707600360000	LETICIA MADAN	4831	AZALEA PARK WAY	RANCHO CORDOVA	CA	95742-8181	1,023.76
15630	07201510290000	HORIZON PROPERTIES	9827	FAIR OAKS BLVD	FAIR OAKS	CA	95628-7062	1,021.00
103541	06706700170000	ISMAIL CHAUDHRY	13378	CHRISTIE DR	SARATOGA	CA	95070-5103	1,013.88
436343	06804720170000	SENGPHET PHIMMASENE	3200	SATURN DR	SACRAMENTO	CA	95827-2324	1,003.86
93826	07703100390000	RUDOLPH SLAGLE		PO BOX 277141	SACRAMENTO	CA	95827-7141	993.18
252691	07702700240000	ARBIN C KUMAR	3390	OTTER CT	HAYWARD	CA	94542-2616	990.26
103637	06801050010000	HIGH SIDE ENTS		PO BOX 417484	SACRAMENTO	CA	95841-7484	976.46
92501	05801310380000	BING PING GAN	2548	QUEENWOOD DR	RANCHO CORDOVA	CA	95670-5111	972.72
61609	07501920070000	BARBARA REAGAN	2226	W LA LOMA DR	RANCHO CORDOVA	CA	95670-3146	969.18
123703	06704500140000	CORNELIA DOSTY	11761	AZALEA GARDEN WAY	RANCHO CORDOVA	CA	95742-8047	965.34
40163	05701510120000	KELLY LINN	2608	MORETTO CT	RANCHO CORDOVA	CA	95670-3625	963.94
247735	06801110020000	J N ROBINSON	3306	JUPITER DR	SACRAMENTO	CA	95827-2928	960.90
137	06704900120000	JOSEPH DEMITRO	11800	SLEATA FALLS WAY	RANCHO CORDOVA	CA	95742-8017	955.08
28015	06801250040000	FRANKIE LY SINGH	10013	NEBULA WAY	SACRAMENTO	CA	95827-2933	953.92
189048	05801920230000	CARRIE BARBIER	10625	CAMPANA WAY	RANCHO CORDOVA	CA	95670-3913	952.70
500321	07701020020000	BADIE BAHRAM		PO BOX 661471	SACRAMENTO	CA	95866-1471	952.62
21708	07225200050000	WAHIDA TANIA	3285	OSELOT WAY	RANCHO CORDOVA	CA	95670-6982	950.64
127983	05602500280000	RICHARD A GIVENS	10641	COLOMA RD	RANCHO CORDOVA	CA	95670-3938	949.30
17023	06706200350000	DARLENE M GRAY	2021	E 22ND ST	OAKLAND	CA	94606-4118	949.10
4178	06708001020000	BENJAMIN AVILA	12212	CONSERVANCY WAY	RANCHO CORDOVA	CA	95742-7763	949.08
9857	07702900450000	GARRET CHERI RANDALL	10080	BISCANEWOODS WAY	SACRAMENTO	CA	95827-2331	949.08

ITEM 10.1.

ATTACHMENT 2
Exhibit A to the Resolution

City of Rancho Cordova
Residential Refuse Delinquencies
as of July 21, 2023

Account #	Parcel Number	Billing Name	Street #	Street Name/PO BOX	City	State	Zip Code	Total Levy
11661	07601640330000	ERIN PLETCHER	2621	LA LOMA DR	RANCHO CORDOVA	CA	95670-3304	949.08
35069	05702850080000	JESSE C PALMER	2424	ARAMON DR	RANCHO CORDOVA	CA	95670-3803	949.08
75119	07701660070000	GRADY DILLENBURG	10154	DE SOTO WAY	SACRAMENTO	CA	95827-2404	949.08
75127	07701660070000	JUDY DILLENBURG	10154	DE SOTO WAY	SACRAMENTO	CA	95827-2404	949.08
96306	07225200270000	EDWARD REGAN	3300	OSELOT WAY	RANCHO CORDOVA	CA	95670-6979	949.08
100690	05603400320000	KIM GIVENS		PO BOX 266	RANCHO CORDOVA	CA	95741-0266	949.08
106514	05603910040000	JOHN TENEYUCA	11008	WABASH RIVER CT	RANCHO CORDOVA	CA	95670-2728	949.08
114216	05600820030000	BERNARD JACOBS	10482	ROSE HILL CT	RANCHO CORDOVA	CA	95670-2230	949.08
166041	05702720090000	JAMIE MACH	8921	BEDFORD AVE	FAIR OAKS	CA	95628-4026	949.08
191268	05802230170000	ROBERT CHA EDWARDS	2371	CORDOVA LN	RANCHO CORDOVA	CA	95670-3917	949.08
215111	06704900160000	MICHAEL OFFIAH	4228	TOPAZ VALLEY WAY	RANCHO CORDOVA	CA	95742-8023	949.08
219130	06804200460000	TERRANCE R & AUDREY L JONES	3309	CAHILL CT	SACRAMENTO	CA	95827-2305	949.08
246950	07701420090000	JERRYLN BURGESS	10434	REYMOUTH AVE	RANCHO CORDOVA	CA	95670-5817	949.08
343320	07203640080000	NANCY L GRAHAM		PO BOX 578	RANCHO CORDOVA	CA	95741-0578	949.08
362842	05702860010000	GREGORY CAMPION	2404	NEGRARA WAY	RANCHO CORDOVA	CA	95670-3823	949.08
528691	05802160160000	CHRIS THOMAS	2321	MCGREGOR DR	RANCHO CORDOVA	CA	95670-3926	949.08
548482	07501910030000	BADIE BAHRAM		PO BOX 661471	SACRAMENTO	CA	95866-1471	949.08
597644	05800310020000	JAIME MIRANDA	2606	BETSY WAY	RANCHO CORDOVA	CA	95670-4940	949.08
601836	05700520120000	JENNIFER BOTTIMORE	2512	TORMOLO WAY	RANCHO CORDOVA	CA	95670-3631	949.08
1077635	05601320140000	DAVID LEAL	2071	KELLOGG WAY	RANCHO CORDOVA	CA	95670-2453	949.08
568673	06803640430000	KAREN J & DOUGLAS LEARDINI	9910	PALM GROVE DR	SACRAMENTO	CA	95827-3533	948.98
238615	07602700070000	PATRICIA M SMITH	10119	MALAGA WAY	RANCHO CORDOVA	CA	95670-3311	948.92
28099	06801340010000	JAMICA F THOMAS	3423	JUPITER DR	SACRAMENTO	CA	95827-2965	948.78
112419	05600610250000	COLLEEN AND MICHAEL VILLA	10455	AMBASSADOR DR	RANCHO CORDOVA	CA	95670-2279	948.72
228621	07601470080000	JOHN V PALMER	10923	PROGRESS CT	RANCHO CORDOVA	CA	95670-5667	948.36
25285	07602340130000	SANDRA KAY ANDERSON	2572	LA CUMBRA CIR	RANCHO CORDOVA	CA	95670-3456	947.82
22167	07701030260000	NATHAN WENELL	3005	RAMSGATE WAY	RANCHO CORDOVA	CA	95670-5326	947.80
405037	06803470150000	MARIO LOPEZ	10005	VANGUARD DR	SACRAMENTO	CA	95827-2328	947.64
231333	07601550070000	CASTULO MA ROBLES	10213	COLOMA RD	RANCHO CORDOVA	CA	95670-3605	947.38
239765	07700730200000	LISA ANDERSON & LORIA MARTIN	3073	SWANSEA WAY	RANCHO CORDOVA	CA	95670-5349	947.28
137379	05701510090000	ASSET INVESTMENT MANAGERS INC	10512	MALAGA WAY	RANCHO CORDOVA	CA	95670-3604	947.14
55661	06704400340000	THI DO	11838	HERODIAN DR	RANCHO CORDOVA	CA	95742-8000	946.80
14547	06705700110000	NICHOLAS JOHNSON	11790	DIONYSUS WAY	RANCHO CORDOVA	CA	95742-8041	946.30
14556	07700920070000	NATHAN WENELL	3005	RAMSGATE WAY	RANCHO CORDOVA	CA	95670-5326	945.90
25261	07223500110000	ALEXANDER ILYUSHIN	11041	IORE DR	RANCHO CORDOVA	CA	95670-6945	945.90
347365	07601440170000	JACOB ROSEN	2605	PALO VISTA WAY	RANCHO CORDOVA	CA	95670-3428	945.82
40069	05603100540000	STEWART A JUDSON	10058	KERN RIVER CT	RANCHO CORDOVA	CA	95670-2712	945.18
154536	05801030010000	TROY J MARILAO	2339	SONATA DR	RANCHO CORDOVA	CA	95670-5246	944.32
61070	06707000760000	ESTANISLAO GODINEZ	5005	COPPER SUNSET WAY	RANCHO CORDOVA	CA	95742-7797	943.98
224402	06804800620000	LYDIA V MAURITS	9933	BEXLEY DR	SACRAMENTO	CA	95827-2333	943.96
67014	07202020140000	TIMOTHY BAKER	10556	SILVERWOOD WAY	RANCHO CORDOVA	CA	95670-5532	943.50
62789	07701130170000	STACEY A BASE	10467	ABBOTT FORD WAY	RANCHO CORDOVA	CA	95670-5801	943.48
4717	05805000230000	BILLY BARNES	2015	ZINFANDEL DR	RANCHO CORDOVA	CA	95670-4201	943.08
93514	07703000240000	ROBERT O PACHELBEL	1650	CLAYCORD AVE	CONCORD	CA	94521-2217	942.72
537267	05804300480000	SOCORRO MAYORGA	11008	GINGERWOOD WAY	RANCHO CORDOVA	CA	95670-5216	942.72
63707	07501540060000	ARBIN KUMAR	7593	SANGIOVESE DR	EL DORADO HILLS	CA	95762-7727	942.64
63708	07501540060000	ARBIN KUMAR	7593	SANGIOVESE DR	EL DORADO HILLS	CA	95762-7727	942.64
153397	05800730050000	KALATRI M CAISE	2325	PINTURO WAY	RANCHO CORDOVA	CA	95670-5229	942.42
42231	06707100860000	TIFFANY BAKER	5448	COPPER SUNSET WAY	RANCHO CORDOVA	CA	95742-8162	940.84
605263	06804600240000	SUZANNE GEORGE	9849	CULP WAY	SACRAMENTO	CA	95827-3515	938.38
29020	05801040150000	ALEX TEJADA	2337	ROSADO WAY	RANCHO CORDOVA	CA	95670-5231	936.52
349800	06801140020000	BETH A SAMMS	10006	CIRRUS WAY	SACRAMENTO	CA	95827-2923	936.36
56	05600920130000	BRAD LITTLEJOHN	10513	GEORGETOWN DR	RANCHO CORDOVA	CA	95670-2250	934.94
199395	07201310010000	SCOTT KEREKES	10425	MILLS TOWER DR	RANCHO CORDOVA	CA	95670-5414	934.50
95064	07702600150000	BENNIE ROBINSON JR	10263	ELLENWOOD AVE	SACRAMENTO	CA	95827-3004	933.54
70162	07213400310000	KELLY DRISKELL	10579	RAGTIME CIR	RANCHO CORDOVA	CA	95670-7331	933.30
545589	06800720020000	PEGGY COLEMAN		PO BOX 277591	SACRAMENTO	CA	95827-7591	932.08
22192	06706700270000	FRANKE WAROUW	5405	CRYSTAL COVE DR	RANCHO CORDOVA	CA	95742-8136	930.82
29717	06804530140000	DEBBIE MILLER		PO BOX 279364	SACRAMENTO	CA	95827-9364	930.82
51895	07701660300000	BENJAMIN JOHNSON & JOHN DAY	3366	GLENMOOR DR	SACRAMENTO	CA	95827-2437	930.46
64779	06803660280000	Laurie Smith & Barbara Scherer	9923	OLD PLACERVILLE RD	SACRAMENTO	CA	95827-3531	928.28
45654	07702400470000	TIM BAILEY	10485	SIERRA CREST DR	RANCHO CORDOVA	CA	95670-5862	928.10
28439	06801520150000	MAISHA L WEARY	3549	GEMINI WAY	SACRAMENTO	CA	95827	928.04
226697	06805130030000	JAMES M KRAUS	15265	WINCHESTER BLVD	LOS GATOS	CA	95030-2359	926.94
71840	07602700050000	ALYA ALNASSIRY	10115	MALAGA WAY	RANCHO CORDOVA	CA	95670-3311	923.80
30170	05703130060000	TIFFANY AUBEL	2609	LUVETA WAY	RANCHO CORDOVA	CA	95670-4914	923.02
34943	07701030140000	ALBERT E GILDING JR	3028	PORTSMOUTH DR	RANCHO CORDOVA	CA	95670-5321	915.98
65230	05700920120000	ANGELA LEE	2616	VERDELLO WAY	RANCHO CORDOVA	CA	95670-3614	915.18
68574	05801260010000	SHANE ENGSTROM	10842	WALNUTWOOD WAY	RANCHO CORDOVA	CA	95670-5143	914.22
203241	07201520020000	RAED S AWABDEH	10504	GLENVIEW WAY	RANCHO CORDOVA	CA	95670-5511	913.98
2890	05801220100000	JOHN & MARY E MCCANTS	2118	STARRLYN WAY	RANCHO CORDOVA	CA	95670-2234	913.60
142122	05701910060000	JOHN MCCANTS	2118	STARRLYN WAY	RANCHO CORDOVA	CA	95670-2234	913.60
643716	05701620100000	ANGEL AMAYA	2712	ARAMON DR	RANCHO CORDOVA	CA	95670-4802	913.12
97509	07702900290000	RHONDA J BALDO	10048	VIEWSWOODS CT	SACRAMENTO	CA	95827-2330	912.24
48007	05700620030000	HUGO ROJAS & OLGA O NUNEZ	2514	AUGIBI WAY	RANCHO CORDOVA	CA	95670-3616	910.30
116386	05601130040000	JOHN KEVIN MCCANTS	2118	STARRLYN WAY	RANCHO CORDOVA	CA	95670-2234	906.88
13556	07229702090000	KAY WILSON	3143	RUSHALL CT	RANCHO CORDOVA	CA	95670-6270	906.50
114494	05600910020000	CHRISTINA LAXTON	2117	FARNSWORTH WAY	RANCHO CORDOVA	CA	95670-2214	905.98
38649	07703100090000	YURI ZHUKOV & NINA TIMOFEYeva	3242	FOLKLORE WAY	SACRAMENTO	CA	95827-2431	902.86
252732	07702700310000	HARVEY RAY MONTGOMERY	10225	COUNTRYSIDE WAY	SACRAMENTO	CA	95827-2465	901.86
87401	05804200320000	ANTHONY YANOS/ROSARIO YANOS	10930	NOGALERA WAY	RANCHO CORDOVA	CA	95670-5152	900.34
62223	07700810020000	ANTHONY MARTINEZ	3073	RAMSGATE WAY	RANCHO CORDOVA	CA	95670-5342	899.16
100059	07702900280000	TIEN TRUST	3356	CRISTOM DR	SACRAMENTO	CA	95827-2330	899.16
638699	07223900500000	CHRIS ALLEY	3337	BROLIO CT	RANCHO CORDOVA	CA	95670-6952	899.16

ITEM 10.1.

ATTACHMENT 2
Exhibit A to the Resolution

City of Rancho Cordova
Residential Refuse Delinquencies
as of July 21, 2023

Account #	Parcel Number	Billing Name	Street #	Street Name/PO BOX	City	State	Zip Code	Total Levy
26622	06804200830000	PATRICK KELLY	3320	FELTHAM WAY	SACRAMENTO	CA	95827-2314	895.14
75851	07602520110000	THERON SKYLES	10245	ATLANTIS DR	ELK GROVE	CA	95624-9685	895.14
210032	06803410040000	SUSAN SELJUK	3345	CHISWELL WAY	SACRAMENTO	CA	95827-2309	894.02
219782	06804350060000	MICHAEL R ANDREW	9820	CRIMSONWOOD WAY	SACRAMENTO	CA	95827-2807	893.06
57470	05602030220000	STANLEY R WILLIAMS	10632	COLISEUM WAY	RANCHO CORDOVA	CA	95670-2407	891.42
36159	06801350170000	JERRIE J SAID SR		PO BOX 277872	SACRAMENTO	CA	95827-7872	890.96
112067	07702340010000	CHERYL KEITH	2442	ARAMON DR	RANCHO CORDOVA	CA	95670-3852	883.96
210255	06803500130000	WILLIE A MARTIN	10010	BEXLEY DR	SACRAMENTO	CA	95827-2302	883.68
97050	07703240330000	CHUN YAO	10212	GOINGYOUR WAY	SACRAMENTO	CA	95827-8123	883.66
89627	06711300480000	ALFRED AND YVONNE DOMINGUEZ	4030	MACKERRICHER WAY	RANCHO CORDOVA	CA	95742-6732	881.72
226744	06805130110000	DURWIN WESGATE & CHUN YAO	10212	GOINYOUR WAY	SACRAMENTO	CA	95827-2445	876.44
546425	05701630050000	EMILIO & GUADALUPE RAMIREZ	9461	TWIN LAKES AVE	ORANGEVALE	CA	95662-5422	875.64
89719	07232900190000	PENNYMAC LN SVCS LLC	3043	TOWNSGATE RD	WESTLAKE VILLAGE	CA	91361-3027	873.52
469510	07703700110000	RUTHUS W & SHIRLEY A WHITE	3456	MISTY MORNING CIR	SACRAMENTO	CA	95827-3052	872.22
128726	05700100340000	MARIO LA SCHIAZZA	2325	RUDAT CIR	RANCHO CORDOVA	CA	95670-3929	865.06
90096	05804400130000	ROBERT L WRIGHT JR	11009	WINTERWIND LN	RANCHO CORDOVA	CA	95670-4261	864.62
8335	06801340020000	REBECCA & ROGER HORNER	3417	COMET CT	SACRAMENTO	CA	95827-2924	860.92
45603	07702400470000	TIM BAILEY	10485	SIERRA CREST DR	RANCHO CORDOVA	CA	95670-5862	858.50
362920	07601640170000	DAWNIELL KELSCHLL	10223	MALAGA WAY	RANCHO CORDOVA	CA	95670	857.50
20663	07701220060000	EARL R COUCH	10420	ABBOTTFORD WAY	RANCHO CORDOVA	CA	95670-5802	851.38
34084	07601120020000	MICHAEL W & DEE A MENZEL	10306	NEWTON WAY	RANCHO CORDOVA	CA	95670-2025	851.34
66441	07600930140000	CECILEE MAUGHAN	10356	DANIEL WAY	RANCHO CORDOVA	CA	95670-2005	850.60
235873	07602430070000	TRUST OF MITSUE	2424	EL CHICO CIR	RANCHO CORDOVA	CA	95670-3124	850.60
34168	06705400770000	MONICA SAFFOLD	11751	VILLAGE POND WAY	RANCHO CORDOVA	CA	95742-8027	848.20
64223	05603100450000	ANGELA & JOSEPH RIGDON	10079	KERN RIVER CT	RANCHO CORDOVA	CA	95670-2711	845.62
77774	07703700100000	TANA J BUNDITRUTAVORN	3452	MISTY MORNING CIR	SACRAMENTO	CA	95827-3052	845.58
100409	06705900810000	JASMINE & MARCUS FLETCHER	4340	HARTLAND WAY	RANCHO CORDOVA	CA	95742-8082	843.02
45073	06705901000000	KUO-KENG KUO	12021	MANDOLIN WAY	RANCHO CORDOVA	CA	95742-8084	839.84
71830	07600810040000	WESLEY CALDWELL	1000	STONECREST DR	ANTIOCH	CA	94531-8009	839.52
71846	07600810040000	WESLEY CALDWELL	1000	STONECREST DR	ANTIOCH	CA	94531-8009	839.52
69600	06801370010000	NORMA ORTIZ & MARIA GARCIA	1529	36TH ST	SACRAMENTO	CA	95816-6608	838.34
69603	06801370010000	NORMA ORTIZ & MARIA GARCIA	1529	36TH ST	SACRAMENTO	CA	95816-6608	838.34
62373	07701920220000	AULAH M BOSTICK	3332	GOULD WAY	SACRAMENTO	CA	95827-2458	834.38
191027	05802210300000	JOSEPH CHR GARCIA	10686	AUDUBON WAY	RANCHO CORDOVA	CA	95670-3942	832.54
193811	05803400200000	JOHN A KING		PO BOX 720038	SAN FRANCISCO	CA	94172-0038	831.80
528190	06804410170000	ROB CLARK	3153	EXPLORER DR	SACRAMENTO	CA	95827	831.80
35641	07507000190000	JUDITH M REYNEN	10630	MATHER BLVD	MATHER	CA	95655-4125	831.72
154228	05800930020000	ERNEST J LUJAN	10906	ANZA WAY	RANCHO CORDOVA	CA	95670-4102	830.72
110319	05702330050000	TROUTMANS FAMILY DREAM LLC	10548	ITALIA WAY	RANCHO CORDOVA	CA	95670-3831	830.54
636638	07601510210000	LAURA LI	2609	DAWES ST	RANCHO CORDOVA	CA	95670-3503	822.46
140060	05701640060000	DOMINIQUE YANEZ	2694	BARBERA WAY	RANCHO CORDOVA	CA	95670-3742	817.08
36845	05601910020000	BRYAN NAGLE	15293	MURIETA SOUTH PKWY	RANCHO MURIETA	CA	95683-9110	815.26
37753	05603830130000	TROY BACCUS	1448	KLAMATH RIVER DR	RANCHO CORDOVA	CA	95670-2844	815.26
39443	05601950040000	GULFSTREAM PORTFOLIO MGMT LLC	2030	VAN NUYS WAY	RANCHO CORDOVA	CA	95670-2426	814.46
63865	06707300100000	HP CALIFORNIA LLC	120	S RIVERSIDE PLZ	CHICAGO	IL	60606-3913	814.46
91408	07229600270000	JOHN FIELDS	303	CANYON FALLS DR	FOLSOM	CA	95630-7125	814.46
181501	05801210190000	LORI BROOKS	2469	CORDOVA LN	RANCHO CORDOVA	CA	95670-4941	812.62
34449	05602900260000	SHALAINE REDDIC	11204	CEDAR RIVER CT	RANCHO CORDOVA	CA	95670-2902	811.46
41924	07506800740000	TRUJILLO FAMILY TRUST	2621	TIERRA GRANDE CIR	SACRAMENTO	CA	95827-1412	806.20
245128	07701130260000	GERTRUDE MITCHELL	10425	ABBOTTFORD WAY	RANCHO CORDOVA	CA	95670-5801	804.76
534422	05603200260000	REGINALD VELTEN	11230	GOLD EXPRESS DR	GOLD RIVER	CA	95670-4484	804.60
61694	06804310070000	JAMEEL TAYYEB	9792	RED CEDAR CIR	SACRAMENTO	CA	95827-2815	803.82
405289	06805150060000	CONNIE GREKOFF	9738	WOODHOLLOW WAY	SACRAMENTO	CA	95827-2723	802.36
531939	07213500680000	DAVID GIN	10706	BASIE WAY	RANCHO CORDOVA	CA	95670-7317	802.36
13907	07701110030000	AAK INVESTMENTS INC	3238	LAURELHURST DR	RANCHO CORDOVA	CA	95670-5815	802.18
53230	07703800200000	LOURDES NABABAN	3557	MADDIEWOOD CIR	SACRAMENTO	CA	95827-3067	801.58
114347	05600840010000	TOSHIKO CONNER		PO BOX 8531	CITRUS HEIGHTS	CA	95621-8531	800.84
84591	05801910140000	GUSTAVO VILLANUEVA	10645	BISCAY WAY	RANCHO CORDOVA	CA	95670-3959	800.52
609211	07222000120000	TERESA MCTERNAN	3409	NOBLESSA WAY	RANCHO CORDOVA	CA	95670-6931	800.38
58612	06804440140000	WESLEY P WEIGLE	9833	CRIMSONWOOD WAY	SACRAMENTO	CA	95827-2806	800.26
140610	05701740040000	CHRISTEL J & ROBERT K STAUB	10616	CHARBONO WAY	RANCHO CORDOVA	CA	95670-4814	800.04
56896	07220900250000	NADER & JAYNE KAMAL	3289	BALADA WAY	RANCHO CORDOVA	CA	95670-6922	799.40
77991	06710700330000	KIMBERLY GRAHAM	4352	ORPHEUS CIR	RANCHO CORDOVA	CA	95742-8209	798.68
84122	05601310050000	SARA M MULLEN	2076	KELLOGG WAY	RANCHO CORDOVA	CA	95670-2451	798.68
224657	06804910060000	JOHN BADGER III	1821	108TH AVE	OAKLAND	CA	94603-3909	798.68
597322	07222100640000	CHRISTOPHER BUDGE	10729	BELLONE WAY	RANCHO CORDOVA	CA	95670-6927	797.02
30497	05702820070000	MATTHEW LAWRENCE	2411	ARAMON DR	RANCHO CORDOVA	CA	95670	796.96
67955	06801420280000	JENNIFER CARTER	10009	CRISTO DR	SACRAMENTO	CA	95829-8132	796.96
24240	07213400350000	VADIM CHERNY	10576	RAGTIME CIR	RANCHO CORDOVA	CA	95670-7331	794.10
100648	07701540080000	ROBERT MCDONALDS	14	BINACA CT	SACRAMENTO	CA	95833-1136	791.56
35768	05701720040000	MICHAEL & JOANN SANDERS	2653	ARAMON DR	RANCHO CORDOVA	CA	95670-3745	791.06
4693	07203610750000	JOHN E SPENCER JR	2909	GWENDOLYN WAY	RANCHO CORDOVA	CA	95670-5611	790.56
7159	05805200140000	DANIEL J ALVES	11131	WOODKIRK CT	RANCHO CORDOVA	CA	95670-4273	789.62
95283	06801520130000	SANTIAGO AREVALO	3557	GEMINI WAY	SACRAMENTO	CA	95827-2964	788.30
225635	07600930120000	EDWARD D SHAVER & JENNIFER M	10348	DANIEL WAY	RANCHO CORDOVA	CA	95670-2005	785.32
12413	06803700460000	RODNEY BUGHAO	3619	LYRA ST	SACRAMENTO	CA	95827-3529	784.28
209482	07203200200000	JOHN E KURAKO & SPENCER KURAKO	2916	CALLE DEL SOL WAY	RANCHO CORDOVA	CA	95670-3508	783.58
114374	07225300250000	ERIC STEPHENS	3370	MARQUAM WAY	RANCHO CORDOVA	CA	95670-6958	778.12
64480	05805100030000	TAMMY HOANG	2438	KAYWOOD CT	RANCHO CORDOVA	CA	95670-4234	778.06
193857	05803500050000	RICHARD & SU OLDHAM	3061	SAND DOLLAR WAY	SACRAMENTO	CA	95821-3472	775.60
58613	07201730070000	SAMANTHA REDSTONE	2953	HUNT DR	RANCHO CORDOVA	CA	95670-5613	774.54
108206	05604240100000	DAVID A MUNOZ	2238	PALMWOOD CT	RANCHO CORDOVA	CA	95670-2314	772.94
13049	07229900960000	JENAE ALECHKO	3112	EADES WAY	RANCHO CORDOVA	CA	95670-6279	772.38
247878	06801120130000	JANIS MAHONE		PO BOX 5148	SACRAMENTO	CA	95817-0148	771.18

ITEM 10.1.

ATTACHMENT 2
Exhibit A to the Resolution

City of Rancho Cordova
Residential Refuse Delinquencies
as of July 21, 2023

Account #	Parcel Number	Billing Name	Street #	Street Name/PO BOX	City	State	Zip Code	Total Levy
223391	07600540080000	CAROL A CAHOON	2225	MAXINE WAY	RANCHO CORDOVA	CA	95670-2018	765.28
535025	07213400680000	MELISSA WARDELL	10637	BASIE WAY	RANCHO CORDOVA	CA	95670-7315	763.44
225379	07600910120000	KARL HANSEN	10343	DOYLE WAY	RANCHO CORDOVA	CA	95670-2011	756.94
65631	07602610030000	FLORENTINA URIE		PO BOX 366	RANCHO CORDOVA	CA	95741-0366	752.92
17100	05701420090000	RICHARD F VANDAGRIFF JR	10431	MALAGA WAY	RANCHO CORDOVA	CA	95670-3649	751.00
28212	05802210140000	JOHN ELLIS	10607	VIANI WAY	RANCHO CORDOVA	CA	95670-3934	748.70
86022	07504000080000	CHRIS REDMON/MARIA REDMON	2292	EL CEJO CIR	RANCHO CORDOVA	CA	95670-3160	745.64
8857	06705601210000	ALI WOOLF	4382	NIOBE CIR	RANCHO CORDOVA	CA	95742-8043	744.16
48574	06707700910000	TONY GIVANGIS	1000	BROADWAY	OAKLAND	CA	94607-4099	740.62
100184	07700830130000	MICHAEL CLARK TRUST	204	COSKY DR	MARINA	CA	93933-2305	739.18
87405	06705000190000	PAUL KURIAN/BEULAH VEJENDLA	11883	FIRE AGATE WAY	RANCHO CORDOVA	CA	95742-8068	736.34
49911	06705800560000	SUZZETTE LAWSON	12065	PERICLES DR	RANCHO CORDOVA	CA	95742-8079	732.94
65537	05602700780000	GABRIEL AMBRIZ	2216	TRAILS CT	RANCHO CORDOVA	CA	95670-2236	732.14
84218	05600340120000	JAMES FRANCE III/DAJEAN HORGER	2205	RIVER EDGE WAY	RANCHO CORDOVA	CA	95670-2226	731.12
109005	06801520030000	EMILIO AVEYTUA	9912	ZION WAY	SACRAMENTO	CA	95827-2943	729.96
106767	05800610070000	AVILA JOSE R	2252	BENITA DR	RANCHO CORDOVA	CA	95670-4009	728.28
226790	06805130190000	JOSEPH & ROBERTA CARCIONE	732	CROSSWAY RD	BURLINGAME	CA	94010-3705	727.60
82423	07229200400000	LORETA SANTOS	12583	FARLEN CIR	RANCHO CORDOVA	CA	95742-7833	727.14
58128	06804800050000	NEAL & JENNIFER BECK	3429	CORBIN WAY	SACRAMENTO	CA	95827-2339	724.86
137428	05701510170000	CHARLES HOLLIDAY		PO BOX 15215835	SIOUX FALLS	SD	57186-0001	724.86
114821	05600960020000	LAWRENCE H ROJAS	10604	VALLEY VIEW DR	RANCHO CORDOVA	CA	95670-2424	719.14
109076	06705800230000	DAVID AVAKYAN	12079	ERATO CIR	RANCHO CORDOVA	CA	95742-8087	716.70
27967	07225900060000	YAN JIN	3693	HALTER CT	SACRAMENTO	CA	95821-3267	710.76
239227	07700640160000	BENNIE M MANZANARES	10431	BALCKBURN WAY	RANCHO CORDOVA	CA	95670-5305	707.26
32429	05701510260000	JOSEPH MANUKYAN	10515	SALTANA WAY	RANCHO CORDOVA	CA	95670-3626	705.96
424101	06803630090000	PRAVEEN J SINGH	91-1531	WAIMAHUI PL	EWA BEACH	HI	96706-4604	703.40
66871	06701710170000	IRINA M PETRASHISHINA	6576	THALIA WAY	CITRUS HEIGHTS	CA	95621-5593	697.80
114590	06800910160000	BELLA & SHAWN SATTER	9981	REDSTONE DR	SACRAMENTO	CA	95827-3501	696.44
458247	07601030170000	LINDA KAEHLER	2527	EL SEGUNDO DR	RANCHO CORDOVA	CA	95670-3403	696.08
108729	07702400130000	TRIVEDI J C & B J TRUST	299	W PORTAL AVE	SAN FRANCISCO	CA	94127-1401	694.42
68457	05604100120000	QUANG T PHAM	11140	RHINE RIVER CT	RANCHO CORDOVA	CA	95670-	692.74
9428	05601230180000	GENADI TSATOURYAN	2126	PINETREE CT	RANCHO CORDOVA	CA	95670-2445	687.38
108487	07701930110000	ELLIE TRUONG	3337	GOULD WAY	SACRAMENTO	CA	95827-2405	683.84
34262	05801450110000	JOSEPH MANUKYAN	4125	ORZO CT	SACRAMENTO	CA	95826	680.66
231789	07601640250000	ANDREW J GEORGI	10201	MALAGA WAY	RANCHO CORDOVA	CA	95670-3369	680.66
201921	07201350010000	DALE HESTER	2931	SHAWN WAY	RANCHO CORDOVA	CA	95670-5436	680.38
9982	07203610600000	MARCEL VALIM	10874	PAIUTE WAY	RANCHO CORDOVA	CA	95670-5630	675.16
119183	05601430040000	FIDEL VAZQUEZ	10804	AMBASSADOR DR	RANCHO CORDOVA	CA	95670-2430	675.16
53897	06707000130000	PEDRO & LUPE TROCHE	5026	MOSSY STONE WAY	RANCHO CORDOVA	CA	95742-8186	672.86
26483	05603000300000	LING JING ENTERPRISES LIMITED	10041	TYLER RIVER CT	RANCHO CORDOVA	CA	95670-2724	670.30
252513	07702400400000	BIMLESH LAL	10473	EL MERCADO DR	RANCHO CORDOVA	CA	95670-5969	667.12
179291	06704501000000	KEENAN HEATH	11772	LILAC CANYON CT	RANCHO CORDOVA	CA	95742-8051	665.26
8596	06706400430000	KAMBIZ GHAZANFARI	11836	DELAYAN CIR	RANCHO CORDOVA	CA	95742-8061	662.96
154492	05801020080000	DELORIS R JOHNSON	2393	PINTURO WAY	RANCHO CORDOVA	CA	95670-5248	661.84
107013	07500540100000	TATSUYA KAWAI	2714	BRAVADO DR	RANCHO CORDOVA	CA	95670-1906	661.52
105102	07229700030000	KANCHARLA & BOPPUDI TRUST	11035	INTERNATIONAL DR	RANCHO CORDOVA	CA	95670-6251	659.52
122515	06705500180000	THU KHUC		PO BOX 3136	SANTA CLARA	CA	95055-3136	655.68
543953	07203200430000	THU KHUC		PO BOX 3136	SANTA CLARA	CA	95055-3136	655.68
44119	06805200220000	TAH 2018-1 BORROWER LLC	9752	GREENSBORO CIR	Sacramento	CA	95827-2713	653.40
102240	07229800540000	CHE-HUNG LIU	10962	STOURPORT WAY	RANCHO CORDOVA	CA	95670-6249	653.38
109015	07600320020000	DANIEL JUARROS	9230	BRUCEVILLE RD	ELK GROVE	CA	95758-5996	649.60
91697	07701310080000	ELISA AND JEREMY SIMPSON	2978	JOERGEUR ST	RANCHO CORDOVA	CA	95670-5315	644.10
19730	07226000970000	GIGI LOPEZ	3586	NOUVEAU WAY	RANCHO CORDOVA	CA	95670	640.08
61230	06708600690000	COREY EDGAR/DANIELLE MONTALVO	12312	PAWCATUCK WAY	RANCHO CORDOVA	CA	95742-7735	640.08
219335	06804200800000	LARRY W RUSHING	3332	FELTHAM WAY	SACRAMENTO	CA	95827-2314	640.08
108781	05700720150000	IRENE MORALES	10559	CATAWBA WAY	RANCHO CORDOVA	CA	95670-3707	637.38
108484	06708600450000	IH6 PROPERTY WEST LP	1717	MAIN ST	DALLAS	TX	75201-4612	636.88
22680	05803700520000	AMANDA CARTER KING	10934	KELLY RYAN CT	RANCHO CORDOVA	CA	95670-5103	636.74
85109	07702500560000	LACEY JOHNSON/MARK ENDO	3260	GOULD WAY	SACRAMENTO	CA	95827-2422	636.64
88828	05701720250000	KOLOSIA TALIAULI/NILASONI	2636	BARBERA WAY	RANCHO CORDOVA	CA	95670-3706	634.92
6922	05702020020000	JOHN & STEPHANIE BROKAW	2606	CABERNET WAY	RANCHO CORDOVA	CA	95670-4810	632.06
99469	06705000080000	KEVIN & RICHELLE HOVER	11858	FIRE AGATE WAY	RANCHO CORDOVA	CA	95742-8068	631.22
93488	07229600610000	NORMAN FUJIWARA	3807	IVAN WAY	RANCHO CORDOVA	CA	95742-6701	618.98
64627	07228900110000	JOHN P TRIBVIANO		PO BOX 1021	ELK GROVE	CA	95759-1021	618.58
82733	05700830010000	ENRIQUE & KIMBERLY A OCHOA	2551	MOSCANO WAY	RANCHO CORDOVA	CA	95670-3820	615.62
50383	07601640090000	GEARY A LYONS	1411	EAGLESFIELD LN	LINCOLN	CA	95648	612.70
66022	05801150120000	JAMAL J MAULE	10840	BALLANTRAE WAY	RANCHO CORDOVA	CA	95670-4934	604.64
31125	05702530060000	CHRISTINE MCVICKER	2713	CABERNET WAY	RANCHO CORDOVA	CA	95670-4811	603.26
52437	07203620260000	CHRISTOPHER CARTER	10009	CRISTO DR	SACRAMENTO	CA	95829-8132	603.26
85090	07701330010000	FRANK & ROXANNE ORONA	10346	CARDIFF WAY	RANCHO CORDOVA	CA	95670-5310	603.26
103545	07701540080000	ROBERT MCDONALDS	14	BINACA CT	SACRAMENTO	CA	95833-1136	603.26
249240	06801230110000	RONALD J POLANI	9942	METEOR DR	SACRAMENTO	CA	95827-2912	602.04
24253	07600650090000	EDWARD CLARK	2305	MORAIN CIR	RANCHO CORDOVA	CA	95670-2020	600.66
25471	06704500790000	KAWALJIT BAJWA	11756	ROSE WIND CT	RANCHO CORDOVA	CA	95742-8050	598.62
171686	06704400980000	SELENA BRUSUELAS	3974	IRON GATE WAY	RANCHO CORDOVA	CA	95742-8002	594.98
108681	07225800280000	PETROS TRUNYAN	10701	LUELLA CT	RANCHO CORDOVA	CA	95670-2413	592.04
20331	05701630100000	YONG O LEE	2652	ARAMON DR	RANCHO CORDOVA	CA	95670-3744	590.12
111045	05801520080000	HRIPSIME & DAVID MANUKYAN	2356	BYRD DR	RANCHO CORDOVA	CA	95670-3956	589.78
58806	05701040020000	KYLE & KAEI DEANNA	2560	RIBIER WAY	RANCHO CORDOVA	CA	95670-3714	587.04
106738	05701830040000	MASKY AMY	2538	MALBEC CT	RANCHO CORDOVA	CA	95670	587.04
108730	07702400130000	TRIVEDI J C & B J TRUST	3311	CHETTENHAM DR	RANCHO CORDOVA	CA	95670-5810	587.02
46861	07203000020000	DAVID & ALAINA DEVINE	12565	DOUGLAS RD	RANCHO CORDOVA	CA	95742-6923	582.54
211417	07203620130000	LINDA A HALLBERG	10720	STERLING WOOD WAY	RANCHO CORDOVA	CA	95670-5627	579.14
153533	05800750030000	ELIZABETH PEARCE	2316	BENITA DR	RANCHO CORDOVA	CA	95670-5242	577.42

ITEM 10.1.

ATTACHMENT 2
Exhibit A to the Resolution

City of Rancho Cordova
Residential Refuse Delinquencies
as of July 21, 2023

Account #	Parcel Number	Billing Name	Street #	Street Name/PO BOX	City	State	Zip Code	Total Levy
9173	07703220040000	ASIM SHAH	3317	NUT PLAINS DR	SACRAMENTO	CA	95827-2440	575.32
169615	07225500090000	MARILYN EDGAR	3576	DEBINA WAY	RANCHO CORDOVA	CA	95670-6973	575.32
606277	07602410040000	RAYMUNDO HARO	2442	EL LUJO WAY	RANCHO CORDOVA	CA	95670-3158	574.32
102297	05603500500000	GEORGE W WALDIE	11136	MACE RIVER CT	RANCHO CORDOVA	CA	95670-2943	573.82
96953	05602900050000	TRENT E HOSKINS	11232	SAUK RIVER CT	RANCHO CORDOVA	CA	95670-2914	573.48
94791	07228800770000	ZIYODABONU NIJMANJONOVA	3611	EDINGTON DR	RANCHO CORDOVA	CA	95742-7835	570.98
325	06704800250000	REBECCA LANTZ	11900	SLATE FALLS WAY	RANCHO CORDOVA	CA	95742-8018	569.58
29716	07222100230000	ABDULRAHMAN JARRAR/LULU SABEEN	5235	DA VINCI DR	EL DORADO HILLS	CA	95762-5286	569.58
56122	06707000230000	LINDSEY PIERSON	12073	PEACHDALE CT	RANCHO CORDOVA	CA	95742-8188	569.58
80828	05604240210000	SABRA A TUCKER	10473	WOOD BRIDGE WAY	RANCHO CORDOVA	CA	95670-2252	568.14
112493	05600630090000	KAY VIGNA	2117	RED BROOK WAY	RANCHO CORDOVA	CA	95670-2220	567.90
104508	05603850110000	HERSCHEL MEREDITH	11048	NEW RIVER CIR	RANCHO CORDOVA	CA	95670-2730	566.28
224126	06804720090000	SONI JOHNSON		PO BOX 1351	ALAMEDA	CA	94501-0144	564.86
159517	06706600340000	JOSEANNA LIM	4098	KALAMATA WAY	RANCHO CORDOVA	CA	95742-8004	561.44
68035	07232900220000	JESS CLUSTER	3282	PROSPECT PARK DR	RANCHO CORDOVA	CA	95670	560.00
69860	05701450110000	JIN YONG	10440	MALAGA WAY	RANCHO CORDOVA	CA	95670-3608	559.06
22444	07229902430000	A1 PROPERTY MGMT	3111	SUNSET BLVD	ROCKLIN	CA	95677-3090	558.22
38102	05702620070000	KUNJIAN LI	10575	PINOT WAY	RANCHO CORDOVA	CA	95670-3824	557.70
250061	07701720220000	EDWARD R HUBBARD	10401	BUENA PLAZA CIR	RANCHO CORDOVA	CA	95670-5403	557.30
213371	06705900420000	LIJIA ZHANG	4317	HARTLAND WAY	RANCHO CORDOVA	CA	95742-8082	553.58
51048	05601620090000	JAMES V ATKINS	2013	MARYVALE WAY	RANCHO CORDOVA	CA	95670-2414	553.10
42385	06708600590000	CRYSTAL VARGAS	4182	BORDERLANDS DR	RANCHO CORDOVA	CA	95742-7752	549.86
20151	05803300020000	JOSHUA A DJUBEK	2202	ELMCREST LN	RANCHO CORDOVA	CA	95670-4208	547.66
112084	07700730070000	MONICA & CRAYTON MILTON	3044	BLACKPOOL WAY	RANCHO CORDOVA	CA	95670-5358	546.62
53093	06803640260000	LORETTA LEWIS	3621	SARAMENT CT	SACRAMENTO	CA	95827-3534	543.14
79854	07213500190000	LEI CAO & SHUANG SUN	10719	BASIE WAY	RANCHO CORDOVA	CA	95670-7321	542.58
57590	07502430030000	KARRIEM GLASTER	2278	LA GRAMA DR	RANCHO CORDOVA	CA	95670-3155	542.48
66496	06803460060000	FARYAD AZIMPOOR	5960	S LAND PARK DR	Sacramento	CA	95822-3313	542.48
87588	07234100290000	DANIEL RIVAS	10841	PORTICO CIR	RANCHO CORDOVA	CA	95670-6427	542.48
121705	05601820220000	EDWARD H RITCHIE	10694	VALLEY VIEW DR	RANCHO CORDOVA	CA	95670-2469	542.48
614648	07223500040000	BEATRIZ ALO	11013	FIORE DR	RANCHO CORDOVA	CA	95670-6945	542.48
128712	05700100320000	ROSA L ELLIOTT	2317	RUDAT CIR	RANCHO CORDOVA	CA	95670-3929	542.44
81609	07225400220000	JOSEPH NOVAK	11030	CARMENET WAY	RANCHO CORDOVA	CA	95670-6991	541.00
82008	07601010180000	ALEXANDRA & SHERRI BENSON	10229	LOS PALOS DR	RANCHO CORDOVA	CA	95670-3425	541.00
571925	05600630080000	ROBERT P CALLAHAN TRUST	2149	DANBURY WAY	RANCHO CORDOVA	CA	95670-2271	536.62
4168	07222100210000	KRISHNA MURTI	10828	BELLONE WAY	RANCHO CORDOVA	CA	95670-6926	536.58
547444	05600430040000	SCOT BROWN		PO BOX 5140	SACRAMENTO	CA	95817-0140	530.90
242652	07701030210000	TRUST OF BIAN	3017	MARGATE WAY	RANCHO CORDOVA	CA	95670-5316	530.44
109115	06707700690000	OM KANNUSAMI	11836	WINDHAM WAY	RANCHO CORDOVA	CA	95742-8099	528.74
201910	07201340250000	SAMUEL REED	2947	EVADNA DR	RANCHO CORDOVA	CA	95670-5406	524.04
392370	05602900370000	TOPORISTE GHERGHINA	2140	KLAMATH RIVER DR	RANCHO CORDOVA	CA	95670-2929	514.90
113195	07234200110000	HITESH PAREKH AND DIPALI GOHL	10887	PORTICO CIR	RANCHO CORDOVA	CA	95670-6428	510.96
33693	05601730040000	MARK MCCAULEY	10650	VAN STRALEN WAY	RANCHO CORDOVA	CA	95670-2428	509.78
87441	07229700300000	ROBIN CONNOLLY/KENDALL ENGLISH	10902	STOURPORT WAY	RANCHO CORDOVA	CA	95670-6248	509.78
114038	07501540040000	SNL HOLDING LLC	2648	CAPITALES DR	RANCHO CORDOVA	CA	95670-3108	491.70
114039	07501540040000	SNL HOLDING LLC	2648	CAPITALES DR	RANCHO CORDOVA	CA	95670-3108	491.70
3615	07229800880000	LEO GRAVIN	3141	FLAGLER WAY	RANCHO CORDOVA	CA	95670	481.34
27942	06704501080000	DAVID & ROBIN MUELLER	11771	JUSTINIAN DR	RANCHO CORDOVA	CA	95742-8052	480.84
55718	06706800360000	RANDALL OGANS	5521	MOSSY STONE WAY	RANCHO CORDOVA	CA	95742-8184	469.76
57905	07223800250000	CHUN K LEE	3332	CRISTOM DR	RANCHO CORDOVA	CA	95670-6953	469.38
82761	07229700010000	PREM C & SHASHI DUTT	11039	INTERNATIONAL DR	RANCHO CORDOVA	CA	95670-6252	469.38
68566	07701130230000	STEVEN R & LAURA A BERRY	10439	ABBOTT FORD WAY	RANCHO CORDOVA	CA	95670-5801	466.32
8927	07201910050000	DON WENIG	10516	SPAULDING WAY	RANCHO CORDOVA	CA	95670	464.06
116049	07702230010000	NATALIYA & KAZAROS GUKASYAN	3132	LAURELHURST DR	RANCHO CORDOVA	CA	95670-5713	460.98
153846	05800830050000	TRUST OF BRANTLEY	2216	CERVANTES DR	RANCHO CORDOVA	CA	95670-4105	460.38
91297	05801730230000	ISMAEL GUTIERREZ/ARACELI	2230	WHISTLER WAY	RANCHO CORDOVA	CA	95670-3906	459.48
432408	05801920050000	ANATOLIY PURIS	10644	BISCAY WAY	RANCHO CORDOVA	CA	95670-3958	459.24
10715	07230000450000	JANETTE BAJO	10998	DISK DR	RANCHO CORDOVA	CA	95670-6282	457.28
20944	06704700480000	CHRISTOPHER BARCENAS	11855	AUTUMN SUNSET WAY	RANCHO CORDOVA	CA	95742-8009	457.28
73793	07703800070000	JAMES DAVIS II	3609	MADDIEWOOD CIR	SACRAMENTO	CA	95827-3066	457.28
228935	07601520090000	ZACHARIA J CONSTANTINE	2660	ELLENBROOK DR	RANCHO CORDOVA	CA	95670-3541	456.68
95045	07703240150000	THERESA DAVIES/KUMBA BHONOPHA	3375	HARTSELLE WAY	SACRAMENTO	CA	95827-2449	456.60
114571	07201910120000	MELISSA & JESUS BARAJAS	3020	MILLS PARK DR	RANCHO CORDOVA	CA	95670-5504	455.92
224867	06804920250000	ALVIN FILPULA	10090	LINCOLN VILLAGE DR	SACRAMENTO	CA	95827-2971	455.20
104855	07201650080000	BRECKENRIDGE PROP FUND 2016 LL	2015	MANHATTAN BEACH BLVD	REDONDO BEACH	CA	90278-1230	452.24
114289	05600830070000	REZA AZIMI	10493	GEORGETOWN DR	RANCHO CORDOVA	CA	95670-2262	450.86
458323	05700610010000	SCOTT FAIRBROTHER	10463	DOLECETTO DR	RANCHO CORDOVA	CA	95670-3640	448.40
23387	05801910080000	DALE MILLER	10669	BISCAY WAY	RANCHO CORDOVA	CA	95670-3959	447.56
17218	06704600030000	MARSHA DEMAS	11895	AUTUMN SUNSET WAY	RANCHO CORDOVA	CA	95742-8009	444.24
18053	05603000150000	RICK MCGREEVY	10072	FRASER RIVER CT	RANCHO CORDOVA	CA	95670-2707	444.24
19575	06803700300000	MARCELL ALADO	9947	PALM GROVE DR	SACRAMENTO	CA	95827-3532	444.24
61895	07702900340000	DAVID KIM	10049	VIEWOODS CT	SACRAMENTO	CA	95827-2330	444.24
87196	05804200320000	ANTHONY YANOS/ROSARIO YANOS	10928	NOGALERA WAY	RANCHO CORDOVA	CA	95670-5152	444.24
90862	06711301330000	BRITTANY BELL	12748	CORDYLINE WAY	RANCHO CORDOVA	CA	95742-6725	444.24
100676	06707000080000	KARAMJIT KAUR & KULDEEP SINGH	5110	MOSSY STONE WAY	RANCHO CORDOVA	CA	95742-8187	444.24
119689	05601530060000	JULIA J JOHNSON	10824	OAKTON WAY	RANCHO CORDOVA	CA	95670-2441	444.24
115855	07503410070000	MICHELE DROLETTE	2213	EL CEJO CIR	RANCHO CORDOVA	CA	95670-3121	442.32
117760	06711500320000	LUSINE ALEKSANYAN AND POGOS	12770	BLUEBLANC WAY	RANCHO CORDOVA	CA	95742-6745	438.82
46332	07701340030000	MILAN & JACQUELINE ALNAS	10334	BIRMINGHAM WAY	RANCHO CORDOVA	CA	95670-5304	436.50
119204	07203200190000	DTP PROPERTIES LLC	2912	CALLE DEL SOL WAY	RANCHO CORDOVA	CA	95670-5607	433.28
208802	06803460190000	BONNIE ATKINSON	10024	VANGUARD DR	SACRAMENTO	CA	95827-2329	429.18
148253	05703110160000	ROBLES FAMILY TRUST	2410	CARIEL CT	Rancho Cordova	CA	95670-4924	427.48
100177	06801430070000	JUAN AND SELENA ROCHA	3416	VIKING DR	SACRAMENTO	CA	95827-2836	426.00
74149	06708400100000	DAVID & MONICA HUIZAR	4077	BIG MEADOW WAY	RANCHO CORDOVA	CA	95742	425.90

ITEM 10.1.

ATTACHMENT 2
Exhibit A to the Resolution

City of Rancho Cordova
Residential Refuse Delinquencies
as of July 21, 2023

Account #	Parcel Number	Billing Name	Street #	Street Name/PO BOX	City	State	Zip Code	Total Levy
9382	05601150040000	LISA MUALCHIN	2225	WARRENTON DR	RANCHO CORDOVA	CA	95670-2237	400.26
211798	07203640040000	JERRY EDWARDS	10875	PAIUTE WAY	RANCHO CORDOVA	CA	95670-5629	400.18
14474	06705900750000	ALAN R GIBLIN	4300	HARTLAND WAY	RANCHO CORDOVA	CA	95742-8082	399.70
117826	07234100030000	ELVIEL SOLIMAN AND WILLY CHANG	10789	PORTICO CIR	RANCHO CORDOVA	CA	95670-6424	398.70
115289	06711700020000	LAWRENCE WILLIAMS	12116	COBBLE BROOK DR	RANCHO CORDOVA	CA	95742-8220	397.52
117871	05800920300000	NEVEEN KOKA	2270	CERVANTES DR	RANCHO CORDOVA	CA	95670-4123	397.10
111098	07701320120000	JEOVANY JIMENEZ	10361	CARDIFF WAY	RANCHO CORDOVA	CA	95670-5309	389.98
95707	07229000470000	LISA & RON SEWARD	12719	EVANSTON WAY	RANCHO CORDOVA	CA	95742-7803	387.98
75970	05800710070000	DUSTIN PERBETSKY TRUST		PO BOX 698	REDWOOD VALLEY	CA	95470-0698	386.14
226674	06805120290000	MARIAN H STATTON	3318	UNION SPRINGS WAY	SACRAMENTO	CA	95827-2716	383.50
93970	07701330040000	HAYKUHI BADALYAN	10360	CARDIFF WAY	RANCHO CORDOVA	CA	95670-5310	381.56
1433	05700640120000	DAVID BLACK	2521	FURMINT WAY	RANCHO CORDOVA	CA	95670-3619	375.30
11498	07600540070000	ROBERTA L TWEEDY	2229	MAXINE WAY	RANCHO CORDOVA	CA	95670-2018	372.54
44225	05801340020000	JASON BILLINGTON	2507	QUEENWOOD DR	RANCHO CORDOVA	CA	95670-5110	367.96
146065	05702650010000	TRUST OF EDWARDS	2443	NEGRARA WAY	RANCHO CORDOVA	CA	95670-3841	364.56
110574	07507000340000	MAURICE & LAKISHA MARTIN	2837	BLACK CORAL WAY	SACRAMENTO	CA	95827-1420	363.46
80364	05700410110000	ALEXANDER E OSEJO & MARIA ZUNO	10601	LAMBRUSCA DR	RANCHO CORDOVA	CA	95670-3815	358.48
19872	07203200250000	RONNIE WOOD	2936	CALLE DEL SOL WAY	RANCHO CORDOVA	CA	95670-5607	355.08
24822	06805200650000	GALINA CERNOGLO	9727	NORTHPORT CT	SACRAMENTO	CA	95827-2725	355.08
62274	07701920100000	HUGH & LUCILLE FULGHAM	10140	REBA CT	SACRAMENTO	CA	95827-2407	355.08
76412	07228700010000	RENETA EDWARDS	12655	RAYMER WAY	RANCHO CORDOVA	CA	95742-	355.08
95053	06711300840000	KATHERINE P RODRIGUEZ	12729	LA GRANADA WAY	RANCHO CORDOVA	CA	95742	355.08
103609	05604000480000	ANDREW DANIEL MAXION	1413	KLAMATH RIVER DR	RANCHO CORDOVA	CA	95670-2849	355.08
112523	06705500930000	JUSTINA ONUMAJURA &	11790	BAGOTA WAY	RANCHO CORDOVA	CA	95742-8030	355.08
114054	07702222010000	MICHELLE BONNER	3216	SANBURY CIR	RANCHO CORDOVA	CA	95670-5702	355.08
136035	05701040040000	DOUGLAS L BARNARD	2568	RIBIER WAY	RANCHO CORDOVA	CA	95670-3714	355.08
228101	07601350130000	MCQUIRE B F JR & D F LIV TRUST	7324	BRADSHAW RD	SACRAMENTO	CA	95829-1037	355.08
586863	07220800190000	FIDEL FLEIFEL	3400	KLEVNER WAY	RANCHO CORDOVA	CA	95670-6932	355.08
92021	07703000140000	ROBERT SHARRATT JR	3205	HOGARTH DR	SACRAMENTO	CA	95827-2345	351.48
64674	06801140090000	ROSE M MALONE	3407	JUPITER DR	SACRAMENTO	CA	95827-2929	350.46
118651	05801030020000	MARIA LOPEZ AND MARK WITTKOPP	2308	ROSADO WAY	RANCHO CORDOVA	CA	95670-5232	349.42
22563	06709200890000	MICHELE KOEHLER	3929	ARISTOTLE CIR	RANCHO CORDOVA	CA	95742	345.98
25268	05702540100000	NURUN N NARGIS/ABDUL MOMEN	175	ARBuckle AVE	FOLSOM	CA	95630-5412	345.98
27674	07701520130000	ABDUL MOMEN/NARGIS NURUN NAHAR	175	ARBuckle AVE	FOLSOM	CA	95630-5412	345.98
37916	07220200210000	ABDUL MOMEN	10953	PELARA WAY	RANCHO CORDOVA	CA	95670-6911	345.98
48722	05600810140000	STANLEY H BELL	10465	RUGBY CT	RANCHO CORDOVA	CA	95670-2231	345.98
62265	07701920100000	HUGH & LUCILLE FULGHAM	10140	REBA CT	SACRAMENTO	CA	95827-2407	345.98
91317	05701110340000	CHRISTOPHER SARCONA/AMANDA	10557	MALAGA WAY	RANCHO CORDOVA	CA	95670-3751	345.98
101578	06712100360000	ADAM ZECIRI	4289	PRIVAS WAY	RANCHO CORDOVA	CA	95742-8244	345.98
98705	06800840100000	RAHAEL NATHAN	9951	LINCOLN VILLAGE DR	SACRAMENTO	CA	95827-2957	342.28
104556	06712400350000	MATHALIE S GEORGE	12749	TOWER BEACH WAY	RANCHO CORDOVA	CA	95742-6760	340.12
156233	05804400040000	DONALD E WROTH	2263	AUTUMNLEAF LN	RANCHO CORDOVA	CA	95670-4203	337.30
30217	07601010140000	DALE & JOLINE LAYTON	10213	LOS PALOS DR	RANCHO CORDOVA	CA	95670-3425	336.54
116769	05601250010000	ROBERT HEN SMITH	2129	KELLOGG WAY	RANCHO CORDOVA	CA	95670-2452	335.66
119567	05601020080000	REINA B CHAVEZ AND FRANCISCA	2237	ROSSMOOR DR	RANCHO CORDOVA	CA	95670-2305	334.90
10308	07201910180000	BRETT MYNSTED	10515	SILVERWOOD WAY	RANCHO CORDOVA	CA	95670-5518	327.28
74040	07229100470000	PHYLLIS DIGIROLAMO	3628	EDINGTON DR	RANCHO CORDOVA	CA	95742-7827	327.28
105244	05701340020000	JULIO BETANCOURT	10704	BECLAN DR	RANCHO CORDOVA	CA	95670-4922	327.28
226303	06805000210000	MICHAEL K BOWLES		PO BOX 491	RANCHO CORDOVA	CA	95741-0491	327.28
116310	06724000460000	JUSTIN SHARMA	12822	TOWER BEACH WAY	RANCHO CORDOVA	CA	95742-6771	325.26
109246	07601030060000	AMERICAN RIVER CAPITAL LLC	525	MORSE AVE	SACRAMENTO	CA	95864-4958	311.18
5540	06708500120000	RAQUEL QUIARTE	4045	QUARTER DOME CIR	RANCHO CORDOVA	CA	95742-7720	310.92
99464	06803500140000	JAQUAN HUNTER/KIMBERLY JACKSON	3304	CHERTSEY CT	SACRAMENTO	CA	95827-2308	308.86
100178	06801430070000	JUAN AND SELENA ROCHA	3418	VIKING DR	SACRAMENTO	CA	95827-2836	302.00
248367	07701520260000	CAROL L BERGSTROM	10490	DREXEL CT	RANCHO CORDOVA	CA	95670-5812	300.40
85286	07226000470000	DAVID S GERGI	10870	WATERBROOK WAY	RANCHO CORDOVA	CA	95670-6993	299.92
41446	07501510090000	EMILY HOUSTON	2721	LA CHOVA CT	RANCHO CORDOVA	CA	95670-3111	296.64
58702	07202010040000	VICTOR F GOMEZ	10545	SILVERWOOD WAY	RANCHO CORDOVA	CA	95670-5533	294.58
32558	06708700050000	PATRICIA & JAMES CRISSEY	4132	BIG MEADOW WAY	RANCHO CORDOVA	CA	95742-7743	292.30
199384	05803800180000	M E HEINEKE	2253	WINDWARD LN	RANCHO CORDOVA	CA	95670-4219	292.30
228139	07601410010000	EDGAR L PIERSON JR	2540	LAS CASAS WAY	RANCHO CORDOVA	CA	95670-3420	292.18
593224	05601230240000	JERRY L ATTEBERY JR	2107	FORESTLAKE DR	RANCHO CORDOVA	CA	95670-2408	287.32
220894	07600410150000	MONICA PEREZ	11065	FOLSOM BLVD	RANCHO CORDOVA	CA	95670-6101	283.78
118106	06704501130000	EDWARD CASS	11751	JUSTINIAN DR	RANCHO CORDOVA	CA	95742-8052	282.92
346135	06804200810000	KRISTIE ROOT	3328	FELTHAM WAY	SACRAMENTO	CA	95827-2314	282.70
564844	07601520120000	JOSEPH F DUMONT	2672	ELLENBROOK DR	RANCHO CORDOVA	CA	95670-3541	277.74
99618	07201630030000	NICOLE KENNEDY	2908	HUNT DR	RANCHO CORDOVA	CA	95670-5614	274.34
9003	07701320190000	MARIA TERESA VIRGEN	2963	JOERGER ST	RANCHO CORDOVA	CA	95670-5314	273.44
156626	05804700010000	GREGORY SC ELZEA	11117	GINGERWOOD WAY	RANCHO CORDOVA	CA	95670-5254	256.70
108634	06705800110000	RANVIR & KAMARJIT SINGH	12031	ERATO CIR	RANCHO CORDOVA	CA	95742-8087	256.16
80530	05700820150000	CHELSEA R BRYANT & JACK BOWMAN	10629	CHARDONAY DR	RANCHO CORDOVA	CA	95670-3811	255.72
112969	05701010070000	KYRIANNA LILES AND CODY TERRY	10529	MALAGA WAY	RANCHO CORDOVA	CA	95670-3638	252.32
250621	07702210030000	BIG OAK INVESTMENTS	3209	SANBURY CIR	RANCHO CORDOVA	CA	95670-5701	252.08
1088	06705100960000	EMILY SISNEROZ	11859	APPOLON DR	RANCHO CORDOVA	CA	95742-8074	247.62
36720	07601820040000	ERNESTO PAZ	2688	ELLENBROOK DR	RANCHO CORDOVA	CA	95670-3541	247.62
40051	07222100450000	LAWRENCE DOTSON	10809	BELLONE WAY	RANCHO CORDOVA	CA	95670-6918	247.62
66793	06708900390000	SUSAN & RAYMOND WHITE	12296	HABITAT WAY	RANCHO CORDOVA	CA	95742-7704	247.62
89124	06706600860000	SHEILA CONROY	4037	KALAMATA WAY	RANCHO CORDOVA	CA	95742-8004	247.62
90945	05701030130000	VICTORIA HARVEY-DETOMA	2537	AUGIBI WAY	RANCHO CORDOVA	CA	95670-3615	247.62
110430	06708900340000	ASHISH MITTAL	12276	HABITAT WAY	RANCHO CORDOVA	CA	95742-7704	247.62
115863	07701140110000	CARY AND LAVEENYA YOUNG	3249	CHETTENHAM DR	RANCHO CORDOVA	CA	95670-5835	247.62
137992	05701630140000	BOBBIE & THOMAS EASTON	2668	ARAMON DR	RANCHO CORDOVA	CA	95670-3744	247.62
615145	05803300130000	ANDLOU INVESTMENTS	166	HAMILTON DR	NOVATO	CA	94949-5671	247.62
199762	05804000560000	CRAIG DONALD NORTHAM	2427	STOKESWOOD WAY	RANCHO CORDOVA	CA	95670-5249	243.62

ITEM 10.1.

ATTACHMENT 2
Exhibit A to the Resolution

City of Rancho Cordova
Residential Refuse Delinquencies
as of July 21, 2023

Account #	Parcel Number	Billing Name	Street #	Street Name/PO BOX	City	State	Zip Code	Total Levy
109134	05801820210000	ELIZABETH & MERVIN SERVIANO	2461	QUEENWOOD DR	RANCHO CORDOVA	CA	95670-5108	230.64
68831	07702700510000	JIA YAH & JOUA XIONG	10233	COUNTRY WAY	SACRAMENTO	CA	95827-2413	228.04
55564	07701020070000	ARTURO GUEYGER	3024	RAMSGATE WAY	RANCHO CORDOVA	CA	95670-5327	226.28
49344	06706600470000	NINEL AKOPYAN	4104	ARAGON WAY	RANCHO CORDOVA	CA	95742-8007	225.54
62014	06801220070000	MIESHA M SANDERS	9923	METEOR DR	SACRAMENTO	CA	95827-2911	223.90
35854	07602030140000	OLENA BERLINSKIY	2721	EL SEGUNDO DR	RANCHO CORDOVA	CA	95670-3407	218.90
238067	07602450060000	THOMAS E STRAIGHT	2439	EL ROCCO Way	Rancho Cordova	CA	95670-3157	216.64
120075	05804200110000	SANTIAGO TAPIA AND VAN C		PO BOX 670	WALNUT GROVE	CA	95690-0670	215.52
107850	07602450150000	TRENTON CRAIG/TRENTON MARY	2401	EL ROCCO WAY	RANCHO CORDOVA	CA	95670	215.24
96570	05602900210000	ERNESTO VELAZQUEZ	4819	COPPER SUNSET Way	Rancho Cordova	CA	95742-7796	214.46
128303	05602700200000	HELEN HUMMEL	2258	RIVER TRAILS CIR	RANCHO CORDOVA	CA	95670-2257	213.16
120495	07702400100000	JUANITA AND ALFONSO DOMINGUEZ	10490	AMBASSADOR DR	RANCHO CORDOVA	CA	95670-2272	210.44
119217	05801920090000	SIG TEAM LLC	10660	BISCAY WAY	RANCHO CORDOVA	CA	95670-3958	209.44
9268	07225300110000	PARMINDER & KOMAL SAINI	4088	SETTLERS RIDGE WAY	ROSEVILLE	CA	95747-9549	209.20
67905	05805100250000	ANDREY SOROKOPUD	2434	RASHAWN DR	RANCHO CORDOVA	CA	95670-4258	209.20
21050	05603920030000	CARLOS & LEA HERNANDEZ	2620	SARDA WAY	RANCHO CORDOVA	CA	95670	209.10
23054	07224600230000	STEPHAN DERMISHYAN	3490	PONZI CT	RANCHO CORDOVA	CA	95670-6971	209.10
27716	07703100100000	AREVIK G NARANJO	3300	FOLKLORE WAY	SACRAMENTO	CA	95827-2433	209.10
33058	05701610120000	MD A MOMEN	3580	S DELAWARE ST	CHANDLER	AZ	85286-1657	209.10
80329	06708000950000	ARPINE MASOYAN	12233	CONSERVANCY WAY	RANCHO CORDOVA	CA	95742-7763	209.10
109148	06712300550000	CHRISTINA GRIFFITH	11953	MONTRON WAY	RANCHO CORDOVA	CA	95742-8242	209.10
77515	07229200050000	EISAR ASKARI	3726	EDINGTON DR	RANCHO CORDOVA	CA	95742-7829	209.06
81618	07224000130000	EISAR ASKARI	11035	VITIS CT	RANCHO CORDOVA	CA	95670-6948	209.06
69252	07503120160000	SERA BENESH	2587	CAPITALES DR	RANCHO CORDOVA	CA	95670-3105	208.18
114423	06705600040000	MARIA MERCADO	4327	NIOBE CIR	RANCHO CORDOVA	CA	95742-8043	207.86
51633	06801040020000	MAREKA COLE	9934	VANGUARD DR	SACRAMENTO	CA	95827-2352	201.38
398518	07203640030000	DIANE DELLAMAGGIORE	10873	PAIUTE WAY	RANCHO CORDOVA	CA	95670-5629	199.58
37311	06704400760000	ARYAR AND YATRA RACHOGAN	11885	WHITE RAIN WAY	RANCHO CORDOVA	CA	95742-8003	197.78
98448	07225200020000	MARY B GRINNER	3265	OSELOT WAY	RANCHO CORDOVA	CA	95670-6982	194.40
40540	06706300220000	SHAIREEN SHAH	4398	MAIANA WAY	RANCHO CORDOVA	CA	95742-8059	194.10
120466	05803110100000	AVENIR SLIVINSKIY	5053	WAGNER OAK WAY	EL DORADO HILLS	CA	957627751	192.70
227147	07601030050000	ERIC MORRISON	10252	LOS PALOS DR	RANCHO CORDOVA	CA	95670-3442	192.10
547859	05800820110000	JOSEPHINE TAPIA	2237	CERVANTES DR	RANCHO CORDOVA	CA	95670-4104	187.96
120518	05601960090000	KENNETH O ANYANWU	2001	VAN NUYS WAY	RANCHO CORDOVA	CA	95670-2425	182.04
79497	05604000140000	ARTUR ZHUCHENKO	11112	CROOKEN RIVER CT	RANCHO CORDOVA	CA	95670-2833	181.84
120427	07503110110000	DAVID T & MELISSA M KLAPECK	10157	LA ALEGRIA DR	RANCHO CORDOVA	CA	95670-3109	179.62
103316	05601510150000	YUNYUN TAO & LIBO WENG	2040	KELLOGG WAY	RANCHO CORDOVA	CA	95670-2435	179.44
66836	07229900240000	FREIDBERG LAW CORP PSP	2443	FAIR OAKS BLVD	SACRAMENTO	CA	95825-7684	175.58
550062	07702210270000	TORRES SANDERS	850	BEN INGRAM LN	TRACY	CA	95377-8567	171.08
128213	05602700050000	CHAD M MCKEOWN	2212	RIVER TRAILS CIR	RANCHO CORDOVA	CA	95670-2223	170.60
92269	07602700270000	JULIA JOHNSON	2704	LA VERTA CT	RANCHO CORDOVA	CA	95670-3309	162.86
98455	07700630030000	LAURA A CLARK	3201	PORTSMOUTH DR	RANCHO CORDOVA	CA	95670-5324	162.86
75682	06801350090000	MANUEL S & LETICIA SERRANO	1280	EL CAMINO REAL	MILLBRAE	CA	94030-1444	162.48
75683	06801350090000	MANUEL S & LETICIA SERRANO	1280	EL CAMINO REAL	MILLBRAE	CA	94030-1444	162.48
57180	06805000050000	JAN ROLLINGS	3641	ASTRAL DR	SACRAMENTO	CA	95827-3541	160.78
59769	05801040030000	GURINDER SINGH	2332	BENITA DR	RANCHO CORDOVA	CA	95670-5242	158.28
4438	06705900700000	LARRY BUDDIE	4314	CADEE CT	RANCHO CORDOVA	CA	95742-8085	158.22
4981	05702010100000	ANTHONY T LOGUS	2712	ZINFANDEL DR	RANCHO CORDOVA	CA	95670-4827	158.22
60070	07232300130000	LESLYE JONES	10958	INTERNATIONAL DR	RANCHO CORDOVA	CA	95670-8000	158.22
63124	05804600200000	CONSTANCE CODLING	11062	GOLLER CT	RANCHO CORDOVA	CA	95670	158.22
71839	07203200100000	CARL & REBECCA GEORGE	10649	OLSON DR	RANCHO CORDOVA	CA	95670-5619	158.22
93725	07703100230000	DOLORES CHENEY	10194	ROCKINGHAM DR	SACRAMENTO	CA	95827-2451	158.22
100330	05803110220000	CREAM LLC	2541	BERRYWOOD DR	RANCHO CORDOVA	CA	95670-5205	158.22
101829	06803460210000	ROBERT DEOROSAN	10016	VANGUARD DR	SACRAMENTO	CA	95827-2329	158.22
103365	07601630110000	MARIA & DEVIN YOHEY	2604	LAS CASAS WAY	RANCHO CORDOVA	CA	95670-3422	158.22
116099	06706900560000	LU WANG	5220	HEATHER RANCH WAY	RANCHO CORDOVA	CA	95742-8182	158.22
193558	05803300100000	TRUST OF PAUR	547	SOUTHWOOD DR	FOLSOM	CA	95630-1649	158.22
213785	06707700920000	DEHUA WANG/ XIAOLONG XU	11829	EVERDELL WAY	RANCHO CORDOVA	CA	95742-8100	158.22
252102	07702330070000	CHARLES M BURTON	3234	NOESLER CT	RANCHO CORDOVA	CA	95670-5742	158.22
39977	06704500920000	GRACE MUNGATI	11773	LILAC CANYON CT	RANCHO CORDOVA	CA	95742-8051	156.28
120564	07701540290000	SIMON GRANADOS JR & ARACELI	10356	S WHITE ROCK RD	RANCHO CORDOVA	CA	95670-5715	154.18
83464	05604210030000	NATALIA TEN	10574	HOME RANCH CT	RANCHO CORDOVA	CA	95670-2320	147.08
62083	07701910240000	RUTH A WRIGHT	6909	MAITA CIR	SACRAMENTO	CA	95820-2111	144.18
32652	06708800820000	KENNY LI	12398	CANYONLANDS DR	RANCHO CORDOVA	CA	95742-7711	135.90
112860	07234100330000	XIULING SU/BRUCE WOODBURY	10849	PORTICO CIR	Rancho Cordova	CA	95670-6427	133.10
59409	05803500210000	ADRIAN SLADE	2207	BAYWATER LN	RANCHO CORDOVA	CA	95670-4225	130.06
181654	05801250050000	SHARI CALTA	10870	WALNUTWOOD WAY	RANCHO CORDOVA	CA	95670-5145	122.94
34532	06704500470000	JUANITA TALAMANTEZ	4486	RUBY LANDING WAY	RANCHO CORDOVA	CA	95742-8049	121.74
17098	07703000130000	PHAIWONG KRONGKIET	3201	HOGARTH DR	SACRAMENTO	CA	95827-2345	121.60
26514	07700640110000	RAYMUNDO HARO	3016	BLACKPOOL WAY	RANCHO CORDOVA	CA	95670-5308	120.06
148839	05800210100000	LEVA MEZHLUMYAN	10737	ATWOOD DR	RANCHO CORDOVA	CA	95670-4958	119.00
59099	07700400390000	SALAYFO SMITH & SIMONE WATSON	10190	S WHITE ROCK RD	RANCHO CORDOVA	CA	95670-5905	117.92
62091	07701910240000	RUTH A WRIGHT	6909	MAITA CIR	SACRAMENTO	CA	95820-2111	117.30
73271	05804200120000	PAMELA HILLMON & ELBERT THOMAS	4143	BROOKFIELD DR	SACRAMENTO	CA	95823-3555	113.44
80693	05701040080000	JOSHUA J BAIZ	2557	FURMIT WAY	RANCHO CORDOVA	CA	95670-3619	113.02
72532	05602040040000	REMI QUEYRANE/SHANNON DOHERTY	2221	FORESTLAKE DR	RANCHO CORDOVA	CA	95670-2461	108.78
7424	06704800360000	TARA DITLEVSEN	11856	SLATE FALLS WAY	RANCHO CORDOVA	CA	95742-8017	105.82
6733	06705200580000	JAGJIT KANG	4441	SOPHISTRY DR	RANCHO CORDOVA	CA	95742-8073	101.90
106822	05802230210000	ELISABETH NIDOY	2353	CORDOVA LN	RANCHO CORDOVA	CA	95670-3917	101.90
187719	05801820120000	KLYE ATKINS	10849	GADSTON WAY	RANCHO CORDOVA	CA	95670-5101	101.90
177931	06704900340000	FLORENCE MAGTOTO	4224	SILVER WATER WAY	RANCHO CORDOVA	CA	95742-8022	101.86
28024	07221000060000	ANA VILLALPANDO	3237	ABOTO WAY	RANCHO CORDOVA	CA	95670-6925	101.04
40839	06801350180000	TAH 2016-1 BORROWER LLC	10075	LINCOLN VILLAGE DR	SACRAMENTO	CA	95827-2969	100.10
585392	05604240140000	LUCY TURNER	754	G AVE	CORONADO	CA	92118-2132	99.24

ITEM 10.1.

ATTACHMENT 2
Exhibit A to the Resolution

City of Rancho Cordova
Residential Refuse Delinquencies
as of July 21, 2023

Account #	Parcel Number	Billing Name	Street #	Street Name/PO BOX	City	State	Zip Code	Total Levy
59240	07232600640000	CEDRICK SYAS	10854	ARRINGTON DR	RANCHO CORDOVA	CA	95670	97.34
181339	07224700330000	ASTGHIK GHARIBYAN	3572	ENVERO WAY	RANCHO CORDOVA	CA	95670-6961	93.94
88968	07228800250000	ANDREW TONGONAN	12666	SOLSBERRY WAY	RANCHO CORDOVA	CA	95742-7840	93.62
29729	07601740020000	DIANA ARANA	2672	LOS AMIGOS DR	RANCHO CORDOVA	CA	95670-3454	91.28
92182	06711300360000	DANIEL CHOI	4025	HEARST CASTLE WAY	RANCHO CORDOVA	CA	95742-6718	89.46
73457	05701720010000	SIERRA PAUL & BRANDON STEEGE	2667	ARAMON DR	RANCHO CORDOVA	CA	95670-3745	89.22
59101	07700400390000	SALAYFO SMITH & SIMONE WATSON	10190	S WHITE ROCK RD	RANCHO CORDOVA	CA	95670-5905	87.86
8823	06708400990000	PAUL & LINDA ROHRER	12309	MONTAUK WAY	RANCHO CORDOVA	CA	95742-7724	86.24
100422	06706700150000	MANUEL & MARLENE JARAMILLO	11879	STONE OAKS CT	RANCHO CORDOVA	CA	95742-8134	85.80
144325	05702320130000	TRUST OF RIBIER		PO BOX 72802	DAVIS	CA	95617-2802	85.80
247177	06800850090000	WARREN J MADIGAN	9985	REDSTONE DR	SACRAMENTO	CA	95827-3501	85.80
33968	06804910040000	GOHAR A PALYAN	3588	SCORPIO DR	SACRAMENTO	CA	95827-2976	85.38
22169	05804800140000	LUANN SMITH	11024	AUTUMNWIND LN	RANCHO CORDOVA	CA	95670-4263	83.84
82709	07601460210000	RAYLENE SMITH/ANTHONY YOUNGER	10226	LA PRESA WAY	RANCHO CORDOVA	CA	95670-3447	83.76
4092	07229700110000	ANDREW ARMSTRONG	11019	INTERNATIONAL DR	RANCHO CORDOVA	CA	95670-6250	83.36
25219	07502410020000	CLANCY ANDERSON	2259	LA GRAMA DR	RANCHO CORDOVA	CA	95670-3136	81.44
137320	05701450170000	ALVIN BOWDEN	10408	CROETTO WAY	RANCHO CORDOVA	CA	95670-3618	81.44
92358	06710600030000	DESIREE RICHARDSON	4332	BORDERLANDS DR	RANCHO CORDOVA	CA	95742-7778	81.16
33049	05601620180000	FRANKLIN CAI	10544	AMBASSADOR DR	RANCHO CORDOVA	CA	95670-2465	80.80
59398	05801410030000	OLVIN ZAMBRANO	2308	BYRD DR	RANCHO CORDOVA	CA	95670-3912	78.00
20007	05600350190000	PETER EGAN	10439	GEORGETOWN DR	RANCHO CORDOVA	CA	95670-2266	77.10
52467	07703240380000	JOSHUA LARSEN	10232	GOINYOUR WAY	SACRAMENTO	CA	95827-2445	77.10
55494	07224800240000	REBECCA GANNON	3517	ENVERO WAY	RANCHO CORDOVA	CA	95670-6960	77.10
56470	07501530040000	EDITH CRUZ	10172	LA ALEGRIA DR	RANCHO CORDOVA	CA	95670-3110	77.10
62398	07701920220000	AULAH M BOSTICK	3332	GOULD WAY	SACRAMENTO	CA	95827-2458	77.10
62608	07201920300000	JOSEPH M & TERESA REUSCHER	10501	MILLS ACRES CIR	Rancho Cordova	CA	95670-5514	77.10
65224	06803630020000	MICHAEL PLUMMER	3508	SOLAR WAY	SACRAMENTO	CA	95827-3504	77.10
71959	07223700630000	TAE S KIM	9521	FOLSOM BLVD	SACRAMENTO	CA	95827-1203	77.10
83931	06706900590000	BRENT WHITED	5229	HEATHER RANCH WAY	RANCHO CORDOVA	CA	95742-8182	77.10
87396	06803660210000	DENNIS & VERA CHERENKOV	9951	OLD PLACERVILLE RD	SACRAMENTO	CA	95827-3531	77.10
92704	07601750080000	GREGORY WILSON	2687	LOS AMIGOS DR	RANCHO CORDOVA	CA	95670-3453	77.10
93247	07225900560000	JAMI MCKELLRY	3500	NOUVEAU WAY	RANCHO CORDOVA	CA	95670-6988	77.10
97093	07703240400000	LEE L WILLIAMS	10240	GOINYOUR WAY	SACRAMENTO	CA	95827-2445	77.10
102124	06708500480000	NATASHA & YAROSLAV DUBINETS	12456	KIBBIE LAKE WAY	RANCHO CORDOVA	CA	95742-7718	77.10
107051	07601010220000	JOSE ARMANDO CORTEZ ARROYO	10245	LOS PALOS DR	RANCHO CORDOVA	CA	95670-3443	77.10
108760	05804200150000	COLIN GOBOURNE	2640	LOS NOGALES WAY	RANCHO CORDOVA	CA	95670-5117	77.10
127985	07224700020000	ATHAN GIWOFF	3551	RIOJO WAY	RANCHO CORDOVA	CA	95670-6966	77.10
148487	05703140150000	CHARLES O DAVIS	10740	BECLAN DR	RANCHO CORDOVA	CA	95670-4954	77.10
219693	06804340110000	ROBERT M HOLLEY	9837	WINTERWOOD WAY	SACRAMENTO	CA	95827-2826	77.10
554458	07602340160000	SERGIO GOMEZ	2523	MARTINIO CT	RANCHO CORDOVA	CA	95670-3427	77.10
3100609	05801140210000	DAVID KOLSHINSKI	2668	MERCANTILE Dr	Rancho Cordova	CA	95742-6573	77.10
17248	07201740080000	KARLEEN KOI	2979	HUNT DR	RANCHO CORDOVA	CA	95670	77.06
61978	00701910150000	DON HAY	5250	PACIFIC ST	ROCKLIN	CA	95677-2756	77.06
63440	07500540110000	HAVEN PROPERTIES	620	E BIDWELL ST	FOLSOM	CA	95630-3121	77.06
65657	07503110090000	LUIS F & MARIA G VILLALOBOS	10149	LA ALEGRIA DR	RANCHO CORDOVA	CA	95670-3109	77.06
101856	05803900570009	KELLY KRAGEN	2016	ZINFADL DR	RANCHO CORDOVA	CA	95670	77.06
193799	05803400180000	MICHAEL SONGER	2233	KINGSTREE LN	RANCHO CORDOVA	CA	95670-4211	77.06
53535	07225700410000	TAT TONG	3494	BOUQUET CT	RANCHO CORDOVA	CA	95670-6419	75.58
206565	07601550100000	JENNIFER WYGAND	2653	GILBERT WAY	RANCHO CORDOVA	CA	95670-3540	75.12
156657	05804700060000	SHERRIE D TRUSLER	11124	GINGERWOOD WAY	RANCHO CORDOVA	CA	95670-5218	73.78
61803	05801140240000	CAREY & ROSAIDA PATTON	10809	BALLANTRAE WAY	RANCHO CORDOVA	CA	95670-4933	72.46
91319	06706600850000	LATEEKA & CHRISTIAN BRADFORD	4033	KALAMATA WAY	RANCHO CORDOVA	CA	95742-8004	71.36
94170	07600720020000	JOHN IACONO	2236	MAXINE WAY	RANCHO CORDOVA	CA	95670-2019	65.48
18043	06705900410000	ANDRE LAVERDURE	4313	HARTLAND WAY	RANCHO CORDOVA	CA	95742-8082	65.14
638687	05603830230000	FRANK PEARSON	1526	KLAMATH RIVER DR	RANCHO CORDOVA	CA	95670-2809	65.14
645880	05601910100000	CORINNE WALLER	10549	AMBASSADOR DR	RANCHO CORDOVA	CA	95670-2401	65.14
65583	07201520090000	DAVID & MARIA SUMPO	10532	GLENVIEW WAY	RANCHO CORDOVA	CA	95670-5511	61.00
48369	07702220180000	ERIKA KREBS	2775	LARKSPUR LN	SACRAMENTO	CA	95864-3723	53.68
95622	06711301570000	JAMES P CHICO	4086	MACKERRICHER WAY	RANCHO CORDOVA	CA	95742-6733	53.24
114543	07232600230000	GURDEEP BAINS	3652	SUNRISE PINES DR	SACRAMENTO	CA	95827-2953	53.18
47184	05600720080000	VALENTIN SLIVINSKIY	10482	AMBASSADOR DR	RANCHO CORDOVA	CA	95670-2272	51.78
14398	07213500060000	EZ STOP PROPERTY MGMT		PO BOX 3270	RANCHO CORDOVA	CA	95741-3270	48.20
51004	06804800530000	CHANH QUANG AND MINH VO	9946	BEXLEY DR	SACRAMENTO	CA	95827-2335	43.22
120326	06705600820000	PRASHANTH MOTHUKURI	11750	ARETE WAY	RANCHO CORDOVA	CA	95742-8045	39.52
109236	05601530150000	JOSE DE JESUS AGUILAR	10860	OAKTON WAY	RANCHO CORDOVA	CA	95670-2449	39.14
141625	07213500670000	EZ STOP PROPERTY MGMT		PO BOX 3270	RANCHO CORDOVA	CA	95741-3270	36.24
37995	05702650020000	ASHLEY RAND	2445	NEGRARA WAY	RANCHO CORDOVA	CA	95670-3841	34.68
604491	07602430010000	MONICA HARRINGTON	2400	EL CHICO CIR	RANCHO CORDOVA	CA	95670-3124	28.58
64770	07228900120000	KIMBERLY JOHNSON	12739	THORNBURG WAY	RANCHO CORDOVA	CA	95742-7804	26.00
360099	07202020360000	RUZANNA KARAPETYAN	10538	SILVERWOOD WAY	RANCHO CORDOVA	CA	95670-5532	24.08

\$ 393,591.74

MEMORANDUM



ITEM 10.2.

DATE: August 7, 2023
TO: Honorable Mayor and Council Members
FROM: Dalia Fadl, Principal Engineer
Erin Naderi, Management Analyst
SUBJECT: **A RESOLUTION DECLARING A PROTEST HEARING AND
AUTHORIZING THE MAILING OF PROPERTY OWNER BALLOT
RELATING TO THE IMPOSITION OF THE ANNUAL STORMWATER
UTILITY FEE FOR THE LOGISTICENTER PROJECT**

RECOMMENDATION

Approve the Resolution.

RESULT OF RECOMMENDED ACTION

Adoption of the Resolution would declare the results of the property owner protest and, if there exists less than a majority protest, authorize the mailing of a ballot to the property owner to approve the levy of the fee to pay for maintenance of storm drainage and flood protection systems for the Logisticenter project. The action also sets 1:30 p.m. on August 21, 2023, in the office of the City Clerk as the time and date for the ballot tabulation for the matter.

BACKGROUND

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

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

On June 19, 2023, City Council adopted a resolution which established Procedures for the Conduct of a Protest Hearing and Balloting Relating to a Stormwater Utility Fee (the "Procedures") and designated August 7, 2022, at 5:30 p.m. as the time and place for hearing protests in connection with the annual Stormwater Utility Fee for the Logisticenter project.

Discussion

The property owner has submitted a petition and waiver for the City to institute the proceedings to participate in the Stormwater Utility Fee. This annexation to the Stormwater Utility Fee will

include the project generally known as the Logisticenter project, see Attachment 2. The maintenance services to be funded include the furnishing of services and materials for the ordinary and usual operation, maintenance, and servicing of the storm drain and flood protection systems.

Attachment 1 is the Resolution declaring the results of the property owner protest and authorizing the mailing of the property owner ballot, as required by Article XIII D of the California Constitution (also known as Proposition 218). The Resolution sets forth the tabulation of ballots on August 21, 2023, at 1:30 p.m. in the office of the City Clerk. The results of the mailed ballot election will be presented to City Council at their regularly scheduled meeting on September 5, 2023, and additional actions will be recommended based on the ballot results.

A "Rate Analysis Report" was approved by City Council on September 4, 2014, by Resolution No. 103-2014 setting Fiscal Year 2014-15 maximum annual Stormwater Utility Fee amount for each parcel proportionate to the estimated stormwater runoff for each parcel (see Attachment 3). The maximum annual fee will increase each subsequent fiscal year by the annual change in the Consumer Price Index (CPI), during the preceding year, for All Urban Consumers, for the San Francisco-Oakland-San Jose areas, published by the United States Department of Labor, Bureau of Labor Statistics. A sample of the Stormwater Utility Fees for Fiscal Year 2023-24 are summarized in Attachment 4.

FISCAL IMPACT AND FUNDING SOURCE

There is no impact to the City's General Fund. Funds collected by this fee will pay for maintenance of storm drainage and flood protection systems.

ATTACHMENT(S)

1. Resolution
2. Annexation Boundary Map
3. Stormwater (SWU) Rate and Analysis Report
4. Stormwater Utility Fee Rate Sheet FY23-24

CITY OF RANCHO CORDOVA

RESOLUTION NO. XX-2023

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

WHEREAS, this Council has received petitions and waivers from the owners of not less than 100% of the area of land proposed to be annexed into the Stormwater Utility Fee; and

WHEREAS, on June 19, 2023, the City Clerk caused a notice of the time and place of the hearing thereon and on the proposed annexation to the Stormwater Utility Fee to be published and such public hearing was opened on August 7, 2023; and

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

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

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

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

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

1. The foregoing recitals are true and correct.
2. The City Clerk is hereby authorized and directed to mail a property owner ballot in accordance with law and the Procedures.
3. The date of the ballot tabulation shall be August 21, 2023, at 1:30 p.m.
4. The date of the Council Meeting to report the results of the mailed ballot election shall be September 5, 2023, at 5:30 p.m. or as soon thereafter as the matter may be heard.
5. The City Council hereby designates Dalia Fadl, Principal Engineer, telephone number

ITEM 10.2.

ATTACHMENT 1

(916) 851-8718 to answer inquiries regarding the ballot proceedings and procedural or technical matters.

PASSED AND ADOPTED by the City Council of the City of Rancho Cordova on the 7th day of August 2023 by the following vote:

AYES:

NOES:

ABSENT:

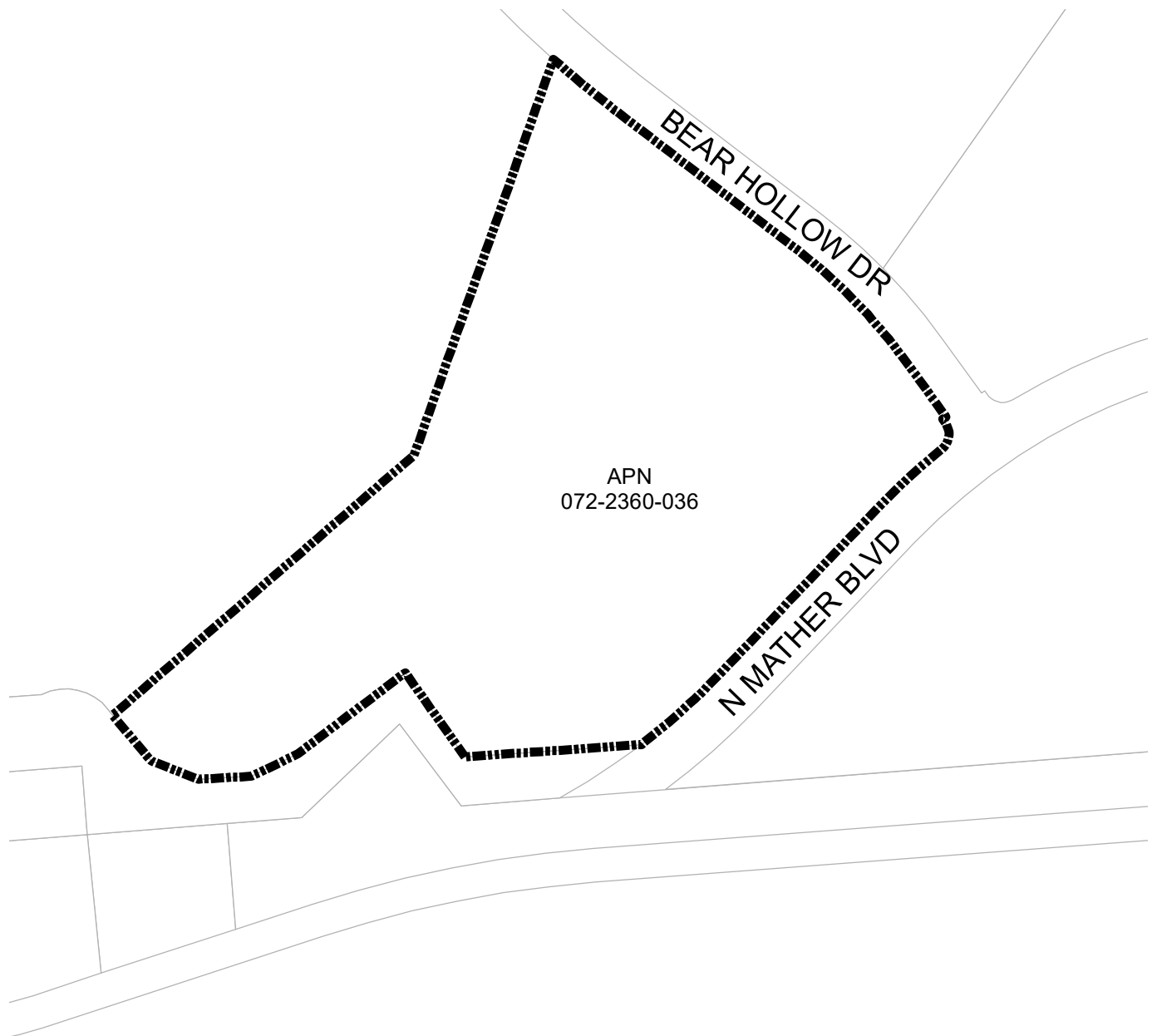
ABSTAIN:

ATTEST:

Linda Budge, Mayor

Stacy Leitner, CMC
City Clerk

CITY OF RANCHO CORDOVA
STORMWATER UTILITY FEE AREA
ANNEXATION 33
(LOGISTICENTER PROJECT)



Legend

-  Annexation Boundary
-  Parcel Boundary



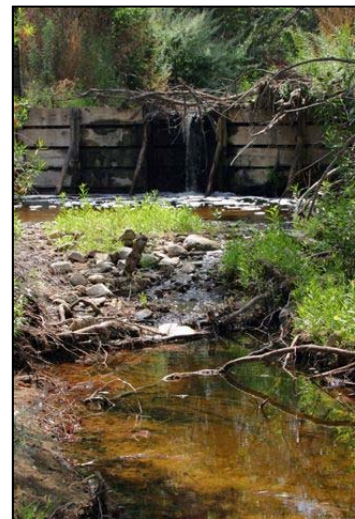
Rate Analysis Report

for the

Stormwater Utility Fee

For the

City of Rancho Cordova



August 7, 2014

Introduction

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

The purpose of this Rate Analysis Report is to:

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

Proposition 218 Requirements

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

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

Background Information

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

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

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

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

Table 1 – Land Use

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

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

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

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

Table 2 – Expected Improvements

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

Services Funded

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

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

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

Rate Structure Analysis

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

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

and

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

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

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

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

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

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

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

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

Single Family Residential Parcels

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

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

Multi-Family Residential Parcels

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

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

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

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

Non- Residential Parcels

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

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

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

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

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

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

Table 3 – Drainage Measurement Unit Summary Table

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

Cost Estimate

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

Table 4 – Estimated Costs

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

Total: \$5,011,917

Annual Fee Administration: \$45,000

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

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

Fee Calculations

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

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

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

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

Table 5 – Sample Calculations

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

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

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

Appeals Process

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

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

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

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

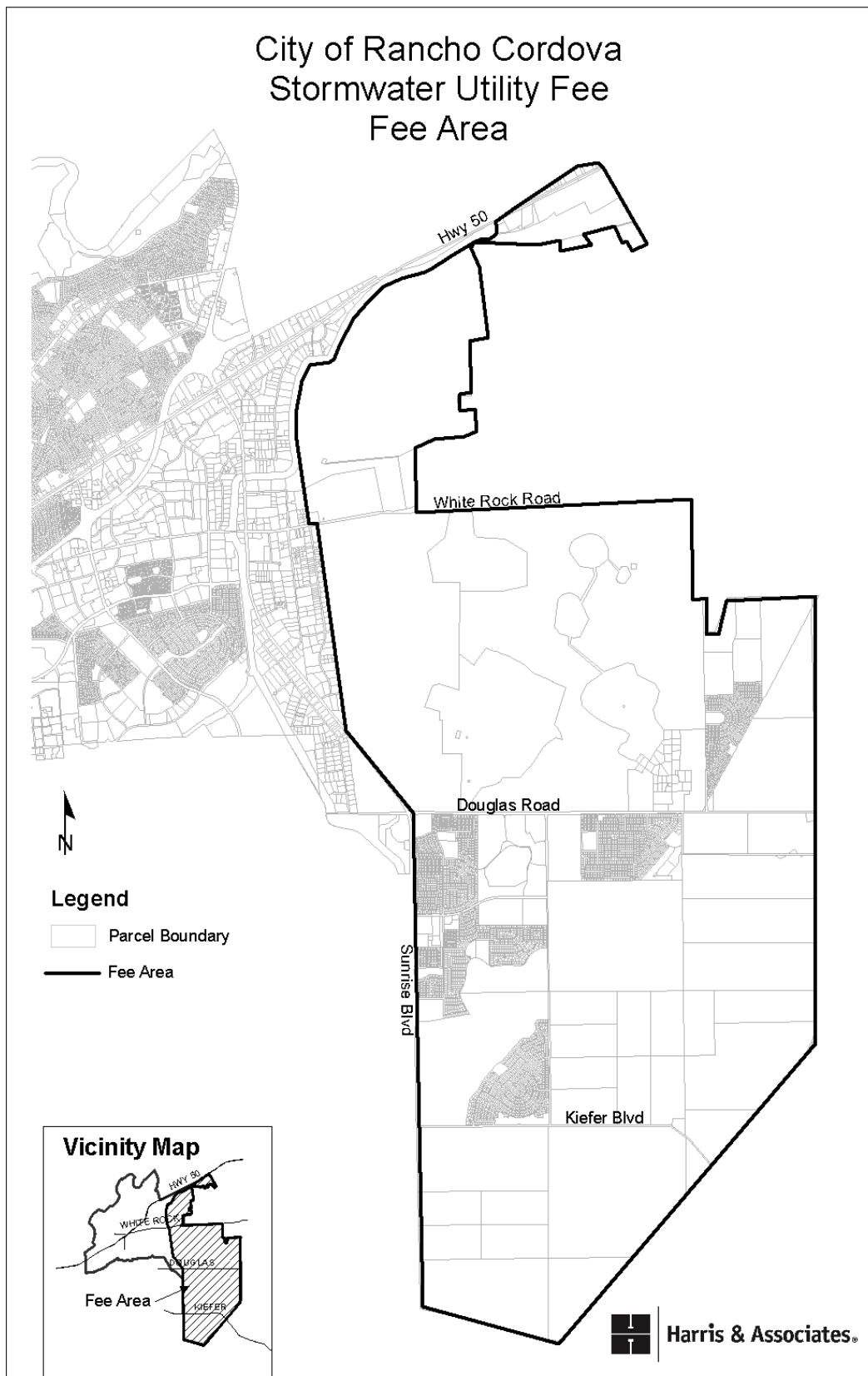
Appeals will be accepted annually up until June 30 for inclusion on the following fiscal year's property tax roll submittal. However, if an appeal is granted by Staff or the Director of Public Works that does not permit inclusion for the following fiscal year's property tax roll submittal, a reimbursement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

Respectfully submitted:

Harris & Associates

Dennis A. Anderson
Senior Project Manager

APPENDIX A



APPENDIX B

Runoff Coefficient

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

Footnotes:

¹ City of Rancho Cordova Municipal Code Chapter 15.

Sources:

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

Appendix C

Cost Information

ITEM 10.2.

ATTACHMENT 3

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

Pipe Repair Costs

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

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

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

Creek and Channel Cleaning

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

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

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

ITEM 10.2.

ATTACHMENT 3

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

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

Hydromod Basin Maintenance

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

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

Appendix D

Detailed Land Use Data

		Arista Del Sol		Arboretum		Douglas 98		Douglas 103		Grantline 208		Montelena		Rio Del Oro		Suncreek		The Ranch (Sunridge)		Sunridge Lot J		Westborough		North Douglas II		Heritage Falls		Anatolia IV		Anatolia		Sunridge							
	Land Use/ Zoning Description	AC	Units	AC	Units		AC	Units	AC	Units	AC	Units	AC 2012	Units 2012	AC	Units	AC 2013	Units 2012		AC 2013	Units 2012		Est.	Units 2013	AC	Units	AC	Units	AC	Units	AC	Units	GIS AC	GIS Units	GIS AC	GIS Units	Total Acres	Total Units	
Residential:																																							
LDR	SF (2.1-6.0 DU/AC)	35.3	176	144.8	698				3.7	14	44.7	276	71.4	388	1,518.5	7,593	179.4	899		142.3	694		35.8	179	347.2	1,580	17.70	153.00	72.20	303.00	21.60	203.00					2,635	13,156	
	MD (6.1-12 DU/AC)																321.5	2,524																	322	2,524			
MDR	MD (6.1-18.0 DU/AC)	83.8	556	290.0	2,334 ^a	94.2	528	28.2	287	42.8	227	54.4	402	256.0	2,048	43.7	286 ^c		105.4	685		17.5	192	146.8	1,389			92.10	525.00			450.8	2,831	146.4	941	1,852	13,231		
	MD (14.0-29.9 DU/AC)			60.4	885																														60	885			
HDR	HD (18.1-40.0 DU/AC)																98.0	1,960	44.2	980					30.4	922			6.80	132.00					192	4,372			
	HD (30+ DU/AC)			29.5	825																														30	825			
	Residential Total	119.1	732	524.7	4,742	94.2	528	31.9	301	87.5	503	125.8	790	1,872.5	11,601	588.8	4,689		259.9	1,757		53.3	371	524.4	3,891	17.7	153	171	960	22	203	450.8	2,831	146.4	941	5,090	34,993		
Non-Residential:																																							
VC	Village Commercial			16.9					19.5						16.6		20.0		22.0						93.3											202			
LTC	Local Town Center			30.4													20.0								83.5											134			
RTC	Regional Town Center			0.9													113.0		58.4																	172			
BP	Business Park	6.6		65.0													86.0																			158			
MP	Industrial Park																283.0																			283			
Education:																																							
HS/MS	High School/Middle School			72.6													78.0		110.9 ^b						94.0 ^b											356			
MS	Middle School																20.0																			20			
ES	Elementary School			21.2								10.6					54.0											5.50			10.8						102		
Open Space & Public:																																							
CP	Community Park	11.4		60.7													107.0		44.9						52.3											313			
P/QP	Public/Quasi Public			2.0										3.2			7.5		12.3						10.6											37			
NP	Neighborhood Park	3.1		3.8		8.2		5.2		3.4		20.8				67.5		17.0		8.6		6.4					0.71		17.20		3.70		21.2		7.0		194		
SWD	Storm Water Detention	4.0														15.0		9.6		39.0							4.00		17.40				9.5		9.6		186		
WP	Wetland Preserve	55.8							43.8							81.0		54.5																		745			
DP	Drainage Parkway																138.0		5.0						104.6				15.30				7.2			270			
PR	Private Recreation																54.0												4.20							63			
OS	Open Space			144.5													22.0										0.60		0.80								168		
OS/P	Open Space/Preserve																12.0		45.6						47.7											279			
LC	Landscape Corridors	1.1				2.8											82.0		19.2										2.70		1.30		13.4		0.7		123		
GB	Green Belts								2.6								51.0																			54			
ROW	Right-of-way	9.5		104.3					8.5			5.3		22.4			192.0		82.6		20.5		14.5		127.1				6.90		2.20					596			
BR/WP	Reservoir / Wetland Preserve			302.8														205.1									19.80										528		
S	Sewer Lift Station / Utility Substation			1.0																																	14		
	Vacant (unknown dev plan)																																				595		
	Total Non-residential	91.5		826.1		11.0		79.6		123.1		127.1			1,956.0		676.5		270.2			20.9		613.1		25.1	0.0	70.0	0.0	7.2	0.0	634.3		58.2		5,590			
	Total Residential & Non-Res	210.6	732.0	1,350.8	4,742.0	105.2	528.0	111.5	301.0	210.6	503.0	252.9	790.0		3,828.5	11,601.0	1,265.3	4,689.0		530.1	1,757.0		74.1	371.0	1,137.5	3,891.0	42.8	153.0	241.1	960.0	28.8	203.0	1,085.1	2,831.0	204.6	941.0	10,680		

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

Includes April 2012
Amendment

AC estimated

Stormwater Utility Fee

Sample of the Stormwater Utility Fees for Fiscal Year **2023-2024**:

Table 1

Land Use Description	Total Area (acres)	Sample Fee
Single Family Residential (SFR1)	0.16	\$150.42
Single Family Residential (SFR2)	0.22	\$165.45
Single Family Residential (SFR3)	0.30	\$176.76
Single Family Residential (SFR4)	0.40	\$188.02
Single Family Residential (SFR5)	1.00	\$188.02
Multi-Family Residential (MFR1)	5.00	\$1,316.42
Commercial	1.00	\$1,410.46
Industrial	1.00	\$1,504.51
Schools	5.00	\$940.31
Private Recreation	1.00	\$470.13
Parks/Greenbelts	2.00	\$188.02
Public Property (with structures)	2.00	\$564.16

MEMORANDUM



ITEM 10.3.

DATE: August 7, 2023
TO: Honorable Mayor and Council Members
FROM: Michelle Mingay, Senior Finance Analyst
SUBJECT: **RESOLUTIONS AND AN ORDINANCE RELATED TO THE FORMATION OF THE CITY OF RANCHO CORDOVA GRANTLINE 220 COMMUNITY FACILITIES DISTRICT NO. 2023-1**

RECOMMENDATION

Adopt the Resolutions and waive first reading and introduce the Ordinance.

RESULT OF RECOMMENDED ACTION

Adoption of these items would complete the formation of City of Rancho Cordova Grantline 220 Community Facilities District 2023-1 (the "CFD") and authorize a landowner vote which, if successfully passed, authorizes the levy of a special tax. The special tax levy associated with this CFD is for the purpose of financing the acquisition and construction of, and the payment of fees for, the public facilities in and for the Community Facilities District. There is no financial impact to existing residents.

BACKGROUND

At the meeting on July 3, 2023, the City initiated the process of forming the City of Rancho Cordova Grantline 220 Community Facilities District 2021-1 for Grantline 220 Development Project; a project consists of 220 acres and is located south of Douglas Boulevard, east of Rancho Cordova Parkway, south of the Arista Del Sol subdivisions and is the northern most development project in the Sun Creek Specific Plan. The development anticipates 537 single family units, a 6.8 acre multi-family site, a 10 acre school site, along with two parks totaling 10.9 acres, with the proposed CFD only including the 537 single family units; the multi-family units are not intended to be taxed as part of the CFD. While the CFD will be formed over the full development project, the CFD will be phased in through the use of Improvement Areas. The first Improvement Area will include 209 single family units with lots ranging in size from 45' x 105' to 60' x 105' in size.

Through the subdivision map and entitlement process, the CFD properties will be required to construct all appropriate infrastructure. CFDs are commonly used throughout California to finance infrastructure and services in new development areas. The CFD program simply provides a funding mechanism for a part of the total costs. The balance of the costs will be paid by the developer.

The Grantline 220 CFD is proposed to have a facilities special tax that will be levied on

residential property within the development until all bonds issued by the district have been fully repaid. The facilities special tax within Improvement Area 1 will range between \$2,300 - \$3,566 per single family lot in the base year (Fiscal Year 2023-24), and will increase at a rate of 2% per year for the life of the tax. The special tax will be authorized to support up to \$532,000 in bonds, the proceeds of which will be used to finance the acquisition and construction of, and the payment of fees for, public facilities in and for the Community Facilities District.

The Resolution of Intention adopted by the City Council on July 3, 2023, set for August 7, 2023, at 5:30 p.m., or as soon thereafter as the matter may be heard, for the hearing on the actual formation of the CFD and the levy of the special tax and the sale of bonds.

The documents attached to this report will complete the formation and levy the special tax. The following descriptions correspond to the Item numbers in the "Attachments" listing below:

1. A Resolution of Formation of Community Facilities District. This officially forms the CFD, authorizes the special taxes to be collected and calls for the required property owner vote on the levy of taxes and the establishment of an appropriations limit for the CFD (under Article XIIIB of the Constitution). The Exhibit(s) to this resolution show the facilities and impact fees to be financed and the formula by which the special taxes will be levied in the CFD.

2. A Resolution Determining Necessity to Incur Bonded Indebtedness Within Community Facilities District. This makes the determination to issue bonds to be financed by the special taxes. The amount is a "not to exceed" amount and includes amounts to cover improvements to be financed in later series of bonds. This resolution also calls for the required landowner vote on the issuance of bonds.

3. A Resolution Calling a Special Election. This sets the election for August 7, 2023, and provides the form of the special ballot to be used by the landowner-voter. Calling the election and actually having the election on the same night is allowed under CFD law due to the fact that all the landowners in the CFD have waived certain time requirements for proceeding to the election.

4. A Resolution Declaring Results of the Special Election and Directing Recording of Notice of Special Tax Lien. This is for adoption by the Council after the vote is announced by the City Clerk. It confirms the outcome of the property owner election for the CFD. Attached to it is a copy of the official Canvass and Statement of Result of Election to be completed by the Clerk for the City's record in connection with the opening of ballots and announcement of results. This resolution also directs the filing of the Notice of Special Tax Lien against the lands in the CFD to allow collection of the special tax on each property.

5. An Ordinance Levying Special Taxes Within City of Rancho Cordova Grantline 220 Community Facilities District 2023-1. Under the law, the Council must levy the special taxes by ordinance. Under the ordinance, the levy is made once by the adoption of this ordinance, and, in each year hereafter, the process of determining the special taxes and processing the collection is done administratively by the Administrative Services Director (or a consultant) and no further Council action is needed.

6. Order of Proceedings. This is a guide for the Mayor, City Council, and City Clerk to use to facilitate the required public hearing and landowner vote process. The document outlines the agenda to be followed to conduct the public hearing and adoption of the items needed to complete the formation of the CFD, to hold the special election, and to take the final actions for

the special tax and bonds authorization.

7. Certificate of City Clerk Regarding Waiver (of Certain Election Requirements) and Consent. This is to be completed by the City Clerk for the City's record in connection with the ballot/election procedure and acknowledges receipt of waivers from the property owner(s).

8. Notice of Special Tax Lien. This is the document to be completed by the Clerk and recorded with the County Recorder subsequent to the meeting. It establishes a lien in favor of the City to allow for the collection and enforcement of the special taxes.

9. CFD Report. This is the required report that shows the facilities (public improvements) to be financed by the CFD. The City was directed to prepare this report by the first Resolution of Intention adopted for the CFD on July 3, 2023. It shows the estimated costs of the various facilities along with the costs to issue the bonds and to administer the CFD. A copy of this report has been filed with the City Clerk as part of the proceedings.

Taking the above actions will conclude the formation process for the CFD. The approval of bond documentation, which provides for the issuance of the anticipated CFD bonds, will be the subject of a future meeting.

FISCAL IMPACT AND FUNDING SOURCE

There is no fiscal impact to the City. Any special tax bonds to be issued on behalf of the CFD are secured solely by the special tax levies within the District and are not debt of the City's general fund.

ATTACHMENT(S)

1. Resolution of Formation of the Rancho Cordova Grantline 220 Community Facilities District
2. Resolution Determining Necessity to Incur Bonded Indebtedness Within Community Facilities District
3. A Resolution Calling a Special Election
4. A Resolution Declaring Results of the Special Election and Directing Recording of Notice of Special Tax Lien
5. An Ordinance Levying Special Taxes Within City of Rancho Cordova Grantline 220 Community Facilities District 2023-1.
6. Order of Proceedings
7. Certificate of City Clerk Regarding Waiver (of Certain Election Requirements) and Consent
8. Notice of Special Tax Lien
9. Grantline 220 CFD Report

CITY OF RANCHO CORDOVA

RESOLUTION NO. XX-2023

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RANCHO CORDOVA, STATE OF CALIFORNIA, TO FORM THE CITY OF RANCHO CORDOVA GRANTLINE 220 COMMUNITY FACILITIES DISTRICT NO. 2023-1, DESIGNATE AN IMPROVEMENT AREA AND FUTURE ANNEXATION AREA THEREIN, AND AUTHROIZE THE LEVY OF SPECIAL TAXES IN THE DISTRICT

WHEREAS, the City Council (the "City Council") of the City of Rancho Cordova (the "City") on July 3, 2023, adopted a resolution of intention titled "A Resolution of Intention of the City Council of the City of Rancho Cordova to Form Grantline 220 Community Facilities District No. 2023-1, Designate an Initial Improvement Area Therein and Establish a Future Annexation Area, and to Levy a Special Taxes Therein to Finance the Acquisition and Construction of Certain Public Facilities in and for Such Community Facilities District" (the "Resolution of Intention") to (i) establish of the City of Rancho Cordova Grantline 220 Community Facilities District No. 2023-1 (the "CFD") of the City, (ii) designate therein "Improvement Area No. 1 of the City of Rancho Cordova Grantline 220 Community Facilities District No. 2023-1" ("Improvement Area No. 1"), and (iii) establish a "City of Rancho Cordova Grantline 220 Community Facilities District No. 2023-1 (Future Annexation Area)" (the "Future Annexation Area"), all pursuant to the Mello-Roos Community Facilities Act of 1982, as amended, Chapter 2.5 of Part 1 of Division 2 of Title 5, commencing with Section 53311, of the California Government Code (the "Act"); and

WHEREAS, the Resolution of Intention incorporates a map of the proposed boundaries of the CFD, Improvement Area No. 1, and the Future Annexation Area, states the facilities to be provided, the cost of providing such facilities and the rate and method of apportionment of the special tax to be levied within the CFD to pay principal of and interest on bonds proposed to be issued with respect to the Improvement Area No. 1, is on file with the City Clerk and the provisions thereof are incorporated herein by this reference as if fully set forth herein; and

WHEREAS, the facilities to be provided as stated in the Resolution of Intention are set forth in Exhibit A attached hereto and hereby made a part hereof; and

WHEREAS, the City Council noticed a public hearing to be held on August 7, 2023, regarding the determination to proceed with the formation of the CFD, Improvement Area No. 1, and the Future Annexation Area, the provision of certain public facilities by the CFD and the respective rate and method of apportionment of the special tax to be levied within Improvement Area No. 1, to pay the cost of the facilities, the principal and interest on the proposed bonded indebtedness in Improvement Area No. 1, and the administrative costs of the City relative to the CFD, all pursuant to the Act and the Resolution of Intention; and

WHEREAS, at the hearing all interested persons desiring to be heard on all matters pertaining to the formation of the CFD, Improvement Area No. 1, and the Future Annexation Area, the facilities to be provided therein and the levy of said special tax were heard and a full and fair hearing was held; and

WHEREAS, at the hearing evidence was presented to the City Council on said matters before it, including a report caused to be prepared by the Administrative Services Director of the City (the "Report") as to the facilities to be provided in the CFD and the costs thereof and

incidental expenses related thereto, a copy of which is on file with the City Clerk, and the City Council at the conclusion of said hearing is fully advised in the premises; and

WHEREAS, written protests with respect to the formation of the CFD and the designation therein of Improvement Area No. 1, the furnishing of specified types of facilities and the rate and method of apportionment of the special taxes have not been filed with the City Clerk by fifty percent or more of the registered voters residing within the territory of the CFD and Improvement Area No. 1 or property owners of one-half or more of the area of land within the CFD and Improvement Area No. 1 not exempt from the proposed special tax; and

WHEREAS, the special tax proposed to be levied in Improvement Area No. 1 to pay for the proposed facilities to be provided therein, and the rate and method of apportionment for Improvement Area No. 1 which is set forth in Exhibit B hereto, has not been eliminated by protest by fifty percent (50%) or more of the registered voters residing within the territory of Improvement Area No. 1 or the owners of one-half (1/2) or more of the area of land within Improvement Area No. 1 not exempt from the special tax; and

WHEREAS, the City Council desires to form the CFD and approve related matters, all as authorized by and in accordance with the Act.

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

1. The foregoing recitals are true and correct.
2. The formation of the CFD and proposed special tax to be levied within the CFD and Improvement Area No. 1 therein has not been precluded by majority protest pursuant to Section 53324 of the Act.
3. The community facilities district designated "City of Rancho Cordova Grantline 220 Community Facilities District No. 2023-1" of the City is hereby established pursuant to the Act.

The improvement area designated "Improvement Area No. 1 of the City of Rancho Cordova Grantline 220 Community Facilities District No. 2023-1" is hereby established pursuant to the Act.

The future annexation area designated "City of Rancho Cordova Grantline 220 Community Facilities District No. 2023-1 (Future Annexation Area)" is hereby established pursuant to the Act.

4. The boundaries of the CFD, Improvement Area No. 1, and the Future Annexation Area, are shown on proposed boundary map on file with the City Clerk, which was approved by the Resolution of Intention and filed for record on July 20, 2023, in the Office of the County Recorder of the County of Sacramento as document number 2023-07200415 of the Maps of Assessment and Community Facilities Districts are hereby approved, are incorporated herein by reference, and shall be the initial boundaries of the CFD, Improvement Area No. 1 and the Future Annexation Area, respectively.

Parcels within the Future Annexation Area shall be annexed to the CFD only with the unanimous approval (each, a "Unanimous Approval") of the owner or owners of each

parcel or parcels at the time that parcel or those parcels are annexed, without any requirement for further public hearings or additional proceedings. The Council hereby determines that any property for which the owner or owners execute a Unanimous Approval shall be added to the CFD, either into an existing improvement area or a Future Improvement Area (defined herein), and the Secretary shall record an amendment to the notice of special tax lien for Improvement Area No. 1 pursuant to Section 3117.5 of the Streets & Highways Code, or a new notice of special tax lien pursuant to Section 3114.5.

5. The type of public facilities proposed to be financed by the CFD and Improvement Area No. 1 shall consist of those items listed as facilities in Exhibit A hereto and by this reference incorporated herein (the "Facilities"). The listing includes incidental expenses incurred and to be incurred in connection with the CFD and the issuance of bonds. The financing of the costs of Facilities may include, without limitation, the payment of principal of and interest on bonds, together with all direct, indirect periodic, and/or other related costs (including, without limitation, costs of administering the CFD, levying the Special Tax and administering the bonds, and establishing and replenishing reserve funds).

For Future Improvement Areas, the type of public facilities to be financed by such improvement area may consist of facilities different than the Facilities if the annexed territory is designated as a separate improvement area. Any facilities in addition to or instead of the Facilities shall be identified and approved in the Unanimous Approval executed by property owners in connection with their annexation to the CFD from the Future Annexation Area and shall be effective without the need for additional Council approval.

6. Special Tax.

- a. Except to the extent that funds are otherwise available to the Improvement Areas to pay for the Facilities, to pay the principal and interest on bonds and other debt (as defined in the Act) of the City to finance the Facilities, to the repayment of funds advanced by the City for the CFD and including the repayment under any agreement (which shall not constitute a debt or liability of the City) of advances of funds or reimbursement for the lesser of the value or cost of work in-kind provided by any person for the CFD, a special tax (the "Special Tax") sufficient to pay the costs thereof, secured by the recordation of a continuing lien against all non-exempt real property is intended to be levied annually and collected in the same manner as ordinary *ad valorem* property taxes or in such other manner as may be prescribed by this Council.

- b. The proposed rate and method of apportionment of the Special Tax among the parcels of real property within Improvement Area No. 1, in sufficient detail to allow each landowner within Improvement Area No. 1 to estimate the maximum amount such owner will have to pay, is attached hereto as Exhibit B to this Resolution and hereby incorporated herein (the "Rate and Method"). The Special Tax for Improvement Area No. 1 (the "Improvement Area No. 1 Special Tax") shall not be levied in Improvement Area No. 1 after the 2062-63 fiscal year, except that an Improvement Area No. 1 Special Tax that was lawfully levied in or before the final tax year and that remains delinquent may be collected in subsequent years. Under no circumstances shall the Improvement Area No. 1 Special Tax levied against any parcel in Improvement Area No.

1 used for private residential purposes be increased as a consequence of delinquency or default by the owner of any other parcel or parcels within Improvement Area No. 1 by more than 10 percent.

The proposed rate and method of apportionment of the Special Tax among the parcels of real property within a Future Improvement Area, in sufficient detail to allow each landowner within such Future Improvement Area to estimate the maximum amount such owner will have to pay, shall be set forth in the applicable Unanimous Approval. The Special Tax shall not be levied in a Future Improvement Area after the fiscal year identified in the rate and method for such Future Improvement Area, except that a special tax that was lawfully levied in or before the final tax year and that remains delinquent may be collected in subsequent years. Under no circumstances shall the special tax levied against any parcel in a Future Improvement Area for private residential purposes be increased as a consequence of delinquency or default by the owner of any other parcel or parcels within such Future Improvement Area by more than 10 percent.

For Future Improvement Areas, a different rate and method may be adopted than the Rate and Method adopted for Improvement Area No. 1 if the annexed territory is designated as a separate improvement area. No supplements to the Rate and Method for any of the Improvement Areas and no new rate and method will cause the maximum tax rate in the then-existing territory of the CFD (including Improvement Area No. 1) to increase. The designation as an improvement area of any territory annexing to the CFD, the maximum amount of bonded indebtedness and other debt for such improvement area, the rate and method of apportionment of special tax for such improvement area and the appropriations limit for such improvement area shall be identified and approved in the Unanimous Approval executed by property owners in connection with their annexation to the CFD from the Future Annexation Area. The annexation and related matters described in the Unanimous Approval shall be implemented and completed without the need for Council approval as long as the following conditions are met:

- (i) The rate and method of apportionment of special tax for the new improvement area is prepared by a special tax consultant retained by the City.
- (ii) The rate and method of apportionment of special tax for the new improvement area complies with the City's local goals and policies concerning the use of the Act.
- (iii) The rate and method of apportionment of special tax for the new improvement area does not establish a maximum special tax amount for the initial fiscal year in which the special tax may be levied for any category of special tax set forth in the Rate and Method for Improvement Area No. 1 that is greater than 135% of the maximum amount of the same or closest category of special tax for the same fiscal year calculated pursuant to the Rate and Method for Improvement Area No. 1.
- (iv) The rate and method of apportionment of special tax for the new improvement area does not introduce a type of special tax that was not included in the Rate and Method for Improvement Area No. 1 (e.g., a special tax that is levied and must be paid in a single fiscal year).

(v) The rate and method of apportionment of special tax for the new improvement area includes a mechanism that protects against revenue loss as a result of land use changes to the extent of revenue needed to pay indebtedness of the CFD.

c. Territory in the Future Annexation Area will be annexed into the CFD and a special tax will be levied on such territory only with the Unanimous Approval of the owner or owners of each parcel or parcels at the time that parcel or those parcels are annexed into the CFD. Except to the extent that funds are otherwise available to the CFD to pay for the Facilities and/or the principal and interest as it becomes due on bonds of the CFD issued to finance the Facilities, a Special Tax sufficient to pay the costs thereof, secured by the recordation of a continuing lien against all non-exempt real property in the Future Annexation Area, is intended to be levied annually within the Future Annexation Area, and collected in the same manner as ordinary *ad valorem* property taxes or in such other manner as may be prescribed by this Council.

d. As required by Section 53339.3(d) of the Act, the Council hereby determines that the Special Tax proposed to pay for one or more Facilities to be supplied within the Future Annexation Area will be equal to the Special Taxes levied to pay for the same Facilities in previously-existing areas of the CFD, except that (i) a higher Special Tax may be levied within the Future Annexation Area to pay for the same Facilities to compensate for the interest and principal previously paid from Special Taxes in the original area of the CFD, less any depreciation allocable to the financed Facilities and (ii) a higher Special Tax may be levied in the Future Annexation Area to pay for new or additional Facilities, with or without bond financing.

e. This Council hereby finds that the provisions of Section 53313.6, 53313.7 and 53313.9 of the Act (relating to adjustments to *ad valorem* property taxes and schools financed by a community facilities district) are inapplicable to the proposed CFD and the Improvement Areas.

7. It is hereby found and determined that the Facilities are necessary to meet increased demands placed upon local agencies as the result of development occurring in the CFD, Improvement Area No. 1, and the Future Annexation Area.
8. The office of the Administrative Services Director of the City of Rancho Cordova, 2729 Prospect Park Drive, Rancho Cordova, California 95670 (916-851-8730) is designated as the office responsible for preparing annually a current roll of special tax levy obligations by assessor's parcel number, estimating future special tax levies and for establishing procedures to promptly respond to inquiries regarding estimates of future special tax levies. The City may contract with outside consultants to provide this service in lieu of the Administrative Services Director.
9. Upon recordation of a notice of special tax lien pursuant to Section 3114.5 of the Streets and Highways Code of California, a continuing lien to secure each levy of the special tax shall attach to all nonexempt real property in Improvement Area No. 1, and this lien shall continue in force and effect until the special tax obligation is prepaid and permanently satisfied and the lien canceled in accordance with law or until collection of the tax by the City ceases. Upon recordation of a notice of special tax lien pursuant to Section 3114.5 of the Streets and Highways Code of California, a continuing lien to secure each levy of the special tax shall attach to all nonexempt real property annexed to the CFD from the

Future Annexation Area, and this lien shall continue in force and effect until the special tax obligation is prepaid and permanently satisfied and the lien canceled in accordance with law or until collection of the tax by the City ceases.

10. In accordance with the Act, the annual appropriations limit, as defined by subdivision (h) of Section 8 of Article XIII B of the California Constitution, shall be preliminarily established for the CFD in the amount of \$53,200,000, of which the annual appropriations limit for the territory within Improvement Area No. 1 is hereby preliminarily established at \$18,800,000, and the annual appropriations limit for the territory within the Future Annexation Area, once annexed to the CFD, is preliminarily established at \$34,400,000. The proposition establishing said annual appropriations limit shall become effective if approved by the qualified electors voting thereon and shall be adjusted in accordance with the applicable provisions of the Act.

The designation as an improvement area of any territory annexing to the CFD, the maximum amount of bonded indebtedness and other debt for such improvement area, the rate and method of apportionment of special tax for such improvement area and the appropriations limit for such improvement area shall be identified and approved in the Unanimous Approval executed by property owners in connection with their annexation to the CFD.

11. Pursuant to the provisions of the Act, the proposition of the levy of the Improvement Area No. 1 Special Tax and the proposition of the establishment of the appropriations limit for Improvement Area No. 1 specified above shall be submitted to the qualified electors of Improvement Area No. 1 at an election. The time, place and conditions of the election shall be as specified by a separate resolution of the Council. The qualified electors for the election to be held in these proceedings shall be the landowners owning land within the CFD. The City Council will conduct the election by mailed ballot and hereby designates the City Clerk as the official to conduct the mailed-ballot election.
12. Section 53314.9 of the Act provides that, either before or after formation of the CFD, the City may accept work in-kind from any source, including, but not limited to, private persons or private entities, may provide, by resolution, for the use of that work in-kind for any authorized purpose and the Council may enter into an agreement (an "Acquisition Agreement"), by resolution, with the person or entity advancing the work in-kind, to reimburse the person or entity for the value, or cost, whichever is less, of the work in-kind, as determined by the Council, with or without interest, under the conditions specified in the Act. Any work in-kind must be performed or constructed as if the work had been performed or constructed under the direction and supervision, or under the authority of, the City.

Section 53316.2 of the Act provides that a community facilities district may finance facilities to be owned or operated by a public agency other than the agency that created the district, or services to be provided by a public agency other than the agency that created the district, or any combination, only pursuant to a joint community facilities agreement or a joint exercise of powers agreement adopted pursuant to this section. The Administrative Services Director of the City and each other authorized officer of the City is hereby authorized and directed to enter into joint community facilities agreements with the County and any other entity that will own or operate any of the Facilities, as may be necessary to comply with the provisions of Section 53316.2(a) and (b) of the Act. The

ITEM 10.3.

ATTACHMENT 1

Council hereby declares that such joint agreements will be beneficial to owners of property in the area of the CFD.

13. Any bonds issued in these proceedings shall be callable in accordance with the provisions of the Act and as more specifically to be set forth in any resolution providing for the form, execution, and issuance of bonds.
14. This City Council now finds and determines that all proceedings up to and including the adoption of this Resolution were and are valid and in conformity with the requirements of the Act. This determination and finding is final and conclusive in accordance with Government Code Section 53325.1.

PASSED AND ADOPTED by the City Council of the City of Rancho Cordova this 7th day of August 2023 by the following vote:

AYES:

NOES:

ABSTAIN:

Linda Budge, Mayor

ATTEST:

Stacy Leitner, City Clerk

EXHIBIT A - CFD Facilities

EXHIBIT B - Rate and Method of Apportionment

EXHIBIT A

LIST OF AUTHORIZED FACILITIES
FOR THE COMMUNITY FACILITIES DISTRICT

The Facilities and Services shown below are to be finance by the City of Rancho Cordova Grantline 220 Community Facilities District No. 2023-1 (the, "CFD").

Facilities

The Facilities which are proposed to be financed with the proceeds of the sales of bonds of the proposed CFD, or the payment of the fees to the appropriate jurisdiction with respect to such facilities proposed to be financed with the proceeds of the sale of bonds of the proposed CFD, are generally described as follows:

- Roadway Facilities
- Water Facilities
- Park Facilities
- Storm Drainage Facilities

Impact, Development Agreement and Specific Plan Fees for Facilities

- City Transportation Impact Fee
- City Supplemental Transportation Fee
- City Community Facilities Fee
- Sacramento Area Sewer District Fee
- Sacramento Regional County Sanitation District Fee
- Sacramento City Water Agency Zone 40 Water Fee

Other

- Any other facilities serving substantially the same purpose as the above described facilities.
- Any other facilities permitted under the Mello-Roos Community Facilities Act of 1982, including the facilities described in Section 53313.5 of the California Government Code, as amended from time to time, provided that such facilities satisfy at least one of the following criteria: 1) augment, improve or expand existing District facilities that are primarily for the benefit of the District, or 2) repair or rehabilitate existing District facilities.

The foregoing description of the type of Facilities eligible to be financed is general in nature and includes any appurtenant work and incidental expenses related to the Facilities. The final nature and location of the facilities will be determined upon the preparation of final plans and specifications for such facilities.

Incidentals

The bond related expenses authorized include the City, underwriters discount, financial advisor, appraisals, reserve fund balance, capitalized interest, bond counsel, disclosure counsel, special tax consultant, bond and official statement printing and all other incidental expenses.

CFD formation costs and administrative fees include those of the City, the CFD, the bond trustee or fiscal agent, legal counsel, the special tax consultant and other costs related to the CFD or the Bonds.

ITEM 10.3.

**ATTACHMENT 1
Exhibit B to the Resolution**

EXHIBIT B

Rate and Method of Apportionment of Special Tax

**IMPROVEMENT AREA NO. 1 OF GRANTLINE 220
COMMUNITY FACILITIES DISTRICT NO. 2023-1
CITY OF RANCHO CORDOVA, SACRAMENTO COUNTY, CALIFORNIA**

CITY OF RANCHO CORDOVA

RESOLUTION NO. XX-2023

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RANCHO CORDOVA, STATE OF CALIFORNIA, DEEMING IT NECESSARY TO INCUR BONDED INDEBTEDNESS IN THE CITY OF RANCHO CORDOVA GRANTLINE 220 COMMUNITY FACILITIES DISTRICT NO. 2023-1

WHEREAS, the City Council (the “City Council”) of the City of Rancho Cordova (the “City”) on July 3, 2023, adopted a resolution of intention titled “A Resolution of Intention of the City Council of the City of Rancho Cordova to Form Grantline 220 Community Facilities District No. 2023-1, Designate an Initial Improvement Area Therein and Establish a Future Annexation Area, and to Levy a Special Taxes Therein to Finance the Acquisition and Construction of Certain Public Facilities in and for Such Community Facilities District” (the “Resolution of Intention”) to (i) establish the City of Rancho Cordova Grantline 220 Community Facilities District No. 2023-1 (the “CFD”) of the City, (ii) designate therein “Improvement Area No. 1 of the City of Rancho Cordova Grantline 220 Community Facilities District No. 2023-1” (“Improvement Area No. 1”), and (iii) establish a “City of Rancho Cordova Grantline 220 Community Facilities District No. 2023-1 (Future Annexation Area)” (the “Future Annexation Area”), all pursuant to the Mello-Roos Community Facilities Act of 1982, as amended, Chapter 2.5 of Part 1 of Division 2 of Title 5, commencing with Section 53311, of the California Government Code (the “Act”); and

WHEREAS, the City Council has also adopted on July 3, 2023, a resolution titled “A Resolution of the City Council of the City of Rancho Cordova, State of California, Declaring its Intention to Incur a Bonded Indebtedness in and for City of Rancho Cordova Grantline 220 Community Facilities District No. 2023-1 to Finance the Acquisition and Construction of Certain Public Facilities” (the “Resolution Determining Necessity”), determining the necessity to incur bonded indebtedness in the maximum aggregate principal amount of \$53,200,00 upon the security of the special tax to be levied within the CFD pursuant to the Act; and stating its intention to incur bonded indebtedness within the boundaries of the CFD for the purpose of financing the costs of certain facilities specified in the Resolution of Intention; and

WHEREAS, also in the Resolution of Intention, the City Council determined that it may be necessary to designate additional improvement areas in the CFD as a result of the annexation of territory from the Future Annexation Area (each, a “Future Improvement Area”) and to incur bonded indebtedness within the boundaries of the Future Improvement Area; and

WHEREAS, the City Council noticed a public hearing to be held on August 7, 2023, and pursuant to the Act and the Resolution of Intention, has held the public hearing relative to the matters material to the questions set forth in the Resolution of Intention to Incur Indebtedness, as required by the Act; and

WHEREAS, subsequent to the public hearing, the City Council adopted on August 7, 2023, a resolution titled “A Resolution of the City Council of the City of Rancho Cordova, State of California, to Form a Community Facilities District and to Levy a Special Tax in City of Rancho Cordova Grantline 220 Community Facilities District No. 2023-1” (the “Resolution of Formation”); and

WHEREAS, the City Council has also held a noticed public hearing as required by the Act relative to the matters material to the questions set forth in the Resolution of Intention to Incur Indebtedness; and

WHEREAS, no written protests with respect to the matters material to the questions set forth in the Resolution Determining Necessity have been filed with the City Clerk.

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

1. The foregoing recitals are true and correct.
2. The City Council deems it necessary to incur bonded indebtedness for the CFD in an amount not to exceed \$53,200,000 (the "Authorization"), initially allocated as follows: (i) for Improvement Area No. 1, the bonded indebtedness limit is \$18,800,000 and (ii) for land within the Future Annexation Area (the "Future Improvement Area, the bonded indebtedness limit is not to exceed \$34,400,000 (the "Future Improvement Area Indebtedness Limit"), provided that prior to any land in Improvement Area No. 1 becoming Developed Property (as defined in the Rate and Method) and prior to the first sale of bonds, the Administrative Services Director of the City may change the allocation upon receiving the affirmative vote of such owner to the reallocation. Indebtedness subject to the Authorization shall only include indebtedness evidenced by bonds or notes and shall not include bonds described in Section 53364.2(e) of the Act.

Parcels within the Future Annexation Area shall be annexed only with the unanimous consent (each, a "Unanimous Consent") of the owner or owners of each parcel or parcels at the time that parcel or those parcels are annexed to the CFD, without any requirement for further public hearings or additional proceedings. Upon designation of a parcel or parcels annexed into the CFD from the Future Annexation Area as a Future Improvement Area, the Unanimous Consent shall include an authorization to incur bonded indebtedness for such Future Improvement Area in a maximum amount which does not cause the bonded indebtedness for the CFD to exceed the Authorization, and which limit shall be set forth in a Unanimous Consent. Such allocation may be made without any requirement for further public hearings, Council action or other additional proceedings, and the City shall include the Unanimous Consent in the records for the CFD.

3. The whole of Improvement Area No. 1 shall pay for the bonded indebtedness and other debt issued by the City for Improvement Area No. 1 through the levy of the special tax. The tax shall be apportioned in accordance with the formula set forth in Exhibit B to the Resolution of Formation. The whole of each Future Improvement Area shall pay for the bonded indebtedness and other debt issued by the City for such Future Improvement Area through the levy of the special tax. The tax shall be apportioned in accordance with the formula approved via unanimous approval of parcel(s) annexing into such Future Improvement Area from the Future Annexation Area.
4. Indebtedness in the maximum amount set forth in Section 2 of this Resolution is hereby authorized for Improvement Area No. 1, subject to voter approval. The bonds and other debt may be issued in one or more series and mature and bear interest at such rate or rates, payable semiannually or in such other manner, all as this Council or its designee shall determine, at the time or times of sale of such bonds and other debt; provided,

however, that the interest rate or rates shall not to exceed the maximum interest rate permitted by applicable law at the time of sale of the bonds and other debt and the bonds and other debt or any series thereof shall have a maximum term of not to exceed 40 years.

Indebtedness in the maximum amount set forth in Section 2 of this Resolution is hereby authorized for the Future Improvement Areas, subject to voter approval evidenced by the applicable Unanimous Approval form. The bonds and other debt for each Future Improvement Area may be issued in one or more series and mature and bear interest at such rate or rates, payable semiannually or in such other manner, all as this Council or its designee shall determine, at the time or times of sale of such bonds and other debt; provided, however, that the interest rate or rates shall not to exceed the maximum interest rate permitted by applicable law at the time of sale of the bonds and other debt and the bonds and other debt or any series thereof shall have a maximum term of not to exceed 40 years.

5. The proposition of the City incurring the bonded indebtedness and other debt for Improvement Area No. 1 herein authorized shall be submitted to the respective qualified electors of Improvement Area No. 1 and shall be consolidated with elections on the proposition of levying special taxes within Improvement Area No. 1 and the establishment of an appropriations limit for Improvement Area No. 1 pursuant to Section 53353.5 of the Act. The time, place and further particulars and conditions of such election shall be as specified by separate resolution of this Council. In accordance with Section 53350 of the Act, approval of the limit for the incurrence of bonded indebtedness and other debt for any Future Improvement Area shall be submitted by the owner or owner(s) of parcels in such Future Improvement Area and specified in the applicable unanimous approval form(s), without any other proceedings or hearings required.

PASSED AND ADOPTED by the City Council of the City of Rancho Cordova this 7th day of August 2023 by the following vote:

AYES:

NOES:

ABSTAIN:

ATTEST:

Linda Budge, Mayor

Stacy Leitner, CMC
City Clerk

CITY OF RANCHO CORDOVA

RESOLUTION NO. XX-2023

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RANCHO CORDOVA TO FORM THE CITY OF RANCHO CORDOVA GRANTLINE 220 COMMUNITY FACILITIES DISTRICT NO. 2023-1, DESIGNATE AN IMPROVEMENT AREA AND FUTURE ANNEXATION AREA THEREIN, AND TO AUTHROIZE THE LEVY OF SPECIAL TAXES IN THE DISTRICT

WHEREAS, the City Council (the “City Council”) of the City of Rancho Cordova (the “City”) on July 3, 2023, adopted a resolution of intention titled “A Resolution of Intention of the City Council of the City of Rancho Cordova to Form Grantline 220 Community Facilities District No. 2023-1, Designate an Initial Improvement Area Therein and Establish a Future Annexation Area, and to Levy a Special Taxes Therein to Finance the Acquisition and Construction of Certain Public Facilities in and for Such Community Facilities District” (the “Resolution of Intention”) to (i) establish of the City of Rancho Cordova Grantline 220 Community Facilities District No. 2023-1 (the “CFD”) of the City, (ii) designate therein “Improvement Area No. 1 of the City of Rancho Cordova Grantline 220 Community Facilities District No. 2023-1” (“Improvement Area No. 1”), and (iii) establish a “City of Rancho Cordova Grantline 220 Community Facilities District No. 2023-1 (Future Annexation Area)” (the “Future Annexation Area”), all pursuant to the Mello-Roos Community Facilities Act of 1982, as amended, Chapter 2.5 of Part 1 of Division 2 of Title 5, commencing with Section 53311, of the California Government Code (the “Act”); and

WHEREAS, the Resolution of Intention incorporates a map of the proposed boundaries of the CFD, Improvement Area No. 1, and the Future Annexation Area, states the facilities to be provided, the cost of providing such facilities and the rate and method of apportionment of the special tax to be levied within the CFD to pay principal of and interest on bonds proposed to be issued with respect to the Improvement Area No. 1, is on file with the City Clerk and the provisions thereof are incorporated herein by this reference as if fully set forth herein; and

WHEREAS, the facilities to be provided as stated in the Resolution of Intention are set forth in Exhibit A attached hereto and hereby made a part hereof; and

WHEREAS, the City Council noticed a public hearing to be held on August 7, 2023, regarding the determination to proceed with the formation of the CFD, Improvement Area No. 1, and the Future Annexation Area, the provision of certain public facilities by the CFD and the respective rate and method of apportionment of the special tax to be levied within Improvement Area No. 1, to pay the cost of the facilities, the principal and interest on the proposed bonded indebtedness in Improvement Area No. 1, and the administrative costs of the City relative to the CFD, all pursuant to the Act and the Resolution of Intention; and

WHEREAS, at the hearing all interested persons desiring to be heard on all matters pertaining to the formation of the CFD, Improvement Area No. 1, and the Future Annexation Area, the facilities to be provided therein and the levy of said special tax were heard and a full and fair hearing was held; and

WHEREAS, at the hearing evidence was presented to the City Council on said matters before it, including a report caused to be prepared by the Administrative Services Director of the City (the “Report”) as to the facilities to be provided in the CFD and the costs thereof and incidental expenses related thereto, a copy of which is on file with the City Clerk, and the City Council at the conclusion of said hearing is fully advised in the premises; and

WHEREAS, written protests with respect to the formation of the CFD and the designation therein of Improvement Area No. 1, the furnishing of specified types of facilities and the rate and method of apportionment of the special taxes have not been filed with the City Clerk by fifty percent or more of the registered voters residing within the territory of the CFD and Improvement Area No. 1 or property owners of one-half or more of the area of land within the CFD and Improvement Area No. 1 not exempt from the proposed special tax; and

WHEREAS, the special tax proposed to be levied in Improvement Area No. 1 to pay for the proposed facilities to be provided therein, and the rate and method of apportionment for Improvement Area No. 1 which is set forth in Exhibit B hereto, has not been eliminated by protest by fifty percent (50%) or more of the registered voters residing within the territory of Improvement Area No. 1 or the owners of one-half (1/2) or more of the area of land within Improvement Area No. 1 not exempt from the special tax; and

WHEREAS, the City Council desires to form the CFD and approve related matters, all as authorized by and in accordance with the Act.

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

1. The foregoing recitals are true and correct.
2. The formation of the CFD and proposed special tax to be levied within the CFD and Improvement Area No. 1 therein has not been precluded by majority protest pursuant to Section 53324 of the Act.
3. The community facilities district designated "City of Rancho Cordova Grantline 220 Community Facilities District No. 2023-1" of the City is hereby established pursuant to the Act.

The improvement area designated "Improvement Area No. 1 of the City of Rancho Cordova Grantline 220 Community Facilities District No. 2023-1" is hereby established pursuant to the Act.

The future annexation area designated "City of Rancho Cordova Grantline 220 Community Facilities District No. 2023-1 (Future Annexation Area)" is hereby established pursuant to the Act.

4. The boundaries of the CFD, Improvement Area No. 1, and the Future Annexation Area, are shown on proposed boundary map on file with the City Clerk, which was approved by the Resolution of Intention and filed for record on July 20, 2023, in the Office of the County Recorder of the County of Sacramento as document number 2023-07200415 of the Maps of Assessment and Community Facilities Districts are hereby approved, are incorporated herein by reference, and shall be the initial boundaries of the CFD, Improvement Area No. 1 and the Future Annexation Area, respectively.

Parcels within the Future Annexation Area shall be annexed to the CFD only with the unanimous approval (each, a "Unanimous Approval") of the owner or owners of each parcel or parcels at the time that parcel or those parcels are annexed, without any requirement for further public hearings or additional proceedings. The Council hereby

determines that any property for which the owner or owners execute a Unanimous Approval shall be added to the CFD, either into an existing improvement area or a Future Improvement Area (defined herein), and the Secretary shall record an amendment to the notice of special tax lien for Improvement Area No. 1 pursuant to Section 3117.5 of the Streets & Highways Code, or a new notice of special tax lien pursuant to Section 3114.5.

5. The type of public facilities proposed to be financed by the CFD and Improvement Area No. 1 shall consist of those items listed as facilities in Exhibit A hereto and by this reference incorporated herein (the "Facilities"). The listing includes incidental expenses incurred and to be incurred in connection with the CFD and the issuance of bonds. The financing of the costs of Facilities may include, without limitation, the payment of principal of and interest on bonds, together with all direct, indirect periodic, and/or other related costs (including, without limitation, costs of administering the CFD, levying the Special Tax and administering the bonds, and establishing and replenishing reserve funds).

For Future Improvement Areas, the type of public facilities to be financed by such improvement area may consist of facilities different than the Facilities if the annexed territory is designated as a separate improvement area. Any facilities in addition to or instead of the Facilities shall be identified and approved in the Unanimous Approval executed by property owners in connection with their annexation to the CFD from the Future Annexation Area and shall be effective without the need for additional Council approval.

6. Special Tax.

- a. Except to the extent that funds are otherwise available to the Improvement Areas to pay for the Facilities, to pay the principal and interest on bonds and other debt (as defined in the Act) of the City to finance the Facilities, to the repayment of funds advanced by the City for the CFD and including the repayment under any agreement (which shall not constitute a debt or liability of the City) of advances of funds or reimbursement for the lesser of the value or cost of work in-kind provided by any person for the CFD, a special tax (the "Special Tax") sufficient to pay the costs thereof, secured by the recordation of a continuing lien against all non-exempt real property is intended to be levied annually and collected in the same manner as ordinary *ad valorem* property taxes or in such other manner as may be prescribed by this Council.

- b. The proposed rate and method of apportionment of the Special Tax among the parcels of real property within Improvement Area No. 1, in sufficient detail to allow each landowner within Improvement Area No. 1 to estimate the maximum amount such owner will have to pay, is attached hereto as Exhibit B to this Resolution and hereby incorporated herein (the "Rate and Method"). The Special Tax for Improvement Area No 1 (the "Improvement Area No. 1 Special Tax") shall not be levied in Improvement Area No. 1 after the 2062-63 fiscal year, except that an Improvement Area No. 1 Special Tax that was lawfully levied in or before the final tax year and that remains delinquent may be collected in subsequent years. Under no circumstances shall the Improvement Area No. 1 Special Tax levied against any parcel in Improvement Area No. 1 used for private residential purposes be increased as a consequence of delinquency or

default by the owner of any other parcel or parcels within Improvement Area No. 1 by more than 10 percent.

The proposed rate and method of apportionment of the Special Tax among the parcels of real property within a Future Improvement Area, in sufficient detail to allow each landowner within such Future Improvement Area to estimate the maximum amount such owner will have to pay, shall be set forth in the applicable Unanimous Approval. The Special Tax shall not be levied in a Future Improvement Area after the fiscal year identified in the rate and method for such Future Improvement Area, except that a special tax that was lawfully levied in or before the final tax year and that remains delinquent may be collected in subsequent years. Under no circumstances shall the special tax levied against any parcel in a Future Improvement Area for private residential purposes be increased as a consequence of delinquency or default by the owner of any other parcel or parcels within such Future Improvement Area by more than 10 percent.

For Future Improvement Areas, a different rate and method may be adopted than the Rate and Method adopted for Improvement Area No. 1 if the annexed territory is designated as a separate improvement area. No supplements to the Rate and Method for any of the Improvement Areas and no new rate and method will cause the maximum tax rate in the then-existing territory of the CFD (including Improvement Area No. 1) to increase. The designation as an improvement area of any territory annexing to the CFD, the maximum amount of bonded indebtedness and other debt for such improvement area, the rate and method of apportionment of special tax for such improvement area and the appropriations limit for such improvement area shall be identified and approved in the Unanimous Approval executed by property owners in connection with their annexation to the CFD from the Future Annexation Area. The annexation and related matters described in the Unanimous Approval shall be implemented and completed without the need for Council approval as long as the following conditions are met:

- (i) The rate and method of apportionment of special tax for the new improvement area is prepared by a special tax consultant retained by the City.
- (ii) The rate and method of apportionment of special tax for the new improvement area substantially complies with the City's local goals and policies concerning the use of the Act.
- (iii) The rate and method of apportionment of special tax for the new improvement area includes a mechanism that protects against revenue loss as a result of land use changes.
- (iv) The Special Tax proposed to pay for the Facilities to be supplied within the territory annexed will be equal to the Special Taxes levied to pay for the same Facilities in previously-existing areas of the CFD and Improvement Area No. 1, except that (a) a higher Special Tax may be levied on territory annexing into the CFD to pay for the same Facilities to compensate for the interest and principal previously paid from Special Taxes in the original area of the CFD and Improvement Area No. 1, less any depreciation allocable to the financed Facilities, and (b) a higher Special Tax may be levied on territory annexing into the CFD to pay for new or additional Facilities, with or without bond financing.

c. Territory in the Future Annexation Area will be annexed into the CFD and a special tax will be levied on such territory only with the Unanimous Approval of the owner or owners of each parcel or parcels at the time that parcel or those parcels are annexed into the CFD. Except to the extent that funds are otherwise available to the CFD to pay for the Facilities and/or the principal and interest as it becomes due on bonds of the CFD issued to finance the Facilities, a Special Tax sufficient to pay the costs thereof, secured by the recordation of a continuing lien against all non-exempt real property in the Future Annexation Area, is intended to be levied annually within the Future Annexation Area, and collected in the same manner as ordinary *ad valorem* property taxes or in such other manner as may be prescribed by this Council.

d. As required by Section 53339.3(d) of the Act, the Council hereby determines that the Special Tax proposed to pay for one or more Facilities to be supplied within the Future Annexation Area will be equal to the Special Taxes levied to pay for the same Facilities in previously-existing areas of the CFD, except that (i) a higher Special Tax may be levied within the Future Annexation Area to pay for the same Facilities to compensate for the interest and principal previously paid from Special Taxes in the original area of the CFD, less any depreciation allocable to the financed Facilities and (ii) a higher Special Tax may be levied in the Future Annexation Area to pay for new or additional Facilities, with or without bond financing.

e. This Council hereby finds that the provisions of Section 53313.6, 53313.7 and 53313.9 of the Act (relating to adjustments to *ad valorem* property taxes and schools financed by a community facilities district) are inapplicable to the proposed CFD and the Improvement Areas.

7. It is hereby found and determined that the Facilities are necessary to meet increased demands placed upon local agencies as the result of development occurring in the CFD, Improvement Area No. 1, and the Future Annexation Area.
8. The office of the Administrative Services Director of the City of Rancho Cordova, 2729 Prospect Park Drive, Rancho Cordova, California 95670 (916-851-8730) is designated as the office responsible for preparing annually a current roll of special tax levy obligations by assessor's parcel number, estimating future special tax levies and for establishing procedures to promptly respond to inquiries regarding estimates of future special tax levies. The City may contract with outside consultants to provide this service in lieu of the Administrative Services Director.
9. Upon recordation of a notice of special tax lien pursuant to Section 3114.5 of the Streets and Highways Code of California, a continuing lien to secure each levy of the special tax shall attach to all nonexempt real property in Improvement Area No. 1, and this lien shall continue in force and effect until the special tax obligation is prepaid and permanently satisfied and the lien canceled in accordance with law or until collection of the tax by the City ceases. Upon recordation of a notice of special tax lien pursuant to Section 3114.5 of the Streets and Highways Code of California, a continuing lien to secure each levy of the special tax shall attach to all nonexempt real property annexed to the CFD from the Future Annexation Area, and this lien shall continue in force and effect until the special tax obligation is prepaid and permanently satisfied and the lien canceled in accordance with law or until collection of the tax by the City ceases.

10. In accordance with the Act, the annual appropriations limit, as defined by subdivision (h) of Section 8 of Article XIII B of the California Constitution, shall be preliminarily established for the CFD in the amount of \$53,200,000, of which the annual appropriations limit for the territory within Improvement Area No. 1 is hereby preliminarily established at \$18,800,000, and the annual appropriations limit for the territory within the Future Annexation Area, once annexed to the CFD, is preliminarily established at \$34,400,000. The proposition establishing said annual appropriations limit shall become effective if approved by the qualified electors voting thereon and shall be adjusted in accordance with the applicable provisions of the Act.

The designation as an improvement area of any territory annexing to the CFD, the maximum amount of bonded indebtedness and other debt for such improvement area, the rate and method of apportionment of special tax for such improvement area and the appropriations limit for such improvement area shall be identified and approved in the Unanimous Approval executed by property owners in connection with their annexation to the CFD.

11. Pursuant to the provisions of the Act, the proposition of the levy of the Improvement Area No. 1 Special Tax and the proposition of the establishment of the appropriations limit for Improvement Area No. 1 specified above shall be submitted to the qualified electors of Improvement Area No. 1 at an election. The time, place and conditions of the election shall be as specified by a separate resolution of the Council. The qualified electors for the election to be held in these proceedings shall be the landowners owning land within the CFD. The City Council will conduct the election by mailed ballot and hereby designates the City Clerk as the official to conduct the mailed-ballot election.
12. Section 53314.9 of the Act provides that, either before or after formation of the CFD, the City may accept work in-kind from any source, including, but not limited to, private persons or private entities, may provide, by resolution, for the use of that work in-kind for any authorized purpose and the Council may enter into an agreement (an "Acquisition Agreement"), by resolution, with the person or entity advancing the work in-kind, to reimburse the person or entity for the value, or cost, whichever is less, of the work in-kind, as determined by the Council, with or without interest, under the conditions specified in the Act. Any work in-kind must be performed or constructed as if the work had been performed or constructed under the direction and supervision, or under the authority of, the City.

Section 53316.2 of the Act provides that a community facilities district may finance facilities to be owned or operated by a public agency other than the agency that created the district, or services to be provided by a public agency other than the agency that created the district, or any combination, only pursuant to a joint community facilities agreement or a joint exercise of powers agreement adopted pursuant to this section. The Administrative Services Director of the City and each other authorized officer of the City is hereby authorized and directed to enter into joint community facilities agreements with the County and any other entity that will own or operate any of the Facilities, as may be necessary to comply with the provisions of Section 53316.2(a) and (b) of the Act. The Council hereby declares that such joint agreements will be beneficial to owners of property in the area of the CFD.

ITEM 10.3.

ATTACHMENT 3

13. Any bonds issued in these proceedings shall be callable in accordance with the provisions of the Act and as more specifically to be set forth in any resolution providing for the form, execution, and issuance of bonds.
14. This City Council now finds and determines that all proceedings up to and including the adoption of this Resolution were and are valid and in conformity with the requirements of the Act. This determination and finding are final and conclusive in accordance with Government Code Section 53325.1.

PASSED AND ADOPTED by the City Council of the City of Rancho Cordova this 7th day of August 2023 by the following vote:

AYES:

NOES:

ABSTAIN:

ATTEST:

Linda Budge, Mayor

Stacy Leitner, CMC
City Clerk

EXHIBIT A - CFD Facilities
EXHIBIT B - Rate and Method of Apportionment

EXHIBIT A

LIST OF AUTHORIZED FACILITIES
FOR THE COMMUNITY FACILITIES DISTRICT

The Facilities and Services shown below are to be finance by the City of Rancho Cordova Grantline 220 Community Facilities District No. 2023-1 (the, "CFD").

Facilities

The Facilities which are proposed to be financed with the proceeds of the sales of bonds of the proposed CFD, or the payment of the fees to the appropriate jurisdiction with respect to such facilities proposed to be financed with the proceeds of the sale of bonds of the proposed CFD, are generally described as follows:

- Roadway Facilities
- Water Facilities
- Park Facilities
- Storm Drainage Facilities

Impact, Development Agreement and Specific Plan Fees for Facilities

- City Transportation Impact Fee
- City Supplemental Transportation Fee
- City Community Facilities Fee
- Sacramento Area Sewer District Fee
- Sacramento Regional County Sanitation District Fee
- Sacramento City Water Agency Zone 40 Water Fee

Other

- Any other facilities serving substantially the same purpose as the above described facilities.
- Any other facilities permitted under the Mello-Roos Community Facilities Act of 1982, including the facilities described in Section 53313.5 of the California Government Code, as amended from time to time, provided that such facilities satisfy at least one of the following criteria: 1) augment, improve or expand existing District facilities that are primarily for the benefit of the District, or 2) repair or rehabilitate existing District facilities.

The foregoing description of the type of Facilities eligible to be financed is general in nature and includes any appurtenant work and incidental expenses related to the Facilities. The final nature and location of the facilities will be determined upon the preparation of final plans and specifications for such facilities.

Incidentals

The bond related expenses authorized include the City, underwriters discount, financial advisor, appraisals, reserve fund balance, capitalized interest, bond counsel, disclosure counsel, special tax consultant, bond and official statement printing and all other incidental expenses.

ITEM 10.3.**ATTACHMENT 3
Exhibit A to the Resolution**

CFD formation costs and administrative fees include those of the City, the CFD, the bond trustee or fiscal agent, legal counsel, the special tax consultant and other costs related to the CFD or the Bonds.

ITEM 10.3.

**ATTACHMENT 3
Exhibit B to the Resolution**

EXHIBIT B

Rate and Method of Apportionment of Special Tax

**IMPROVEMENT AREA NO. 1 OF GRANTLINE 220
COMMUNITY FACILITIES DISTRICT NO. 2023-1
CITY OF RANCHO CORDOVA, SACRAMENTO COUNTY, CALIFORNIA**

CITY OF RANCHO CORDOVA

RESOLUTION NO. XX-2023

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RANCHO CORDOVA, STATE OF CALIFORNIA, DECLARING ELECTION RESULTS OF CITY OF RANCHO CORDOVA GRANTLINE 220 COMMUNITY FACILITIES DISTRICT NO. 2023-1

WHEREAS, the City Council (the "City Council") of the City of Rancho Cordova (the "City") on August 7, 2023, adopted a resolution titled "A Resolution of the City Council of the City of Rancho Cordova to Form the City of Rancho Cordova Grantline 220 Community Facilities District No. 2023-1, Designate an Improvement Area and Future Annexation Area Therein and Authorize the Levy of Special Taxes in the District" (the "Resolution of Formation"), to (i) form "City of Rancho Cordova Grantline 220 Community Facilities District No. 2023-1 (the "CFD"), (ii) designate therein "Improvement Area No. 1 of the City of Rancho Cordova Grantline 220 Community Facilities District No. 2023-1" ("Improvement Area No. 1"), (iii) establish "City of Rancho Cordova Grantline 220 Community Facilities District No. 2023-1 (Future Annexation Area)" (the "Future Annexation Area"), (iv) authorize the levy of a special tax on property within Improvement Area No. 1 and (v) preliminarily establish an appropriations limit for Improvement Area No. 1, all pursuant to the Mello-Roos Community Facilities Act of 1982, Chapter 2.5 of Part 1 of Division 2 of Title 5, commencing with Section 53311, of the California Government Code (the "Act"); and

WHEREAS, the City Council has also adopted on August 7, 2023, a resolution titled "A Resolution of the City Council of the City of Rancho Cordova Deeming it Necessary to Incur Bonded Indebtedness in City of Rancho Cordova Grantline 220 Community Facilities District No. 2023-1" (the "Resolution Determining Necessity"), determining the necessity to incur bonded indebtedness in the maximum aggregate principal amount of \$53,200,000, initially allocated as follows: (i) \$18,800,000 for Improvement Area No. 1 upon the security of the special tax to be levied within Improvement Area No. 1 pursuant to the Act, and (ii) \$34,400,000 for the portion of the CFD that is not currently in Improvement Area No. 1 upon the security of the special tax to be levied within such area pursuant to the Act; and

WHEREAS, under the provisions of the Resolution of Formation and the Resolution Determining Necessity, and pursuant to a resolution entitled "A Resolution of the City of Rancho Cordova, State of California, Calling Special Election in City of Rancho Cordova Grantline 220 Community Facilities District No. 2023-1" (the "Election Resolution") heretofore adopted by the City Council, the propositions of the levy of the special tax, the establishment of the appropriations limit and the incurring of the bonded indebtedness were submitted to the qualified electors of the CFD as required by the provisions of the Act; and

WHEREAS, pursuant to the terms of the Election Resolution, which are by this reference incorporated herein, the special election has been held and the City Clerk has on file a Canvass and Statement of Results of Election (the "Canvass"), a copy of which is attached hereto as Exhibit A; and

WHEREAS, the City Council has reviewed the Canvass, finds it appropriate and wishes to complete its proceedings for the CFD.

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

1. The foregoing recitals are all true and correct.
2. The issues presented at the special election were the levy of a special tax within the CFD, the incurring of a bonded indebtedness in the maximum aggregate principal amount of \$53,200,000 initially allocated as follows: (i) \$18,800,000 for Improvement Area No. 1 upon the security of the special tax to be levied within Improvement Area No. 1 pursuant to the Act, and (ii) \$34,400,000 for the portion of the CFD that is not currently in Improvement Area No. 1, all pursuant to the Resolution of Formation and the Resolution Determining Necessity.
3. The Council hereby approves the Canvass and finds that it shall be a permanent part of the record of its proceedings for the CFD, Improvement Area No. 1 and Future Annexation Area. Pursuant to the Canvass, the issues presented at the special election were approved by the qualified electors of the Improvement Area No. 1 by more than two-thirds (2/3) of the votes cast at the special election.
4. Pursuant to the voter approval, the CFD and Improvement Area No. 1 are hereby declared to be fully formed with the authority to levy the special taxes, to incur the approved bonded indebtedness and to have the established appropriations limit, all as heretofore provided in these proceedings and in the Act. It is hereby found that all prior proceedings and actions taken by the City Council with respect to the CFD and Improvement Area No. 1 were valid and in conformity with the Act.
5. The City Council declares that the special tax is lawfully authorized, and that the subject property within the District is subject to the special tax, and directs the City Clerk to complete, execute and cause a Notice of Special Tax Lien with respect to the property to be recorded in the office of the County Recorder of the County of Sacramento in the form required by the Act, such recording to occur no later than 15 days following adoption by the City Council of this resolution. Parcels within the Future Annexation Area annexed to the District by Unanimous Approval (as described in the Resolution of Formation) shall be subject to the special tax as provided in the Unanimous Approval, and the City Council further directs the City Clerk to complete, execute and cause a Notice of Special Tax Lien with respect to the annexed property upon receipt of the Unanimous Approval, to be recorded in the office of the County Recorder of the County of Sacramento in the form required by the Act, and special taxes may thereafter be collected in the same manner as ordinary *ad valorem* property taxes or in such other manner as may be prescribed by this City Council.

PASSED AND ADOPTED by the City Council of the City of Rancho Cordova this 7th day of August 2023 by the following vote:

AYES:

NOES:

ABSTAIN:

ITEM 10.3.

ATTACHMENT 4

ATTEST:

Linda Budge, Mayor

Stacy Leitner, CMC
City Clerk

**CERTIFICATE OF CITY CLERK
RE: ELECTION RESULTS**

**CITY OF RANCHO CORDOVA
GRANTLINE 220 COMMUNITY FACILITIES DISTRICT NO. 2023-1**

I, the undersigned City Clerk of the City of Rancho Cordova (the "City") hereby certify:

I have personally received and assembled all ballots eligible to be cast in the special mailed-ballot, landowner election called by the City Council in its "A Resolution of the City Council of the City of Rancho Cordova, State of California, Calling Special Election in City of Rancho Cordova Grantline 220 Community Facilities District No. 2023-1" adopted August 7, 2023, and in accordance with my instructions contained in that Resolution, I hereby declare the election closed.

I personally, in the presence of the City Council, and members of the public and City staff, counted the ballots and certify the result of that count to be as follows:

Shall the measure pursuant to which (i) the City of Rancho Cordova will levy a special tax solely on lands within Improvement Area No. 1 of the City of Rancho Cordova Grantline 220 Community Facilities District No. 2023-1 ("Improvement Area No. 1") in accordance with the rate and method contained in the Resolution of Formation related to Improvement Area No. 1 adopted on August 7, 2023 ("Formation Resolution"), authorized to commence being levied in fiscal year 2023-24, to pay for the public facilities specified in the Formation Resolution and to pay the administrative costs of the City, (ii) the City will issue bonds and incur other debt ("bonds") for Improvement Area No. 1 up to the maximum aggregate principal amount of \$18,800,000, with interest at a rate or rates not to exceed the maximum interest rate permitted by law at the time of sale of each series of such bonds on behalf of Improvement Area No. 1, the proceeds of which bonds will be used to acquire and/or construct certain facilities and pay for the costs of issuing the bonds and related expenses, and (iii) the annual appropriations limit for Improvement Area No. 1 will be established in the amount of \$18,800,000, **be adopted?**

QUALIFIED LANDOWNER VOTES: 37

TOTAL VOTES CAST "YES" _____

TOTAL VOTES CAST "NO" _____

TOTAL VOTES CAST _____

THE VOTES CAST "YES" EQUAL _____% OF THE TOTAL VOTES CAST.

I make this Certification on _____, 2023.

Stacy Leitner, CMC
City Clerk

CITY OF RANCHO CORDOVA

ORDINANCE NO. XX-2023

**ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RANCHO CORDOVA, STATE OF
CALIFORNIA, LEVYING A SPECIAL TAX WITHIN THE CITY OF RANCHO CORDOVA
GRANTLINE 220 COMMUNITY FACILITIES DISTRICT NO. 2023-1**

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

1. Pursuant to Government Code Sections 53328 and 53340, and in accordance with the Rate and Method of Apportionment of Special Tax (the "RMA") as shown as an exhibit to a resolution titled "A Resolution of Intention of the City Council of the City of Rancho Cordova to Form the City of Rancho Cordova Grantline 220 Community Facilities District No. 2023-1, Designate an Improvement Area and Future Annexation Area Therein, and to Authorize the Levy Special Taxes in the District" ("Resolution of Formation") adopted by this City Council on August 7, 2023, and by passage of this Ordinance, the City Council hereby authorizes and levies special taxes within the City of Rancho Cordova Grantline 220 Community Facilities District No. 2023-1 (the "CFD") (including any parcels in the Future Annexation Area that annex into the CFD) and each Future Improvement Area described in the Resolution of Formation, if any, pursuant to the Act, at the rate and in accordance with the rate and method of apportionment of special tax for Improvement Area No. 1 of the CFD set forth as an exhibit to the Resolution of Formation or the rate and method of apportionment of special tax for the Future Improvement Area set forth in the Unanimous Approval(s) for such Future Improvement Area (each, a "Rate and Method"), which Resolution of Formation and Unanimous Approval(s) are by this reference incorporated herein. For Future Improvement Areas, a different rate and method may be adopted if the annexed territory is designated as a separate improvement area, as provided in the Resolution of Formation. The special taxes for the payment of Facilities are hereby authorized to be levied commencing in fiscal year 2023-24 and in each fiscal year thereafter as provided in each applicable Rate and Method. A special tax shall not be levied to finance the Facilities after the fiscal year identified in the applicable Rate and Method, except that a special tax that was lawfully levied in or before the final tax year and that remains delinquent may be collected in subsequent years.

2. The Administrative Services Director of the City is directed, with the aid of the appropriate officers and agents of the City, to implement the provisions of the RMA and to prepare each year, without further action of this City Council, the special tax roll for the District and to provide as necessary information to the Sacramento County Auditor in the form, and in the proper time, necessary to effect the proper billing and collection of the special tax on the secured property tax roll of the County, which may include a billing of the special tax for fiscal year 2023-24 without regard to the timing of the issuance of bonds for the District and the circumstance that bonds are not issued as of the date of submission to the County for billing; alternatively, pursuant to the Resolution of Formation, the special tax for Fiscal Year 2023-24 and subsequent years may, at the option of the City, be billed directly to owners of property in the District by the Administrative Services Director of the City or other official of the City and need not be collected on the County secured property tax roll.

3. The appropriate officers and agents of the City and of the County of Sacramento are authorized to make adjustments to the special tax roll prior to the final posting of the special

taxes to the County tax roll each year, as may be necessary to achieve a correct match of the special tax levy with the assessor's parcel numbers finally utilized by the County in sending out property tax bills.

4. The City agrees that the County of Sacramento may deduct its reasonable and agreed charges for collecting the special tax from the amounts collected, prior to remitting the balance of the special tax collections to the City.

Section 2.

If for any cause any portion of this ordinance is found to be invalid, or if the special tax is found inapplicable to any particular parcel by a court of competent jurisdiction, the balance of this ordinance, and the application of the special tax to the remaining parcels, shall not be affected.

Section 3.

The Mayor shall sign this Ordinance and the City Clerk shall cause the same to be published within fifteen (15) days after its passage at least once in a newspaper of general circulation published and circulated in the City. This ordinance shall go into effect on the earliest day allowable by law.

PASSED AND ADOPTED by the City Council of the City of Rancho Cordova on the 7th day of August 2023 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

ATTEST:

Linda Budge, Mayor

Stacy Leitner, CMC
City Clerk

**City of Rancho Cordova
Grantline 220
Community Facilities District No. 2023-1**

ORDER OF PROCEEDINGS FOR HEARINGS AND ACTIONS

1. The Mayor makes opening remarks to the following effect:

“This is the time and place for the public hearings in this Council's proceedings for City of Rancho Cordova Grantline 220 Community Facilities District No. 2023-1. The hearings are to inquire into the formation of the District, the levy of special taxes in the District and the need to incur bonded indebtedness in the District.

“Before I formally open the hearings, are there any property owners or registered voters in the District who wish to file written protests? If so, they must be filed with the City Clerk now.

[Pause to see if there are any protests.]

2. The Mayor Opens the hearings

- a) Time for comments, questions and protests from audience.

3. The Mayor Closes the hearings.

- a) Time for City Council questions.

4. The City Council considers and takes the following action on the first three resolutions:

- a) ADOPTION OF: Resolution of Formation of Community Facilities District;
- b) ADOPTION OF: Resolution Determining the Necessity to Incur Bonded Indebtedness Within Community Facilities District; and
- c) ADOPTION OF: Resolution Calling Special Election

5. The Mayor call for the election results with remarks to the following effect:

“At this time, I ask the City Clerk to open the ballot(s) and announce the results of the election.”

[Pause for opening of ballot(s).]

6. The City Clerk opens the ballot(s) and announces the results of the election with remarks to the following effect:

“I have received 100% of the ballots and they have passed by more than 2/3rds of the vote.”

7. The City Clerk then completes one copy of the Certificate of City Clerk Re: Election Results

8. The Mayor then announces:

“The results of the election being unanimously in favor of the levy of the special taxes, the establishment of the appropriations limit and the incurring of bonded indebtedness, we may now proceed with the final actions for the District.”

9. The City Council considers and takes the following actions:

(a) *ADOPTION OF:* Resolution Declaring Results of Special Election and Directing Recording of Notice of Special Tax Lien

(b) *WAIVE FIRST READING AND INTRODUCE:* Ordinance of the City Council of the City of Rancho Cordova Levying Special Taxes within City of Rancho Cordova Grantline 220 Community Facilities District No. 2023-1

END OF ITEM

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

**CITY OF RANCHO CORDOVA
GRANTLINE 220
COMMUNITY FACILITIES DISTRICT NO. 2023-1
SACRAMENTO COUNTY, CALIFORNIA**

I, Stacy Leitner, City Clerk of the City of Rancho Cordova, hereby certify:

I have received, and now have in my possession as a permanent part of the City's record of this election, Election Waivers executed by the authorized representative of all landowner(s) to be included in City of Rancho Cordova Grantline 220 Community Facilities District No. 2023-1, Sacramento County, California (the "District"), as provided by the owners of all the property in the District.

I make this Certification as of _____, 2023.

Stacy Leitner, CMC
City Clerk

**RECORDING REQUESTED BY AND
WHEN RECORDED PLEASE RETURN TO:**

City Clerk
City of Rancho Cordova
2729 Prospect Park Drive
Rancho Cordova, CA 95670
Telephone: (916) 851-8720

SPACE ABOVE THIS LINE FOR RECORDER'S USE

NOTICE OF SPECIAL TAX LIEN

CITY OF RANCHO CORDOVA
GRANTLINE 220 COMMUNITY FACILITIES DISTRICT NO. 2023-1
COUNTY OF SACRAMENTO, STATE OF CALIFORNIA

Pursuant to the requirements of Section 3114.5 of the Streets and Highways Code and Section 53324 of the Government Code, the undersigned, City Clerk of the City of Rancho Cordova, hereby gives notice that a lien to secure payment of a special tax which the City Council of the City of Rancho Cordova, County of Sacramento, State of California is authorized to levy is hereby imposed. The special tax secured by this lien is authorized to be levied for the purpose of: paying for the facilities described in **Exhibit A** attached hereto including paying principal and interest on bonds, the proceeds of which are being used to finance those facilities, and including incidental expenses incurred and to be incurred in connection with the City of Rancho Cordova Grantline 220 Community Facilities District No. 2023-1 and the issuance of bonds.

The special tax is authorized to be levied within the City of Rancho Cordova Grantline 220 Community Facilities District No. 2023-1, which has now been officially formed and the lien of the special tax is a continuing lien which shall secure each annual levy of the special tax and which shall continue in force and effect until the special tax obligation is prepaid, permanently satisfied, and canceled in accordance with law, or until the special tax ceases to be levied and a notice of cessation of special tax is recorded in accordance with Section 53330.5 of the Government Code.

The rate, method of apportionment, and manner of collection of the authorized special tax is shown on **Exhibit B** attached hereto. Conditions under which the obligation to pay the special tax may be prepaid and permanently satisfied and the lien of the special tax canceled are as set forth in Section H of Exhibit B attached hereto.

Notice is further given that upon the recording of this notice in the office of the county recorder, the obligation to pay the special tax levy shall become a lien upon all nonexempt real property within City of Rancho Cordova Grantline 220 Community Facilities District No. 2023-1, in accordance with Section 3115.5 of the Streets and Highways Code.

The names of the owners and the assessor's tax parcel numbers of the real property included within this community facilities district and not exempt from the special tax is set forth on **Exhibit C** hereto.

Reference is made to the Boundary Map of the community facilities district filed for record on January 28, 2023 in the Office of the County Recorder of the County of Sacramento as document number 2023-01280698 in Book 136 at Page 8 of the Maps of Assessment and Community Facilities Districts, which map is now the final boundary map of the community facilities district.

For further information concerning the current and estimated future tax liability of owners or purchasers of real property subject to this special tax lien, interested persons should contact the Chief Financial Officer, City of Rancho Cordova, 2729 Prospect Park Drive, Rancho Cordova, CA 95670.

Dated: _____, 2023

Stacy Leitner, City Clerk

EXHIBIT A - Description of Authorized Facilities
EXHIBIT B - Rate and Method of Apportionment
EXHIBIT C - Property Owners and Parcel Numbers

EXHIBIT A**Description of Authorized Facilities**

The Facilities shown below are to be financed by the City of Rancho Cordova Grantline 220 Community Facilities District No. 2023-1 (the, "CFD").

Facilities

The Facilities which are proposed to be financed with the proceeds of the sales of bonds of the proposed CFD, or the payment of the fees to the appropriate jurisdiction with respect to such facilities proposed to be financed with the proceeds of the sale of bonds of the proposed CFD, are generally described as follows:

- Roadway Facilities
- Water Facilities
- Park Facilities
- Storm Drainage Facilities

Impact, Development Agreement and Specific Plan Fees for Facilities

- City Transportation Impact Fee
- City Supplemental Transportation Fee
- City Community Facilities Fee
- Sacramento Area Sewer District Fee
- Sacramento Regional County Sanitation District Fee
- Sacramento City Water Agency Zone 40 Water Fee

Other

- Any other facilities serving substantially the same purpose as the above described facilities.
- Any other facilities permitted under the Mello-Roos Community Facilities Act of 1982, including the facilities described in Section 53313.5 of the California Government Code, as amended from time to time, provided that such facilities satisfy at least one of the following criteria: 1) augment, improve or expand existing District facilities that are primarily for the benefit of the District, or 2) repair or rehabilitate existing District facilities.

The foregoing description of the type of Facilities eligible to be financed is general in nature and includes any appurtenant work and incidental expenses related to the Facilities. The final nature and location of the facilities will be determined upon the preparation of final plans and specifications for such facilities.

Incidentals

The bond related expenses authorized include the City, underwriters discount, financial advisor, appraisals, reserve fund balance, capitalized interest, bond counsel, disclosure counsel, special tax consultant, bond and official statement printing and all other incidental expenses.

CFD formation costs and administrative fees include those of the City, the CFD, the bond trustee or fiscal agent, legal counsel, the special tax consultant and other costs related to the CFD or the Bonds.

**IMPROVEMENT AREA NO. 1 OF THE
CITY OF RANCHO CORDOVA
GRANTLINE 220
COMMUNITY FACILITIES DISTRICT NO. 2023-1**

RATE AND METHOD OF APPORTIONMENT OF SPECIAL TAX

A Special Tax applicable to each Assessor's Parcel in Improvement Area No. 1 of the City of Rancho Cordova Grantline 220 Community Facilities District No. 2023-1 shall be levied and collected according to the tax liability determined by the City Council through the application of the appropriate amount or rate for Taxable Property, as described below. All of the property in Improvement Area No. 1, unless exempted by law or by the provisions of Section G below, shall be taxed for the purposes, to the extent, and in the manner herein provided, including property subsequently annexed to Improvement Area No. 1 unless a separate Rate and Method of Apportionment is adopted for the annexation area.

A. DEFINITIONS

The terms hereinafter set forth have the following meanings:

“Acre” or “Acreage” means the land area of an Assessor's Parcel as shown on an Assessor's Parcel Map, or if the land area is not shown on an Assessor's Parcel Map, the land area shown on the applicable Final Map or other parcel map recorded at the County Recorder's Office.

“Act” means the Mello-Roos Community Facilities Act of 1982, as amended, being Chapter 2.5, (commencing with Section 53311), Part 1, Division 2 of Title 5 of the Government Code of the State of California.

“Administrative Expenses” means any or all of the following: the fees and expenses of any fiscal agent or trustee (including any fees or expenses of its counsel) employed in connection with any Bonds, and the expenses of the City in carrying out its duties with respect to Improvement Area No. 1, the CFD and the Bonds, including, but not limited to, the levy and collection of Special Taxes, the fees and expenses of its counsel, charges levied by the County in connection with the levy and collection of Special Taxes, costs related to property owner inquiries regarding the Special Tax, costs associated with appeals or requests for interpretation associated with the Special Tax and this RMA, amounts needed to pay rebate to the federal government with respect to Bonds, costs associated with complying with continuing disclosure requirements for the City and any major property owners or other obligated parties, costs associated with foreclosure and collection of delinquent Special Taxes, and all other costs and expenses of the City and County in any way related to the establishment or administration of Improvement Area No. 1 and the CFD.

“Administrator” shall mean the person or firm designated by the City to administer the Special Tax according to this RMA.

“Assessor's Parcel” or “Parcel” means a lot or parcel shown on an Assessor's Parcel Map with an assigned Assessor's Parcel number.

“Assessor’s Parcel Map” means an official map of the County Assessor designating Parcels by Assessor’s Parcel Number.

“Authorized Facilities” means the public facilities authorized to be financed, in whole or in part, by the CFD.

“Base Special Tax” means, for any Land Use Category, the applicable Special Tax initially identified in Table 1 in Section C, as may be adjusted pursuant to Sections D or H herein.

“Bonds” means bonds or other debt (as defined in the Act), whether in one or more series, secured by the Special Tax and issued or assumed by or for Improvement Area No. 1 to fund Authorized Facilities.

“Building Permit” means a permit that allows for vertical construction of a building or buildings, which shall not include a separate permit issued for construction of the foundation thereof.

“Capitalized Interest” means funds in any capitalized interest account available to pay debt service on Bonds.

“CFD” means the City of Rancho Cordova Grantline 220 Community Facilities District No. 2023-1.

“CFD Formation” means the date on which the Resolution of Formation to form the CFD and to designate Improvement Area No. 1 was adopted by the City Council.

“City” means the City of Rancho Cordova.

“City Council” means the City Council of the City of Rancho Cordova.

“County” means the County of Sacramento.

“Developed Property” means, in any Fiscal Year, all Parcels of Taxable Property that are not Taxable Owners Association Property, Taxable Public Property, or Taxable Welfare Exemption Property for which a Building Permit for new construction was issued prior to June 1 of the preceding Fiscal Year.

“Development Class” means, individually, Developed Property, Final Map Property, Undeveloped Property, Taxable Owners Association Property, Taxable Public Property, and Taxable Welfare Exemption Property.

“Expected Land Uses” means the number of Residential Units and the Acreage of Other Property expected within Improvement Area No. 1 at CFD Formation, as identified in Attachments 1 and 2 of this RMA. Pursuant to Section D of this RMA, the Administrator shall update Attachment 2 each time there is a Land Use Change. Such update(s) shall be maintained internally by the Administrator and shall not require recordation of an amended RMA.

“Expected Maximum Special Tax Revenues” means the aggregate Special Tax that can be levied based on application of the Base Special Tax to the Expected Land Uses. The Expected Maximum Special Tax Revenues at CFD Formation are shown in Attachment 2 and may be revised

pursuant to Sections D or H herein. Such update(s) will be maintained internally by the Administrator and will not require recordation of an amended RMA.

“Final Map” means a final map, or portion thereof, approved by the City pursuant to the Subdivision Map Act (California Government Code Section 66410 *et seq*) that creates SFD Lots. The term “Final Map” shall not include any large-lot subdivision map, Assessor’s Parcel Map, or subdivision map or portion thereof, that does not create SFD Lots, including Assessor’s Parcels that are designated as remainder parcels.

“Final Map Property” means, in any Fiscal Year, all SFD Lots created within Final Maps that had recorded prior to June 30 of the preceding Fiscal Year and which have not yet become Developed Property.

“First Bond Sale” means issuance of the first series of Bonds secured, in whole or in part, by Special Taxes levied and collected from Parcels of Taxable Property in Improvement Area No. 1.

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

“Improvement Area No. 1” means Improvement Area No. 1 of the CFD.

“Improvement Fund” means the account (regardless of its name) identified in the Indenture to hold funds that are available for expenditure to acquire or construct Authorized Facilities.

“Indenture” means the bond indenture, fiscal agent agreement, trust agreement, resolution or other instrument pursuant to which Bonds are issued, as modified, amended, and/or supplemented from time to time, and any instrument replacing or supplementing the same.

“Land Use Category” means, individually, Single Family Property or Other Property.

“Land Use Change” means a proposed or approved change to the Expected Land Uses after CFD Formation.

“Master Developer” means Lennar Homes of California, a Limited Liability Company, and its successors and assigns.

“Maximum Special Tax” means the greatest amount of Special Tax that can be levied on a Parcel in any Fiscal Year, as determined in accordance with Sections C and D below.

“Other Property” means any Parcel of Developed Property in Improvement Area No. 1 that does not fit within the definition of Single Family Property.

“Owners Association” means a homeowners association or property owners association that provides services to, and collects assessments, fees, dues, or charges from, property within Improvement Area No. 1.

“Owners Association Property” means any property within the boundaries of Improvement Area No. 1 that is owned in fee or by easement by an Owners Association, not including any such property that is located directly under a residential structure.

“Proportionately” means, for each Development Class, that the ratio of the actual Special Tax levied in any Fiscal Year to the Maximum Special Tax authorized to be levied in that Fiscal Year is equal for all parcels assigned to the Development Class.

“Public Property” means any property within the boundaries of Improvement Area No. 1 that is owned by the City, federal government, State of California or other public agency.

“Required Coverage” means the amount by which the Expected Maximum Special Tax Revenues must exceed the Bond debt service and priority Administrative Expenses (if any), as set forth in the Indenture, Certificate of Special Tax Consultant, or other formation or bond document that identifies the minimum required debt service coverage.

“Residential Unit” means an SFD Unit or an individual residential unit within a duplex, halfplex, triplex, fourplex, townhome, live/work or condominium structure, or apartment building. A second unit (granny flat) that shares a Parcel with an SFD Unit will not be considered a Residential Unit for purposes of levying the Special Tax.

“RMA” means this Rate and Method of Apportionment of Special Tax.

“SFD Lot” means an individual residential lot, identified and numbered on a recorded Final Map, on which a Building Permit has been or is permitted to be issued for construction of an SFD Unit without further subdivision of the lot and for which no further subdivision of the lot is anticipated pursuant to an approved Tentative Map.

“SFD Unit” means a residential unit that does not share a common wall with another residential unit.

“Single Family Property” means, in any Fiscal Year, all Parcels of Taxable Property for which a Building Permit was or is expected to be issued for: (i) construction of an SFD Unit, or (ii) construction of a residential structure consisting of two or more Residential Units that share common walls, have separate Assessor’s Parcel numbers assigned to them (except for a duplex unit, which may share an Assessor’s Parcel with another duplex unit), and may be purchased by individual homebuyers (which shall still be the case even if the Residential Units are purchased and subsequently offered for rent by the owners of the Residential Units), including such residential structures that meet the statutory definition of a condominium contained in Civil Code Section 4125.

“Special Tax” means a special tax levied in any Fiscal Year to pay the Special Tax Requirement.

“Special Tax Requirement” means the amount necessary in any Fiscal Year to: (i) pay principal and interest on Bonds that are due in the calendar year that begins in such Fiscal Year; (ii) pay periodic costs on the Bonds, including but not limited to, credit enhancement, liquidity support and rebate payments on the Bonds; (iii) replenish reserve funds created for the Bonds under the Indenture to the extent such replenishment has not been included in the computation of the Special Tax Requirement in a previous Fiscal Year; (iv) cure any delinquencies in the payment of principal or interest on Bonds which have occurred in the prior Fiscal Year or, based on prior delinquencies, are expected to occur in the current Fiscal Year; (v) pay Administrative Expenses; and (vi) pay directly for Authorized Facilities, so long as such levy under this clause (vi) does not increase the Special Tax levied on Final Map Property or Undeveloped Property. The amounts referred to in

clauses (i) and (ii) of the definition of Special Tax Requirement may be reduced in any Fiscal Year by: (a) interest earnings on or surplus balances in funds and accounts for the Bonds to the extent that such earnings or balances are available to apply against such costs pursuant to the Indenture; (b) in the sole and absolute discretion of the City, proceeds received by the CFD from the collection of penalties associated with delinquent Special Taxes; and (c) any other revenues available to pay such costs, each as determined in the sole discretion of the City.

“Tax Zone” means a mutually exclusive geographic area within which Special Taxes may be levied pursuant to this RMA. If, in any Fiscal Year, there is any doubt as to the Tax Zone within which a Parcel is located, the Administrator shall work with the City to make the final determination.

“Tax Zone 1” means that geographic area designated as Tax Zone 1 in Attachment 1 hereto.

“Tax Zone 2” means that geographic area designated as Tax Zone 2 in Attachment 1 hereto.

“Tax Zone 3” means that geographic area designated as Tax Zone 3 in Attachment 1 hereto.

“Tax Zone 4” means that geographic area designated as Tax Zone 4 in Attachment 1 hereto.

“Tax Zone 5” means that geographic area designated as Tax Zone 5 in Attachment 1 hereto.

“Taxable Owners Association Property” means, in any Fiscal Year after the First Bond Sale, any Parcel of Owners Association Property that satisfies all three of the following conditions: (i) the Parcel had not been Owners Association Property on the date of the First Bond Sale, (ii) based on reference to Attachments 1 and 2 (as may be updated pursuant to Section D below), the Parcel was not anticipated to be Owners Association Property as determined by the Administrator, and (iii) if the Parcel were to be exempt from the Special Tax because it is Owners Association Property, the Expected Maximum Special Tax Revenues would be reduced to a point at which Required Coverage could not be maintained.

“Taxable Property” means all of the Parcels within the boundaries of Improvement Area No. 1 that are not exempt from the Special Tax pursuant to law or Section G below.

“Taxable Public Property” means in any Fiscal Year after the First Bond Sale, any Parcel of Public Property that satisfies all three of the following conditions: (i) the Parcel had not been Public Property on the date of the First Bond Sale, (ii) based on reference to Attachments 1 and 2 (as may be updated pursuant to Section D below), the Parcel was not anticipated to be Public Property as determined by the Administrator, and (iii) if the Parcel were to be exempt from the Special Tax because it is Public Property, the Expected Maximum Special Tax Revenues would be reduced to a point at which Required Coverage could not be maintained.

“Taxable Welfare Exemption Property” means in any Fiscal Year after the First Bond Sale, any Parcel of Welfare Exemption Property that satisfies all three of the following conditions: (i) the Parcel had not been Welfare Exemption Property on the date of issuance of the First Bond Sale; (ii) based on reference to Attachments 1 and 2 (as may be updated pursuant to Section D herein), the Parcel was not anticipated to be Welfare Exemption Property based on the Expected Land Uses, as determined by the Administrator; and (iii) if the Parcel were to be exempt from the Special

Tax because it has become Welfare Exemption Property, the Expected Maximum Special Tax Revenues would be reduced to a point at which Required Coverage could not be maintained.

“Tentative Map” means a tentative map or substantial conformance exhibit for property in Improvement Area No. 1, including any adjustments or amendments thereto.

“Undeveloped Property” means, in any Fiscal Year, all Parcels of Taxable Property that are not Developed Property, Final Map Property, Taxable Welfare Exemption Property, Taxable Owners Association Property, or Taxable Public Property, as defined herein.

“Welfare Exemption Property” means, in any Fiscal Year, any Parcels in Improvement Area No. 1 that have received a welfare exemption under subdivision (g) of Section 214 of the Revenue and Taxation Code and for which such welfare exemption is still in place.

B. DATA FOR ADMINISTRATION OF THE SPECIAL TAX

Each Fiscal Year, the Administrator shall: (i) assign each Parcel of Taxable Property to the appropriate Tax Zone and the appropriate Development Class, (ii) for Developed Property, categorize each Parcel as Single Family Property or Other Property, (iii) for Other Property, determine the Acreage of each Parcel; and (iv) determine the Special Tax Requirement for the Fiscal Year. In addition, the Administrator shall, on an ongoing basis, monitor the Tentative Map, Final Maps, and Building Permits to determine if there are any proposed Land Use Changes that would change the Expected Maximum Special Tax Revenues. If the Expected Maximum Special Tax Revenues will be revised pursuant to a proposed Land Use Change, the Administrator shall apply the steps set forth in Section D below.

In any Fiscal Year, if it is determined that: (i) a parcel map for property in Improvement Area No. 1 was recorded after January 1 of the prior Fiscal Year (or any other date after which the Assessor will not incorporate the newly-created Parcels into the then current tax roll), (ii) because of the date the parcel map was recorded, the Assessor does not yet recognize the new Parcels created by the parcel map, and (iii) one or more of the newly-created Parcels is in a different Development Class and/or Land Use Category than other Parcels created by the subdivision, the Administrator shall calculate the Special Taxes for the property affected by recordation of the parcel map by determining the Special Taxes that apply separately to the property within each Development Class and/or Land Use Category, then applying the sum of the individual Special Taxes to the Parcel that was subdivided by recordation of the parcel map.

C. MAXIMUM SPECIAL TAX

1. Developed Property and Final Map Property

The Maximum Special Tax for a Parcel of Developed Property or Final Map Property is the greater of (i) the Base Special Tax set forth in Table 1 below, or, (ii) the Maximum Special Tax determined pursuant to Section D.

Table 1
Base Special Tax
Developed Property and Final Map Property

Tax Zone	Land Use Category	Base Special Tax Fiscal Year 2023-24 *
Tax Zone 1	Single Family Property	\$2,300 per Residential Unit or SFD Lot
	Other Property	\$23,728 per Acre
Tax Zone 2	Single Family Property	\$2,601 per Residential Unit or SFD Lot
	Other Property	\$26,587 per Acre
Tax Zone 3	Single Family Property	\$2,770 per Residential Unit or SFD Lot
	Other Property	\$22,846 per Acre
Tax Zone 4	Single Family Property	\$3,171 per Residential Unit or SFD Lot
	Other Property	\$26,347 per Acre
Tax Zone 5	Single Family Property	\$3,566 per Residential Unit or SFD Lot
	Other Property	\$28,678 per Acre

* On July 1, 2024, and on each July 1 thereafter, all figures shown in Table 1 above shall be increased by an amount equal to 2.0% of the amount in effect for the prior Fiscal Year.

2. *Undeveloped Property, Taxable Owners Association Property, Taxable Public Property, and Taxable Welfare Exemption Property*

The Maximum Special Tax for Undeveloped Property, Taxable Owners Association Property, Taxable Public Property, and Taxable Welfare Exemption Property are provided in Table 2 below.

Table 2
Maximum Special Tax
Undeveloped Property, Taxable Owners Association Property,
Taxable Public Property, Taxable Welfare Exemption Property

Tax Zone	Maximum Special Tax Fiscal Year 2023-24 *
Tax Zone 1	\$23,728 per Acre
Tax Zone 2	\$26,587 per Acre
Tax Zone 3	\$22,846 per Acre
Tax Zone 4	\$26,347 per Acre
Tax Zone 5	\$28,678 per Acre

* On July 1, 2024, and on each July 1 thereafter, all figures shown in Table 2 above shall be increased by an amount equal to 2.0% of the amount in effect for the prior Fiscal Year.

D. CHANGES TO THE MAXIMUM SPECIAL TAX**1. *Land Use Changes***

The Expected Maximum Special Tax Revenues shown in Attachment 2 were originally calculated based on the Expected Land Uses at CFD Formation. Attachment 2 is subject to modification upon the occurrence of Land Use Changes, as described below. The Administrator shall review all Land Use Changes and compare the revised land uses to the Expected Land Uses to evaluate the impact on the Expected Maximum Special Tax Revenues.

Prior to the First Bond Sale, if a Land Use Change is proposed or identified that will result in a change in the Expected Maximum Special Tax Revenues, no action will be needed pursuant to this Section D. Upon approval of the Land Use Change, the Administrator shall update Attachment 2 to show the revised Expected Maximum Special Tax Revenues.

After the First Bond Sale, if a Land Use Change is proposed or identified, Steps 1 through 3 must be applied:

- Step 1:** By reference to Attachment 2 (which shall be updated by the Administrator each time a Land Use Change has been processed according to this Section D or a prepayment has been made), the Administrator shall identify the Expected Maximum Special Tax Revenues prior to the Land Use Change.
- Step 2:** The Administrator shall calculate the Expected Maximum Special Tax Revenues that could be collected from Taxable Property in Improvement Area No. 1 after the Land Use Change based on application of the Base Special Taxes from Table 1.
- Step 3:** If the revenues calculated in Step 2 are (i) higher than those determined in Step 1 or (ii) less than those calculated in Step 1, but the reduction in Expected Maximum Special Tax Revenues does not reduce debt service coverage on outstanding Bonds below Required Coverage, no further action is needed, and the Administrator shall update Attachment 2 to show the revised Expected Maximum Special Tax Revenues.

If the revenues calculated in Step 2 are less than those calculated in Step 1, and the Administrator determines that the reduction in Expected Maximum Special Tax Revenues would reduce debt service coverage on outstanding Bonds below the Required Coverage, one of the following shall occur:

3.a. The landowner requesting the Land Use Change (the “Requesting Landowner”) may make a prepayment in an amount that will ensure that the reduced Expected Maximum Special Tax Revenues are sufficient to provide Required Coverage, as determined pursuant to Section H below. If the Requesting Landowner notifies the Administrator that he/she would like to remedy the reduction by making a prepayment, such prepayment must be made by the earlier of (i) 30 days from the date of delivery of the prepayment estimate or (ii) the date of issuance of any Building Permits for any Parcel owned by the

Requesting Landowner that was Final Map Property or Undeveloped Property at the time the Administrator prepared the prepayment estimate, **or**

3.b. If a prepayment is not received by the due date specified above, the Base Special Tax used to determine the Maximum Special Tax for each Parcel of Taxable Property in the area affected by the Land Use Change shall be increased proportionately until the Expected Maximum Special Tax Revenues are sufficient to maintain Required Coverage.

Pursuant to this Section D.3, the Administrator may from time to time update Attachment 2 to reflect revised Expected Maximum Special Tax Revenues. Such update shall be maintained internally by the Administrator and shall not require recordation of an amended RMA.

If multiple Land Use Changes are proposed simultaneously by a single landowner (which may include approval of multiple Final Maps at one time), and the landowner requests that the impact of two or more of the Land Use Changes be considered together, the Administrator shall consider the combined effect of the Land Use Changes to determine if there is a reduction in Expected Maximum Special Tax Revenues. If there is a reduction that would reduce debt service coverage below the Required Coverage, and no prepayment has been received, then the Base Special Tax used to determine the Maximum Special Tax for each Parcel of Taxable Property in the areas affected by the Land Use Changes shall be increased proportionately until the aggregate amount that can be levied within such areas is equal to the amount that could have been levied prior to the proposed Land Use Changes. If Land Use Changes are proposed simultaneously by multiple landowners, or if an individual landowner proposing multiple Land Use Changes does not request that such Land Use Changes be considered together, the Administrator shall consider the proposed Land Use Changes individually.

Notwithstanding the foregoing, once a certificate of occupancy has been issued for a Residential Unit on a Parcel, the Maximum Special Tax for the Parcel cannot be increased because of subsequent Land Use Changes that may occur within the area in which the Parcel is located.

The duties imposed on the Administrator pursuant to this Section D to review Land Use Changes, and to review Final Maps and make certain calculations, are intended only to facilitate the administration of the Special Tax and to better assure the sufficiency of tax capacity to pay debt service on Bonds. Such duties are not intended to give any developer, subdivider, or owner of property the right to receive notice of the potential impact of Land Use Changes on the Special Tax applicable to a Parcel; and each developer, subdivider, or owner of property whose property is the subject of a Land Use Change shall be responsible for understanding the impact thereof on the Special Tax applicable to such property.

2. Partial Prepayments

If a Parcel makes a partial prepayment pursuant to Section H below, the Administrator shall recalculate the Maximum Special Tax for the Parcel pursuant to Section H.2. In addition, the Administrator shall update Attachment 2 to reflect the prepayment and the revised Expected Maximum Special Tax Revenues for Improvement Area No. 1. After the prepayment has been received, the application of Sections D and H of this RMA shall be based on the adjusted Expected Maximum Special Tax Revenues after the prepayment.

3. *Conversion of a Parcel of Public Property to Private Use*

If, in any Fiscal Year, a Parcel of Public Property is converted to private use, such Parcel shall be subject to the levy of the Special Tax. The Maximum Special Tax for each such Parcel shall be determined based on the applicable Base Special Tax for the Parcel, as determined by the Administrator. In addition, the Administrator shall update Attachment 2 to reflect the conversion and the revised Expected Maximum Special Tax Revenues for Improvement Area No. 1.

4. *Reduction in Maximum Special Tax*

The Base Special Tax for Residential Units set forth in Table 1 may be reduced prior to the First Bond Sale. Such a reduction shall be made without a vote of the qualified CFD electors if the Master Developer requests a reduction in the Base Special Tax. Any such reduction shall occur at least 30 days prior to the First Bond Sale. Such reductions to the Base Special Tax need not be proportionate among the Tax Zones and/or Land Use Categories.

E. METHOD OF LEVY OF THE SPECIAL TAX

Each Fiscal Year, the Administrator shall determine the Special Tax Requirement to be collected in that Fiscal Year. A Special Tax shall then be levied according to the following steps:

- Step 1:** The Special Tax shall be levied Proportionately on each Parcel of Developed Property up to 100% of the Maximum Special Tax for each Parcel of Developed Property until the amount levied is equal to the Special Tax Requirement prior to applying any Capitalized Interest that is available in the CFD accounts.
- Step 2:** If additional revenue is needed after Step 1 in order to meet the Special Tax Requirement after Capitalized Interest has been applied to reduce the Special Tax Requirement, the Special Tax shall be levied Proportionately on each Parcel of Final Map Property up to 100% of the Maximum Special Tax for each Parcel of Final Map Property until the amount levied is equal to the Special Tax Requirement.
- Step 3:** If additional revenue is needed after Step 2, the Special Tax shall be levied Proportionately on each Parcel of Undeveloped Property up to 100% of the Maximum Special Tax for each Parcel of Undeveloped Property until the amount levied is equal to the Special Tax Requirement.
- Step 4:** If additional revenue is needed after Step 3, the Special Tax shall be levied Proportionately on each Parcel of Taxable Welfare Exemption Property, up to 100% of the Maximum Special Tax for each Parcel of Taxable Welfare Exemption Property for such Fiscal Year until the amount levied is equal to the Special Tax Requirement.
- Step 5:** If additional revenue is needed after Step 4, the Special Tax shall be levied Proportionately on each Parcel of Taxable Owners Association Property, up to 100% of the Maximum Special Tax for each Parcel of Taxable Owners Association Property until the amount levied is equal to the Special Tax Requirement.

- Step 6:** If additional revenue is needed after Step 5, the Special Tax shall be levied Proportionately on each Parcel of Taxable Public Property, up to 100% of the Maximum Special Tax for each Parcel of Taxable Public Property until the amount levied is equal to the Special Tax Requirement.

F. MANNER OF COLLECTION OF SPECIAL TAX

The Special Tax shall be collected in the same manner and at the same time as ordinary ad valorem property taxes, provided, however, that prepayments are permitted as set forth in Section H below and provided further that the City may directly bill the Special Tax, may collect Special Taxes at a different time or in a different manner, and may collect delinquent Special Taxes through foreclosure or other available methods.

The Special Tax shall be levied and collected until principal and interest on Bonds have been repaid. However, in no event shall Special Taxes be levied after Fiscal Year 2063-64. Under no circumstances may the Special Tax on a Parcel of Developed Property in residential use be increased in any Fiscal Year as a consequence of delinquency or default in payment of the Special Tax levied on another Parcel or Parcels by more than ten percent (10%) above the amount that would have been levied in that Fiscal Year had there never been any such delinquencies or defaults.

G. EXEMPTIONS

Notwithstanding any other provision of this RMA, no Special Tax shall be levied in any Fiscal Year on the following:

- (1) Public Property, except Taxable Public Property.
- (2) Owners Association Property, except Taxable Owners Association Property.
- (3) Welfare Exemption Property, except Taxable Welfare Exemption Property.
- (4) Parcels that are owned by a public utility for an unmanned facility.
- (5) Parcels that are subject to an easement that precludes any other use on the Parcel.
- (6) Parcels that have fully prepaid the Special Tax obligation assigned to the Parcel pursuant to the formula set forth in Section H below.

H. PREPAYMENTS

The following definitions apply to this Section H:

“Outstanding Bonds” means all Previously Issued Bonds which remain outstanding, with the following exception: if a Special Tax has been levied against, or already paid by, an Assessor’s Parcel making a prepayment, and a portion of the Special Tax will be used to pay a portion of the next principal payment on the Bonds that remain outstanding (as

determined by the Administrator), that next principal payment shall be subtracted from the total Bond principal that remains outstanding, and the difference shall be used as the amount of Outstanding Bonds for purposes of this prepayment formula.

“Previously Issued Bonds” means all Bonds that have been issued prior to the date of prepayment.

“Public Facilities Requirement” means either \$8.3 million in 2023 dollars, which shall increase on January 1, 2024, and on each January 1 thereafter by 2% of the amount in effect in the prior year or such other number as shall be determined by the City as sufficient to fund improvements that are authorized to be funded by Improvement Area No. 1. The Public Facilities Requirement shown above may be adjusted each time property annexes into Improvement Area No. 1 or there is an adjustment to the Expected Maximum Special Tax Revenues due to a Land Use Change.

“Remaining Facilities Costs” means the Public Facilities Requirement minus public facility costs funded by Previously Issued Bonds, developer equity and any other source of funding.

1. Full Prepayment

The Special Tax obligation applicable to a Parcel in Improvement Area No. 1 may be prepaid and the obligation of the Parcel to pay the Special Tax permanently satisfied as described herein, provided that a prepayment may be made only if there are no delinquent Special Taxes with respect to such Parcel at the time of prepayment. An owner of a Parcel intending to prepay the Special Tax obligation shall provide the City with written notice of intent to prepay. Within 30 days of receipt of such written notice, the City or its designee shall notify such owner of the prepayment amount for such Parcel. Prepayment must be made not less than 75 days prior to any redemption date for Bonds to be redeemed with the proceeds of such prepaid Special Taxes. The Prepayment Amount shall be calculated as follows: (capitalized terms as defined below):

	Bond Redemption Amount
plus	Remaining Facilities Amount
plus	Redemption Premium
plus	Defeasance Requirement
plus	Administrative Fees and Expenses
less	<u>Reserve Fund Credit</u>
equals	Prepayment Amount

As of the proposed date of prepayment, the Prepayment Amount shall be determined by application of the following steps:

- Step 1.** Compute the amount that could be collected from the Parcel prepaying the Special Tax in the Fiscal Year in which prepayment would be received by the City by applying the Base Special Tax to the Expected Land Uses for the Parcel. If this Section H is being applied to calculate a prepayment pursuant to Section D above, compute the amount by which the proposed Land Use Change would reduce Expected Maximum Special Tax Revenues

below the amount needed for Required Coverage, and use this amount for purposes of this Step 1.

- Step 2.** Divide the Maximum Special Tax computed pursuant to Step 1 for such Parcel by the total Expected Maximum Special Tax Revenues for all property in Improvement Area No. 1, as shown in Attachment 2.
- Step 3.** Multiply the quotient computed pursuant to Step 2 by the Outstanding Bonds to compute the amount of Outstanding Bonds to be retired and prepaid (*the “Bond Redemption Amount”*).
- Step 4.** Compute the current Remaining Facilities Costs (if any).
- Step 5.** Multiply the quotient computed pursuant to Step 2 by the amount determined pursuant to Step 4 to compute the amount of Remaining Facilities Costs to be prepaid (*the “Remaining Facilities Amount”*).
- Step 6.** Multiply the Bond Redemption Amount computed pursuant to Step 3 by the applicable redemption premium, if any, on the Outstanding Bonds to be redeemed (*the “Redemption Premium”*).
- Step 7.** Compute the amount needed to pay interest on the Bond Redemption Amount starting with the first Bond interest payment date after which the prepayment will be received and which has not been included in a tax levy until the next earliest redemption date for the Outstanding Bonds. However, if Bonds are callable at the first interest payment date after the prepayment has been received, Steps 7, 8 and 9 of this prepayment formula will not apply.
- Step 8:** Compute the amount of interest the City reasonably expects to derive from reinvestment of the Bond Redemption Amount plus the Redemption Premium from the first Bond interest payment date after which the prepayment has been received and which has not been included in a tax levy until the next earliest redemption date for the Outstanding Bonds.
- Step 9:** Subtract the amount computed pursuant to Step 8 from the amount computed pursuant to Step 7 (the *“Defeasance Requirement”*).
- Step 10.** The administrative fees and expenses associated with the prepayment will be determined by the Administrator and include the costs of computing the prepayment, redeeming Bonds and recording any notices to evidence the prepayment and the redemption (the *“Administrative Fees and Expenses”*).
- Step 11.** If and to the extent so provided in the Indenture, a reserve fund credit shall be calculated as a reduction in the applicable reserve fund for the Outstanding Bonds to be redeemed pursuant to the prepayment (the *“Reserve Fund Credit”*).

Step 12. The Special Tax prepayment is equal to the sum of the amounts computed pursuant to Steps 3, 5, 6, 9, and 10, less the amount computed pursuant to Step 11 (the “*Prepayment Amount*”).

Step 13. From the Prepayment Amount, the amounts computed pursuant to Steps 3, 6, and 9 shall be deposited into the appropriate fund as established under the Indenture and be used to retire Outstanding Bonds or make debt service payments. The amount computed pursuant to Step 5 shall be deposited into the Improvement Fund. The amount computed pursuant to Step 10 shall be retained in the account or fund that is established to pay Administrative Expenses.

Once a full prepayment of a Parcel’s Special Tax obligation has been received, a Notice of Cancellation of Special Tax Lien shall be recorded against the Parcel to reflect the discharge of the Parcel’s obligation to pay the Special Tax. However, a Notice of Cancellation of Special Tax Lien shall not be recorded until all Special Taxes levied on the Parcel in the current or prior Fiscal Years have been collected.

2. *Partial Prepayment*

A partial prepayment may be made in an amount equal to any percentage of full prepayment desired by the party making a partial prepayment, except that the full amount of Administrative Fees and Expenses determined in Step 10 shall be included in the partial prepayment. The Maximum Special Tax that can be levied on a Parcel after a partial prepayment is made shall be equal to the portion of the Maximum Special Tax that was not prepaid. Once a partial prepayment has been received, an Amended Notice of Special Tax Lien shall be recorded against the Parcel to reflect the reduced Special Tax lien for the Parcel, and the Administrator shall update Attachment 2 to show the revised Expected Maximum Special Tax Revenues. However, an Amended Notice of Special Tax Lien shall not be recorded until all Special Taxes levied on the Parcel in the current or prior Fiscal Years have been collected.

3. *Maintaining Required Coverage*

Notwithstanding the foregoing, if at any point in time the Administrator determines that the Maximum Special Tax revenue that could be collected from Taxable Property that remains subject to the Special Tax after the proposed prepayment would be less than the Required Coverage on Bonds that will remain outstanding after defeasance or redemption of Bonds from proceeds of the estimated prepayment, the amount of the prepayment shall be increased until the amount of Bonds defeased or redeemed is sufficient to reduce remaining annual debt service to a point at which Required Coverage is maintained.

I. INTERPRETATION OF RMA

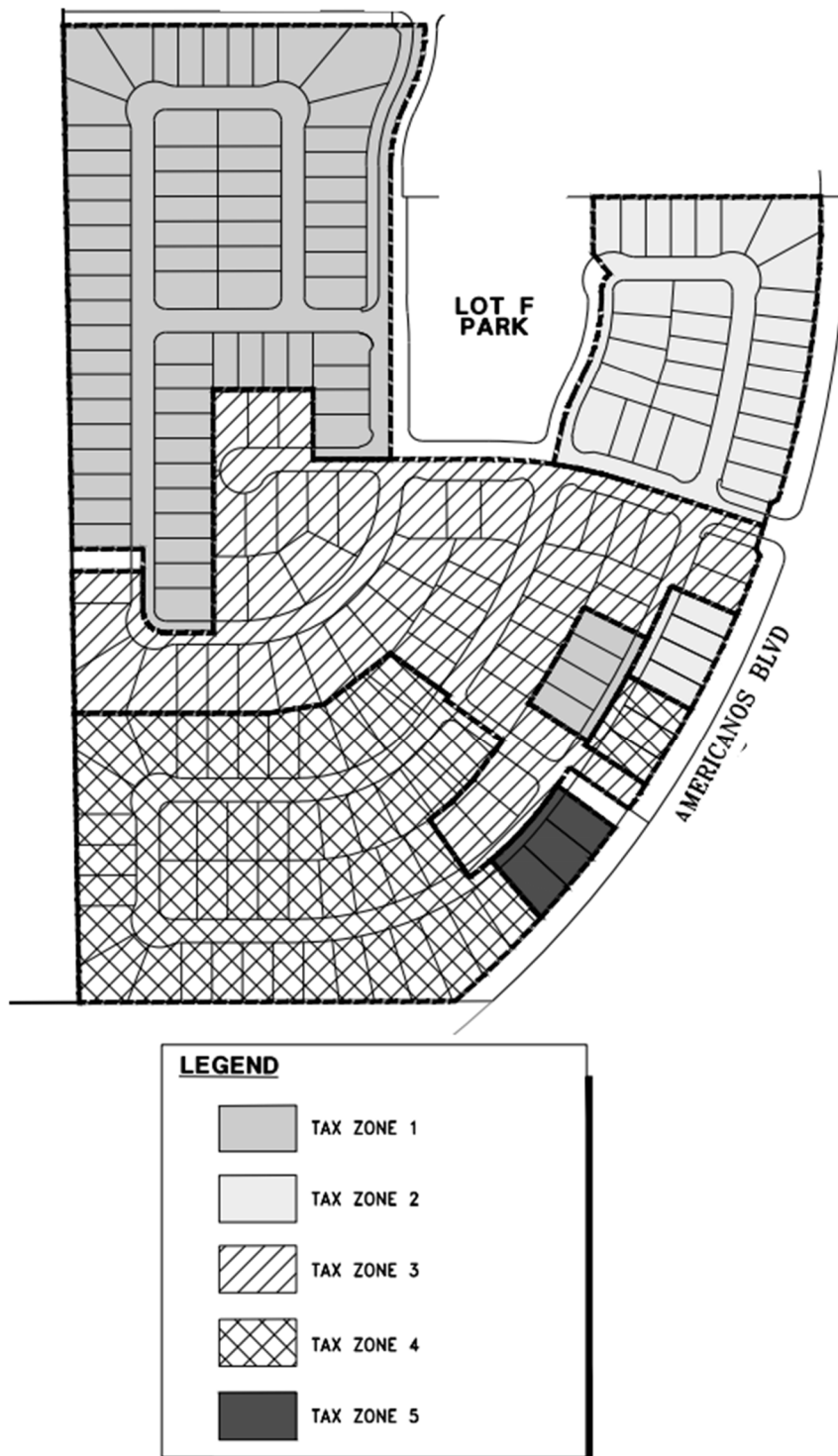
Interpretations may be made by Resolution of the City Council to interpret, clarify, and/or revise this RMA to correct any inconsistency, vagueness, or ambiguity as it relates to the Special Tax, method of apportionment, classification of properties, or any definition applicable to Improvement Area No. 1 of the CFD, as long as such correction does not materially affect the levy and collection of Special Taxes. The City, upon the request of an owner of land within Improvement Area No. 1

which is not Developed Property, may also amend this RMA in any manner acceptable to the City, by resolution or ordinance following a public hearing, upon the affirmative vote of such owner to such amendment and without the vote of owners of any other land within Improvement Area No. 1, provided such amendment only affects such owner's land. Under no circumstances may such revisions to the RMA decrease the Expected Maximum Special Tax Revenues to a level that will reduce debt service coverage below the Required Coverage.

ATTACHMENT 1

Improvement Area No. 1 of the
City of Rancho Cordova
Grantline 220
Community Facilities District No. 2023-1

Identification of Tax Zones and Expected Lot Layout
in Improvement Area No. 1



ATTACHMENT 2

**Improvement Area No. 1 of the
City of Rancho Cordova
Grantline 220
Community Facilities District No. 2023-1**

Expected Land Uses and Expected Maximum Special Tax Revenues

Tax Zone	Land Use Category	Expected Residential Units/Acreage	Base Special Tax (FY 2023-24) *	Expected Maximum Special Tax Revenues (FY 2023-24) *
Tax Zone 1	Single Family Property Other Property	72 Residential Units 0 Acres	\$2,300 per Residential Unit \$23,728 per Acre	\$165,600 \$0
Tax Zone 2	Single Family Property Other Property	33 Residential Units 0 Acres	\$2,601 per Residential Unit \$26,587 per Acre	\$85,833
Tax Zone 3	Single Family Property Other Property	51 Residential Units 0 Acres	\$2,770 per Residential Unit \$22,846 per Acre	\$141,270
Tax Zone 4	Single Family Property Other Property	50 Residential Units 0 Acres	\$3,171 per Residential Unit \$26,347 per Acre	\$158,550
Tax Zone 5	Single Family Property Other Property	3 Residential Units 0 Acres	\$3,566 per Residential Unit \$28,678 per Acre	\$10,698
Expected Maximum Special Tax Revenues (FY 2023-24 \$)				\$561,951

* On July 1, 2024, and each July 1 thereafter, all dollar amounts shown above shall be increased by two percent (2%) of the amount in effect in the prior Fiscal Year.

EXHIBIT C

Property Owner and Assessor Parcel Numbers

Owner Name	Assessor's Parcel Numbers
Lennar Homes of California Inc.	067-2540-001 through 067-2580-099 inclusive

**CITY OF RANCHO CORDOVA
GRANTLINE 220
COMMUNITY FACILITIES DISTRICT NO. 2023-1
COMMUNITY FACILITIES DISTRICT REPORT**

CONTENTS

Introduction

- A. Description of Facilities
- B. Cost Estimates
- C. Proposed Boundaries of the Community Facilities District
- D. Rate and Method of Apportionment of Special Tax
- E. Issuance of Bonds

* * * * *

Exhibit A – Description of the Proposed Facilities

Exhibit B – Cost Estimates

Exhibit C – Rate and Method of Apportionment of Special Tax

**CITY OF RANCHO CORDOVA
GRANTLINE 220
COMMUNITY FACILITIES DISTRICT NO. 2023-1**

INTRODUCTION

The City Council (the “City Council”) of the City of Rancho Cordova (the “City”) did, pursuant to the provisions of the Mello-Roos Community Facilities Act of 1982 (the “Law”), on July 3, 2023, adopt a resolution entitled, “A Resolution of Intention of the City Council of the City of Rancho Cordova to Form Grantline 220 Community Facilities District No. 2023-1, Designate an Initial Improvement Area Therein and Establish a Future Annexation Area, and Levy Special Taxes therein to Finance the Acquisition and Construction of Certain Public Facilities in and for such Community Facilities District” (the “Resolution of Intention”). In the Resolution of Intention, the City Council expressly ordered the preparation of a written Community Facilities District Report (the “Report”) for the proposed City of Rancho Cordova Grantline 220 Community Facilities District No. 2023-1 (the “CFD”).

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

(a) A description of the facilities (the “Facilities”) by type which will be required to adequately meet the needs of the CFD.

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

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

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

A. DESCRIPTION OF FACILITIES. A general description of the proposed Facilities and incidental expenses thereto is provided in Exhibit “A” attached hereto and hereby made a part hereof.

B. COST ESTIMATES. Cost estimates for the Facilities are set forth in Exhibit “B” attached hereto and hereby made a part hereof.

C. PROPOSED BOUNDARIES OF THE COMMUNITY FACILITIES DISTRICT.
The proposed boundaries of the CFD are those properties and parcels on which special taxes may be levied to pay for the Facilities. The proposed boundaries initially included in the CFD and designated as Improvement Area No. 1 are identified in the map entitled “Proposed Boundaries and Future Annexation Area of City of Rancho Cordova

Grantline 220 Community Facilities District No. 2023-1, County of Sacramento, State of California” (the “CFD Boundary Map”), which was recorded on in the office of the County Recorder for the County of Sacramento. Additional property may be annexed into the CFD in future years; the remaining improvement areas have been identified as “Future Annexation Area” on the CFD Boundary Map, and the annexation of such property is discussed further below.

D. ANNEXATIONS. In addition to the properties included in the initial CFD boundaries, adjacent properties have been designated as Future Annexation Area. Some or all of the property owners of the Future Annexation Area may choose to annex into an existing improvement area or annex into one or more new improvement areas within the CFD. By identifying the Future Annexation Area, these annexations will simply require the unanimous consent of the property owner proposing to annex to the CFD, without future action by the City Council. The maximum special tax rates for such annexing property will depend on the improvement area into which the property is annexed, as discussed in Section E below.

E. RATE AND METHOD OF APPORTIONMENT OF SPECIAL TAX. All of the property located within the CFD boundaries, unless exempted by law or by the Rate and Method of Apportionment of Special Tax (the “RMA”), shall be taxed for the purpose of financing the Facilities. The City will annually determine the actual amount of the special tax levy based on the method and subject to the Maximum Special Tax rates contained in the RMA. The RMA for Improvement Area No. 1 is provided in Exhibit “C” attached hereto and hereby made a part hereof.

F. ISSUANCE OF BONDS. At the time of CFD formation, it was anticipated that Facilities would be funded from the proceeds of multiple tax-exempt bond issues, although the amount and timing of such issues will depend on the value of property within the CFD, the timing of absorption of land uses, and other factors. Based on land uses anticipated within the CFD boundaries, it is estimated that approximately \$20 million in net construction proceeds will be generated for Facilities. If additional properties annex into the CFD, the net proceeds will increase based on the added special tax capacity generated from the annexed properties.

EXHIBIT A

**CITY OF RANCHO CORDOVA
GRANTLINE 220
COMMUNITY FACILITIES DISTRICT NO. 2023-1**

DESCRIPTION OF FACILITIES TO BE FINANCED BY THE CFD

The Facilities shown below are to be financed by the City of Rancho Cordova Grantline 220 Community Facilities District No. 2023-1 (the “CFD”).

Facilities

The Facilities which are proposed to be financed with the proceeds of the sales of bonds of the proposed CFD, or the payment of fees to the appropriate jurisdiction with respect to such facilities proposed to be financed with the proceeds of the sale of bonds of the proposed CFD, are generally described as follows:

- Roadway Facilities
- Water Facilities
- Park Facilities
- Storm Drainage Facilities

Impact, Development Agreement and Specific Plan Fees for Facilities

- City Transportation Impact Fee
- City Supplemental Transportation Fee
- City Community Facilities Fee
- Sacramento Area Sewer District Fee
- Sacramento Regional County Sanitation District Fee
- Sacramento City Water Agency Zone 40 Water Fee

Other

- Any other facilities serving substantially the same purpose as the above described facilities.
- Any other facilities permitted under the Mello-Roos Community Facilities Act of 1982, including the facilities described in Section 53313.5 of the California Government Code, as amended from time to time.

The foregoing description of the type of Facilities eligible to be financed is general in nature and includes any appurtenant work and incidental expenses related to the Facilities. The final nature and location of the Facilities will be determined upon the preparation of final plans and specifications for such Facilities.

Incidentals

The bond related expenses authorized include the City, underwriters discount, financial advisor, appraisals, reserve fund balance, capitalized interest, bond counsel, disclosure counsel, special tax consultant, bond and official statement printing and all other incidental expenses. CFD formation costs and administrative fees include those of the City, the CFD, the bond trustee or fiscal agent, legal counsel, the special tax consultant and other costs related to the CFD or the Bonds.

EXHIBIT B**CITY OF RANCHO CORDOVA
GRANTLINE 220
COMMUNITY FACILITIES DISTRICT NO. 2023-1****COST ESTIMATES**

The following is a summary of the estimated costs of acquisition and construction of the Facilities. In addition to the acquisition and construction costs of the Facilities, the City will finance bond and other debt issuance costs, capitalized interest, a debt service reserve fund, the costs of forming the CFD and other costs associated with the sale of bonds and annual administration of the CFD.

<u>Facilities</u>	<u>Estimated Cost</u>
Roadway and Transportation Improvements	\$18,929,000
Sewer Improvements	<u>\$6,300,000</u>
Total	\$25,229,000

EXHIBIT C

**IMPROVEMENT AREA NO. 1 OF THE
CITY OF RANCHO CORDOVA
GRANTLINE 220
COMMUNITY FACILITIES DISTRICT NO. 2023-1**

RATE AND METHOD OF APPORTIONMENT OF SPECIAL TAX

**IMPROVEMENT AREA NO. 1 OF THE
CITY OF RANCHO CORDOVA
GRANTLINE 220
COMMUNITY FACILITIES DISTRICT NO. 2023-1**

RATE AND METHOD OF APPORTIONMENT OF SPECIAL TAX

A Special Tax applicable to each Assessor's Parcel in Improvement Area No. 1 of the City of Rancho Cordova Grantline 220 Community Facilities District No. 2023-1 shall be levied and collected according to the tax liability determined by the City Council through the application of the appropriate amount or rate for Taxable Property, as described below. All of the property in Improvement Area No. 1, unless exempted by law or by the provisions of Section G below, shall be taxed for the purposes, to the extent, and in the manner herein provided, including property subsequently annexed to Improvement Area No. 1 unless a separate Rate and Method of Apportionment is adopted for the annexation area.

A. DEFINITIONS

The terms hereinafter set forth have the following meanings:

“Acre” or “Acreage” means the land area of an Assessor's Parcel as shown on an Assessor's Parcel Map, or if the land area is not shown on an Assessor's Parcel Map, the land area shown on the applicable Final Map or other parcel map recorded at the County Recorder's Office.

“Act” means the Mello-Roos Community Facilities Act of 1982, as amended, being Chapter 2.5, (commencing with Section 53311), Part 1, Division 2 of Title 5 of the Government Code of the State of California.

“Administrative Expenses” means any or all of the following: the fees and expenses of any fiscal agent or trustee (including any fees or expenses of its counsel) employed in connection with any Bonds, and the expenses of the City in carrying out its duties with respect to Improvement Area No. 1, the CFD and the Bonds, including, but not limited to, the levy and collection of Special Taxes, the fees and expenses of its counsel, charges levied by the County in connection with the levy and collection of Special Taxes, costs related to property owner inquiries regarding the Special Tax, costs associated with appeals or requests for interpretation associated with the Special Tax and this RMA, amounts needed to pay rebate to the federal government with respect to Bonds, costs associated with complying with continuing disclosure requirements for the City and any major property owners or other obligated parties, costs associated with foreclosure and collection of delinquent Special Taxes, and all other costs and expenses of the City and County in any way related to the establishment or administration of Improvement Area No. 1 and the CFD.

“Administrator” shall mean the person or firm designated by the City to administer the Special Tax according to this RMA.

“Assessor's Parcel” or “Parcel” means a lot or parcel shown on an Assessor's Parcel Map with an assigned Assessor's Parcel number.

“Assessor’s Parcel Map” means an official map of the County Assessor designating Parcels by Assessor’s Parcel Number.

“Authorized Facilities” means the public facilities authorized to be financed, in whole or in part, by the CFD.

“Base Special Tax” means, for any Land Use Category, the applicable Special Tax initially identified in Table 1 in Section C, as may be adjusted pursuant to Sections D or H herein.

“Bonds” means bonds or other debt (as defined in the Act), whether in one or more series, secured by the Special Tax and issued or assumed by or for Improvement Area No. 1 to fund Authorized Facilities.

“Building Permit” means a permit that allows for vertical construction of a building or buildings, which shall not include a separate permit issued for construction of the foundation thereof.

“Capitalized Interest” means funds in any capitalized interest account available to pay debt service on Bonds.

“CFD” means the City of Rancho Cordova Grantline 220 Community Facilities District No. 2023-1.

“CFD Formation” means the date on which the Resolution of Formation to form the CFD and to designate Improvement Area No. 1 was adopted by the City Council.

“City” means the City of Rancho Cordova.

“City Council” means the City Council of the City of Rancho Cordova.

“County” means the County of Sacramento.

“Developed Property” means, in any Fiscal Year, all Parcels of Taxable Property that are not Taxable Owners Association Property, Taxable Public Property, or Taxable Welfare Exemption Property for which a Building Permit for new construction was issued prior to June 1 of the preceding Fiscal Year.

“Development Class” means, individually, Developed Property, Final Map Property, Undeveloped Property, Taxable Owners Association Property, Taxable Public Property, and Taxable Welfare Exemption Property.

“Expected Land Uses” means the number of Residential Units and the Acreage of Other Property expected within Improvement Area No. 1 at CFD Formation, as identified in Attachments 1 and 2 of this RMA. Pursuant to Section D of this RMA, the Administrator shall update Attachment 2 each time there is a Land Use Change. Such update(s) shall be maintained internally by the Administrator and shall not require recordation of an amended RMA.

“Expected Maximum Special Tax Revenues” means the aggregate Special Tax that can be levied based on application of the Base Special Tax to the Expected Land Uses. The Expected Maximum Special Tax Revenues at CFD Formation are shown in Attachment 2 and may be revised

pursuant to Sections D or H herein. Such update(s) will be maintained internally by the Administrator and will not require recordation of an amended RMA.

“Final Map” means a final map, or portion thereof, approved by the City pursuant to the Subdivision Map Act (California Government Code Section 66410 *et seq*) that creates SFD Lots. The term “Final Map” shall not include any large-lot subdivision map, Assessor’s Parcel Map, or subdivision map or portion thereof, that does not create SFD Lots, including Assessor’s Parcels that are designated as remainder parcels.

“Final Map Property” means, in any Fiscal Year, all SFD Lots created within Final Maps that had recorded prior to June 30 of the preceding Fiscal Year and which have not yet become Developed Property.

“First Bond Sale” means issuance of the first series of Bonds secured, in whole or in part, by Special Taxes levied and collected from Parcels of Taxable Property in Improvement Area No. 1.

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

“Improvement Area No. 1” means Improvement Area No. 1 of the CFD.

“Improvement Fund” means the account (regardless of its name) identified in the Indenture to hold funds that are available for expenditure to acquire or construct Authorized Facilities.

“Indenture” means the bond indenture, fiscal agent agreement, trust agreement, resolution or other instrument pursuant to which Bonds are issued, as modified, amended, and/or supplemented from time to time, and any instrument replacing or supplementing the same.

“Land Use Category” means, individually, Single Family Property or Other Property.

“Land Use Change” means a proposed or approved change to the Expected Land Uses after CFD Formation.

“Master Developer” means Lennar Homes of California, a Limited Liability Company, and its successors and assigns.

“Maximum Special Tax” means the greatest amount of Special Tax that can be levied on a Parcel in any Fiscal Year, as determined in accordance with Sections C and D below.

“Other Property” means any Parcel of Developed Property in Improvement Area No. 1 that does not fit within the definition of Single Family Property.

“Owners Association” means a homeowners association or property owners association that provides services to, and collects assessments, fees, dues, or charges from, property within Improvement Area No. 1.

“Owners Association Property” means any property within the boundaries of Improvement Area No. 1 that is owned in fee or by easement by an Owners Association, not including any such property that is located directly under a residential structure.

“Proportionately” means, for each Development Class, that the ratio of the actual Special Tax levied in any Fiscal Year to the Maximum Special Tax authorized to be levied in that Fiscal Year is equal for all parcels assigned to the Development Class.

“Public Property” means any property within the boundaries of Improvement Area No. 1 that is owned by the City, federal government, State of California or other public agency.

“Required Coverage” means the amount by which the Expected Maximum Special Tax Revenues must exceed the Bond debt service and priority Administrative Expenses (if any), as set forth in the Indenture, Certificate of Special Tax Consultant, or other formation or bond document that identifies the minimum required debt service coverage.

“Residential Unit” means an SFD Unit or an individual residential unit within a duplex, halfplex, triplex, fourplex, townhome, live/work or condominium structure, or apartment building. A second unit (granny flat) that shares a Parcel with an SFD Unit will not be considered a Residential Unit for purposes of levying the Special Tax.

“RMA” means this Rate and Method of Apportionment of Special Tax.

“SFD Lot” means an individual residential lot, identified and numbered on a recorded Final Map, on which a Building Permit has been or is permitted to be issued for construction of an SFD Unit without further subdivision of the lot and for which no further subdivision of the lot is anticipated pursuant to an approved Tentative Map.

“SFD Unit” means a residential unit that does not share a common wall with another residential unit.

“Single Family Property” means, in any Fiscal Year, all Parcels of Taxable Property for which a Building Permit was or is expected to be issued for: (i) construction of an SFD Unit, or (ii) construction of a residential structure consisting of two or more Residential Units that share common walls, have separate Assessor’s Parcel numbers assigned to them (except for a duplex unit, which may share an Assessor’s Parcel with another duplex unit), and may be purchased by individual homebuyers (which shall still be the case even if the Residential Units are purchased and subsequently offered for rent by the owners of the Residential Units), including such residential structures that meet the statutory definition of a condominium contained in Civil Code Section 4125.

“Special Tax” means a special tax levied in any Fiscal Year to pay the Special Tax Requirement.

“Special Tax Requirement” means the amount necessary in any Fiscal Year to: (i) pay principal and interest on Bonds that are due in the calendar year that begins in such Fiscal Year; (ii) pay periodic costs on the Bonds, including but not limited to, credit enhancement, liquidity support and rebate payments on the Bonds; (iii) replenish reserve funds created for the Bonds under the Indenture to the extent such replenishment has not been included in the computation of the Special Tax Requirement in a previous Fiscal Year; (iv) cure any delinquencies in the payment of principal or interest on Bonds which have occurred in the prior Fiscal Year or, based on prior delinquencies, are expected to occur in the current Fiscal Year; (v) pay Administrative Expenses; and (vi) pay directly for Authorized Facilities, so long as such levy under this clause (vi) does not increase the Special Tax levied on Final Map Property or Undeveloped Property. The amounts referred to in

clauses (i) and (ii) of the definition of Special Tax Requirement may be reduced in any Fiscal Year by: (a) interest earnings on or surplus balances in funds and accounts for the Bonds to the extent that such earnings or balances are available to apply against such costs pursuant to the Indenture; (b) in the sole and absolute discretion of the City, proceeds received by the CFD from the collection of penalties associated with delinquent Special Taxes; and (c) any other revenues available to pay such costs, each as determined in the sole discretion of the City.

“Tax Zone” means a mutually exclusive geographic area within which Special Taxes may be levied pursuant to this RMA. If, in any Fiscal Year, there is any doubt as to the Tax Zone within which a Parcel is located, the Administrator shall work with the City to make the final determination.

“Tax Zone 1” means that geographic area designated as Tax Zone 1 in Attachment 1 hereto.

“Tax Zone 2” means that geographic area designated as Tax Zone 2 in Attachment 1 hereto.

“Tax Zone 3” means that geographic area designated as Tax Zone 3 in Attachment 1 hereto.

“Tax Zone 4” means that geographic area designated as Tax Zone 4 in Attachment 1 hereto.

“Tax Zone 5” means that geographic area designated as Tax Zone 5 in Attachment 1 hereto.

“Taxable Owners Association Property” means, in any Fiscal Year after the First Bond Sale, any Parcel of Owners Association Property that satisfies all three of the following conditions: (i) the Parcel had not been Owners Association Property on the date of the First Bond Sale, (ii) based on reference to Attachments 1 and 2 (as may be updated pursuant to Section D below), the Parcel was not anticipated to be Owners Association Property as determined by the Administrator, and (iii) if the Parcel were to be exempt from the Special Tax because it is Owners Association Property, the Expected Maximum Special Tax Revenues would be reduced to a point at which Required Coverage could not be maintained.

“Taxable Property” means all of the Parcels within the boundaries of Improvement Area No. 1 that are not exempt from the Special Tax pursuant to law or Section G below.

“Taxable Public Property” means in any Fiscal Year after the First Bond Sale, any Parcel of Public Property that satisfies all three of the following conditions: (i) the Parcel had not been Public Property on the date of the First Bond Sale, (ii) based on reference to Attachments 1 and 2 (as may be updated pursuant to Section D below), the Parcel was not anticipated to be Public Property as determined by the Administrator, and (iii) if the Parcel were to be exempt from the Special Tax because it is Public Property, the Expected Maximum Special Tax Revenues would be reduced to a point at which Required Coverage could not be maintained.

“Taxable Welfare Exemption Property” means in any Fiscal Year after the First Bond Sale, any Parcel of Welfare Exemption Property that satisfies all three of the following conditions: (i) the Parcel had not been Welfare Exemption Property on the date of issuance of the First Bond Sale; (ii) based on reference to Attachments 1 and 2 (as may be updated pursuant to Section D herein), the Parcel was not anticipated to be Welfare Exemption Property based on the Expected Land Uses, as determined by the Administrator; and (iii) if the Parcel were to be exempt from the Special

Tax because it has become Welfare Exemption Property, the Expected Maximum Special Tax Revenues would be reduced to a point at which Required Coverage could not be maintained.

“Tentative Map” means a tentative map or substantial conformance exhibit for property in Improvement Area No. 1, including any adjustments or amendments thereto.

“Undeveloped Property” means, in any Fiscal Year, all Parcels of Taxable Property that are not Developed Property, Final Map Property, Taxable Welfare Exemption Property, Taxable Owners Association Property, or Taxable Public Property, as defined herein.

“Welfare Exemption Property” means, in any Fiscal Year, any Parcels in Improvement Area No. 1 that have received a welfare exemption under subdivision (g) of Section 214 of the Revenue and Taxation Code and for which such welfare exemption is still in place.

B. DATA FOR ADMINISTRATION OF THE SPECIAL TAX

Each Fiscal Year, the Administrator shall: (i) assign each Parcel of Taxable Property to the appropriate Tax Zone and the appropriate Development Class, (ii) for Developed Property, categorize each Parcel as Single Family Property or Other Property, (iii) for Other Property, determine the Acreage of each Parcel; and (iv) determine the Special Tax Requirement for the Fiscal Year. In addition, the Administrator shall, on an ongoing basis, monitor the Tentative Map, Final Maps, and Building Permits to determine if there are any proposed Land Use Changes that would change the Expected Maximum Special Tax Revenues. If the Expected Maximum Special Tax Revenues will be revised pursuant to a proposed Land Use Change, the Administrator shall apply the steps set forth in Section D below.

In any Fiscal Year, if it is determined that: (i) a parcel map for property in Improvement Area No. 1 was recorded after January 1 of the prior Fiscal Year (or any other date after which the Assessor will not incorporate the newly-created Parcels into the then current tax roll), (ii) because of the date the parcel map was recorded, the Assessor does not yet recognize the new Parcels created by the parcel map, and (iii) one or more of the newly-created Parcels is in a different Development Class and/or Land Use Category than other Parcels created by the subdivision, the Administrator shall calculate the Special Taxes for the property affected by recordation of the parcel map by determining the Special Taxes that apply separately to the property within each Development Class and/or Land Use Category, then applying the sum of the individual Special Taxes to the Parcel that was subdivided by recordation of the parcel map.

C. MAXIMUM SPECIAL TAX

1. Developed Property and Final Map Property

The Maximum Special Tax for a Parcel of Developed Property or Final Map Property is the greater of (i) the Base Special Tax set forth in Table 1 below, or, (ii) the Maximum Special Tax determined pursuant to Section D.

Table 1
Base Special Tax
Developed Property and Final Map Property

Tax Zone	Land Use Category	Base Special Tax Fiscal Year 2023-24 *
Tax Zone 1	Single Family Property	\$2,300 per Residential Unit or SFD Lot
	Other Property	\$23,728 per Acre
Tax Zone 2	Single Family Property	\$2,601 per Residential Unit or SFD Lot
	Other Property	\$26,587 per Acre
Tax Zone 3	Single Family Property	\$2,770 per Residential Unit or SFD Lot
	Other Property	\$22,846 per Acre
Tax Zone 4	Single Family Property	\$3,171 per Residential Unit or SFD Lot
	Other Property	\$26,347 per Acre
Tax Zone 5	Single Family Property	\$3,566 per Residential Unit or SFD Lot
	Other Property	\$28,678 per Acre

* On July 1, 2024, and on each July 1 thereafter, all figures shown in Table 1 above shall be increased by an amount equal to 2.0% of the amount in effect for the prior Fiscal Year.

2. *Undeveloped Property, Taxable Owners Association Property, Taxable Public Property, and Taxable Welfare Exemption Property*

The Maximum Special Tax for Undeveloped Property, Taxable Owners Association Property, Taxable Public Property, and Taxable Welfare Exemption Property are provided in Table 2 below.

Table 2
Maximum Special Tax
Undeveloped Property, Taxable Owners Association Property,
Taxable Public Property, Taxable Welfare Exemption Property

Tax Zone	Maximum Special Tax Fiscal Year 2023-24 *
Tax Zone 1	\$23,728 per Acre
Tax Zone 2	\$26,587 per Acre
Tax Zone 3	\$22,846 per Acre
Tax Zone 4	\$26,347 per Acre
Tax Zone 5	\$28,678 per Acre

* On July 1, 2024, and on each July 1 thereafter, all figures shown in Table 2 above shall be increased by an amount equal to 2.0% of the amount in effect for the prior Fiscal Year.

D. CHANGES TO THE MAXIMUM SPECIAL TAX**1. *Land Use Changes***

The Expected Maximum Special Tax Revenues shown in Attachment 2 were originally calculated based on the Expected Land Uses at CFD Formation. Attachment 2 is subject to modification upon the occurrence of Land Use Changes, as described below. The Administrator shall review all Land Use Changes and compare the revised land uses to the Expected Land Uses to evaluate the impact on the Expected Maximum Special Tax Revenues.

Prior to the First Bond Sale, if a Land Use Change is proposed or identified that will result in a change in the Expected Maximum Special Tax Revenues, no action will be needed pursuant to this Section D. Upon approval of the Land Use Change, the Administrator shall update Attachment 2 to show the revised Expected Maximum Special Tax Revenues.

After the First Bond Sale, if a Land Use Change is proposed or identified, Steps 1 through 3 must be applied:

- Step 1:** By reference to Attachment 2 (which shall be updated by the Administrator each time a Land Use Change has been processed according to this Section D or a prepayment has been made), the Administrator shall identify the Expected Maximum Special Tax Revenues prior to the Land Use Change.
- Step 2:** The Administrator shall calculate the Expected Maximum Special Tax Revenues that could be collected from Taxable Property in Improvement Area No. 1 after the Land Use Change based on application of the Base Special Taxes from Table 1.
- Step 3:** If the revenues calculated in Step 2 are (i) higher than those determined in Step 1 or (ii) less than those calculated in Step 1, but the reduction in Expected Maximum Special Tax Revenues does not reduce debt service coverage on outstanding Bonds below Required Coverage, no further action is needed, and the Administrator shall update Attachment 2 to show the revised Expected Maximum Special Tax Revenues.

If the revenues calculated in Step 2 are less than those calculated in Step 1, and the Administrator determines that the reduction in Expected Maximum Special Tax Revenues would reduce debt service coverage on outstanding Bonds below the Required Coverage, one of the following shall occur:

3.a. The landowner requesting the Land Use Change (the “Requesting Landowner”) may make a prepayment in an amount that will ensure that the reduced Expected Maximum Special Tax Revenues are sufficient to provide Required Coverage, as determined pursuant to Section H below. If the Requesting Landowner notifies the Administrator that he/she would like to remedy the reduction by making a prepayment, such prepayment must be made by the earlier of (i) 30 days from the date of delivery of the prepayment estimate or (ii) the date of issuance of any Building Permits for any Parcel owned by the

Requesting Landowner that was Final Map Property or Undeveloped Property at the time the Administrator prepared the prepayment estimate, **or**

3.b. If a prepayment is not received by the due date specified above, the Base Special Tax used to determine the Maximum Special Tax for each Parcel of Taxable Property in the area affected by the Land Use Change shall be increased proportionately until the Expected Maximum Special Tax Revenues are sufficient to maintain Required Coverage.

Pursuant to this Section D.3, the Administrator may from time to time update Attachment 2 to reflect revised Expected Maximum Special Tax Revenues. Such update shall be maintained internally by the Administrator and shall not require recordation of an amended RMA.

If multiple Land Use Changes are proposed simultaneously by a single landowner (which may include approval of multiple Final Maps at one time), and the landowner requests that the impact of two or more of the Land Use Changes be considered together, the Administrator shall consider the combined effect of the Land Use Changes to determine if there is a reduction in Expected Maximum Special Tax Revenues. If there is a reduction that would reduce debt service coverage below the Required Coverage, and no prepayment has been received, then the Base Special Tax used to determine the Maximum Special Tax for each Parcel of Taxable Property in the areas affected by the Land Use Changes shall be increased proportionately until the aggregate amount that can be levied within such areas is equal to the amount that could have been levied prior to the proposed Land Use Changes. If Land Use Changes are proposed simultaneously by multiple landowners, or if an individual landowner proposing multiple Land Use Changes does not request that such Land Use Changes be considered together, the Administrator shall consider the proposed Land Use Changes individually.

Notwithstanding the foregoing, once a certificate of occupancy has been issued for a Residential Unit on a Parcel, the Maximum Special Tax for the Parcel cannot be increased because of subsequent Land Use Changes that may occur within the area in which the Parcel is located.

The duties imposed on the Administrator pursuant to this Section D to review Land Use Changes, and to review Final Maps and make certain calculations, are intended only to facilitate the administration of the Special Tax and to better assure the sufficiency of tax capacity to pay debt service on Bonds. Such duties are not intended to give any developer, subdivider, or owner of property the right to receive notice of the potential impact of Land Use Changes on the Special Tax applicable to a Parcel; and each developer, subdivider, or owner of property whose property is the subject of a Land Use Change shall be responsible for understanding the impact thereof on the Special Tax applicable to such property.

2. Partial Prepayments

If a Parcel makes a partial prepayment pursuant to Section H below, the Administrator shall recalculate the Maximum Special Tax for the Parcel pursuant to Section H.2. In addition, the Administrator shall update Attachment 2 to reflect the prepayment and the revised Expected Maximum Special Tax Revenues for Improvement Area No. 1. After the prepayment has been received, the application of Sections D and H of this RMA shall be based on the adjusted Expected Maximum Special Tax Revenues after the prepayment.

3. *Conversion of a Parcel of Public Property to Private Use*

If, in any Fiscal Year, a Parcel of Public Property is converted to private use, such Parcel shall be subject to the levy of the Special Tax. The Maximum Special Tax for each such Parcel shall be determined based on the applicable Base Special Tax for the Parcel, as determined by the Administrator. In addition, the Administrator shall update Attachment 2 to reflect the conversion and the revised Expected Maximum Special Tax Revenues for Improvement Area No. 1.

4. *Reduction in Maximum Special Tax*

The Base Special Tax for Residential Units set forth in Table 1 may be reduced prior to the First Bond Sale. Such a reduction shall be made without a vote of the qualified CFD electors if the Master Developer requests a reduction in the Base Special Tax. Any such reduction shall occur at least 30 days prior to the First Bond Sale. Such reductions to the Base Special Tax need not be proportionate among the Tax Zones and/or Land Use Categories.

E. METHOD OF LEVY OF THE SPECIAL TAX

Each Fiscal Year, the Administrator shall determine the Special Tax Requirement to be collected in that Fiscal Year. A Special Tax shall then be levied according to the following steps:

- Step 1:** The Special Tax shall be levied Proportionately on each Parcel of Developed Property up to 100% of the Maximum Special Tax for each Parcel of Developed Property until the amount levied is equal to the Special Tax Requirement prior to applying any Capitalized Interest that is available in the CFD accounts.
- Step 2:** If additional revenue is needed after Step 1 in order to meet the Special Tax Requirement after Capitalized Interest has been applied to reduce the Special Tax Requirement, the Special Tax shall be levied Proportionately on each Parcel of Final Map Property up to 100% of the Maximum Special Tax for each Parcel of Final Map Property until the amount levied is equal to the Special Tax Requirement.
- Step 3:** If additional revenue is needed after Step 2, the Special Tax shall be levied Proportionately on each Parcel of Undeveloped Property up to 100% of the Maximum Special Tax for each Parcel of Undeveloped Property until the amount levied is equal to the Special Tax Requirement.
- Step 4:** If additional revenue is needed after Step 3, the Special Tax shall be levied Proportionately on each Parcel of Taxable Welfare Exemption Property, up to 100% of the Maximum Special Tax for each Parcel of Taxable Welfare Exemption Property for such Fiscal Year until the amount levied is equal to the Special Tax Requirement.
- Step 5:** If additional revenue is needed after Step 4, the Special Tax shall be levied Proportionately on each Parcel of Taxable Owners Association Property, up to 100% of the Maximum Special Tax for each Parcel of Taxable Owners Association Property until the amount levied is equal to the Special Tax Requirement.

- Step 6:** If additional revenue is needed after Step 5, the Special Tax shall be levied Proportionately on each Parcel of Taxable Public Property, up to 100% of the Maximum Special Tax for each Parcel of Taxable Public Property until the amount levied is equal to the Special Tax Requirement.

F. MANNER OF COLLECTION OF SPECIAL TAX

The Special Tax shall be collected in the same manner and at the same time as ordinary ad valorem property taxes, provided, however, that prepayments are permitted as set forth in Section H below and provided further that the City may directly bill the Special Tax, may collect Special Taxes at a different time or in a different manner, and may collect delinquent Special Taxes through foreclosure or other available methods.

The Special Tax shall be levied and collected until principal and interest on Bonds have been repaid. However, in no event shall Special Taxes be levied after Fiscal Year 2063-64. Under no circumstances may the Special Tax on a Parcel of Developed Property in residential use be increased in any Fiscal Year as a consequence of delinquency or default in payment of the Special Tax levied on another Parcel or Parcels by more than ten percent (10%) above the amount that would have been levied in that Fiscal Year had there never been any such delinquencies or defaults.

G. EXEMPTIONS

Notwithstanding any other provision of this RMA, no Special Tax shall be levied in any Fiscal Year on the following:

- (1) Public Property, except Taxable Public Property.
- (2) Owners Association Property, except Taxable Owners Association Property.
- (3) Welfare Exemption Property, except Taxable Welfare Exemption Property.
- (4) Parcels that are owned by a public utility for an unmanned facility.
- (5) Parcels that are subject to an easement that precludes any other use on the Parcel.
- (6) Parcels that have fully prepaid the Special Tax obligation assigned to the Parcel pursuant to the formula set forth in Section H below.

H. PREPAYMENTS

The following definitions apply to this Section H:

“Outstanding Bonds” means all Previously Issued Bonds which remain outstanding, with the following exception: if a Special Tax has been levied against, or already paid by, an Assessor’s Parcel making a prepayment, and a portion of the Special Tax will be used to pay a portion of the next principal payment on the Bonds that remain outstanding (as

determined by the Administrator), that next principal payment shall be subtracted from the total Bond principal that remains outstanding, and the difference shall be used as the amount of Outstanding Bonds for purposes of this prepayment formula.

“Previously Issued Bonds” means all Bonds that have been issued prior to the date of prepayment.

“Public Facilities Requirement” means either \$8.3 million in 2023 dollars, which shall increase on January 1, 2024, and on each January 1 thereafter by 2% of the amount in effect in the prior year or such other number as shall be determined by the City as sufficient to fund improvements that are authorized to be funded by Improvement Area No. 1. The Public Facilities Requirement shown above may be adjusted each time property annexes into Improvement Area No. 1 or there is an adjustment to the Expected Maximum Special Tax Revenues due to a Land Use Change.

“Remaining Facilities Costs” means the Public Facilities Requirement minus public facility costs funded by Previously Issued Bonds, developer equity and any other source of funding.

1. Full Prepayment

The Special Tax obligation applicable to a Parcel in Improvement Area No. 1 may be prepaid and the obligation of the Parcel to pay the Special Tax permanently satisfied as described herein, provided that a prepayment may be made only if there are no delinquent Special Taxes with respect to such Parcel at the time of prepayment. An owner of a Parcel intending to prepay the Special Tax obligation shall provide the City with written notice of intent to prepay. Within 30 days of receipt of such written notice, the City or its designee shall notify such owner of the prepayment amount for such Parcel. Prepayment must be made not less than 75 days prior to any redemption date for Bonds to be redeemed with the proceeds of such prepaid Special Taxes. The Prepayment Amount shall be calculated as follows: (capitalized terms as defined below):

	Bond Redemption Amount
plus	Remaining Facilities Amount
plus	Redemption Premium
plus	Defeasance Requirement
plus	Administrative Fees and Expenses
less	<u>Reserve Fund Credit</u>
equals	Prepayment Amount

As of the proposed date of prepayment, the Prepayment Amount shall be determined by application of the following steps:

- Step 1.** Compute the amount that could be collected from the Parcel prepaying the Special Tax in the Fiscal Year in which prepayment would be received by the City by applying the Base Special Tax to the Expected Land Uses for the Parcel. If this Section H is being applied to calculate a prepayment pursuant to Section D above, compute the amount by which the proposed Land Use Change would reduce Expected Maximum Special Tax Revenues

below the amount needed for Required Coverage, and use this amount for purposes of this Step 1.

- Step 2.** Divide the Maximum Special Tax computed pursuant to Step 1 for such Parcel by the total Expected Maximum Special Tax Revenues for all property in Improvement Area No. 1, as shown in Attachment 2.
- Step 3.** Multiply the quotient computed pursuant to Step 2 by the Outstanding Bonds to compute the amount of Outstanding Bonds to be retired and prepaid (*the “Bond Redemption Amount”*).
- Step 4.** Compute the current Remaining Facilities Costs (if any).
- Step 5.** Multiply the quotient computed pursuant to Step 2 by the amount determined pursuant to Step 4 to compute the amount of Remaining Facilities Costs to be prepaid (*the “Remaining Facilities Amount”*).
- Step 6.** Multiply the Bond Redemption Amount computed pursuant to Step 3 by the applicable redemption premium, if any, on the Outstanding Bonds to be redeemed (*the “Redemption Premium”*).
- Step 7.** Compute the amount needed to pay interest on the Bond Redemption Amount starting with the first Bond interest payment date after which the prepayment will be received and which has not been included in a tax levy until the next earliest redemption date for the Outstanding Bonds. However, if Bonds are callable at the first interest payment date after the prepayment has been received, Steps 7, 8 and 9 of this prepayment formula will not apply.
- Step 8:** Compute the amount of interest the City reasonably expects to derive from reinvestment of the Bond Redemption Amount plus the Redemption Premium from the first Bond interest payment date after which the prepayment has been received and which has not been included in a tax levy until the next earliest redemption date for the Outstanding Bonds.
- Step 9:** Subtract the amount computed pursuant to Step 8 from the amount computed pursuant to Step 7 (*the “Defeasance Requirement”*).
- Step 10.** The administrative fees and expenses associated with the prepayment will be determined by the Administrator and include the costs of computing the prepayment, redeeming Bonds and recording any notices to evidence the prepayment and the redemption (*the “Administrative Fees and Expenses”*).
- Step 11.** If and to the extent so provided in the Indenture, a reserve fund credit shall be calculated as a reduction in the applicable reserve fund for the Outstanding Bonds to be redeemed pursuant to the prepayment (*the “Reserve Fund Credit”*).

Step 12. The Special Tax prepayment is equal to the sum of the amounts computed pursuant to Steps 3, 5, 6, 9, and 10, less the amount computed pursuant to Step 11 (the “*Prepayment Amount*”).

Step 13. From the Prepayment Amount, the amounts computed pursuant to Steps 3, 6, and 9 shall be deposited into the appropriate fund as established under the Indenture and be used to retire Outstanding Bonds or make debt service payments. The amount computed pursuant to Step 5 shall be deposited into the Improvement Fund. The amount computed pursuant to Step 10 shall be retained in the account or fund that is established to pay Administrative Expenses.

Once a full prepayment of a Parcel’s Special Tax obligation has been received, a Notice of Cancellation of Special Tax Lien shall be recorded against the Parcel to reflect the discharge of the Parcel’s obligation to pay the Special Tax. However, a Notice of Cancellation of Special Tax Lien shall not be recorded until all Special Taxes levied on the Parcel in the current or prior Fiscal Years have been collected.

2. *Partial Prepayment*

A partial prepayment may be made in an amount equal to any percentage of full prepayment desired by the party making a partial prepayment, except that the full amount of Administrative Fees and Expenses determined in Step 10 shall be included in the partial prepayment. The Maximum Special Tax that can be levied on a Parcel after a partial prepayment is made shall be equal to the portion of the Maximum Special Tax that was not prepaid. Once a partial prepayment has been received, an Amended Notice of Special Tax Lien shall be recorded against the Parcel to reflect the reduced Special Tax lien for the Parcel, and the Administrator shall update Attachment 2 to show the revised Expected Maximum Special Tax Revenues. However, an Amended Notice of Special Tax Lien shall not be recorded until all Special Taxes levied on the Parcel in the current or prior Fiscal Years have been collected.

3. *Maintaining Required Coverage*

Notwithstanding the foregoing, if at any point in time the Administrator determines that the Maximum Special Tax revenue that could be collected from Taxable Property that remains subject to the Special Tax after the proposed prepayment would be less than the Required Coverage on Bonds that will remain outstanding after defeasance or redemption of Bonds from proceeds of the estimated prepayment, the amount of the prepayment shall be increased until the amount of Bonds defeased or redeemed is sufficient to reduce remaining annual debt service to a point at which Required Coverage is maintained.

I. INTERPRETATION OF RMA

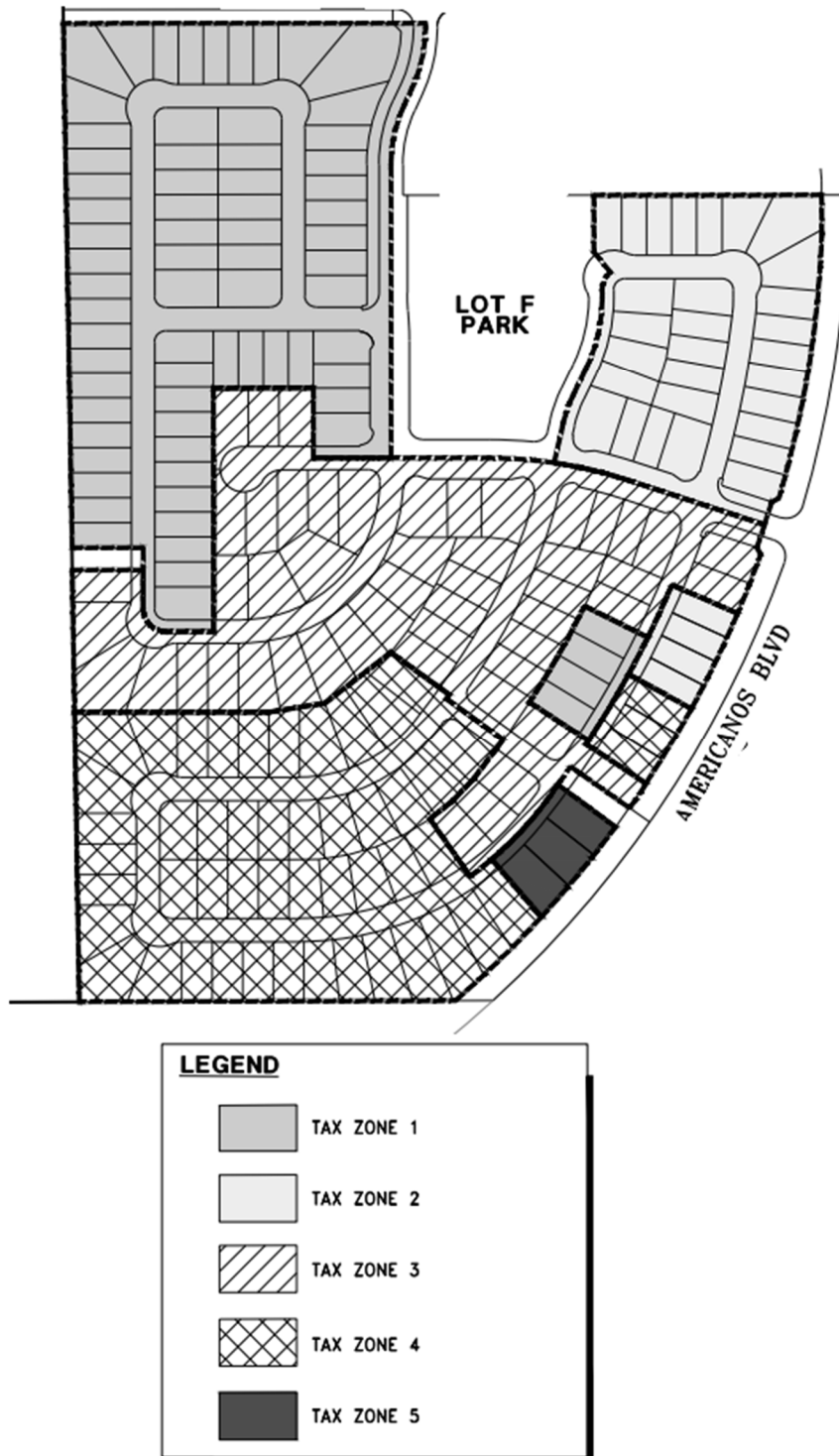
Interpretations may be made by Resolution of the City Council to interpret, clarify, and/or revise this RMA to correct any inconsistency, vagueness, or ambiguity as it relates to the Special Tax, method of apportionment, classification of properties, or any definition applicable to Improvement Area No. 1 of the CFD, as long as such correction does not materially affect the levy and collection of Special Taxes. The City, upon the request of an owner of land within Improvement Area No. 1

which is not Developed Property, may also amend this RMA in any manner acceptable to the City, by resolution or ordinance following a public hearing, upon the affirmative vote of such owner to such amendment and without the vote of owners of any other land within Improvement Area No. 1, provided such amendment only affects such owner's land. Under no circumstances may such revisions to the RMA decrease the Expected Maximum Special Tax Revenues to a level that will reduce debt service coverage below the Required Coverage.

ATTACHMENT 1

Improvement Area No. 1 of the
City of Rancho Cordova
Grantline 220
Community Facilities District No. 2023-1

Identification of Tax Zones and Expected Lot Layout
in Improvement Area No. 1



ATTACHMENT 2

**Improvement Area No. 1 of the
City of Rancho Cordova
Grantline 220
Community Facilities District No. 2023-1**

Expected Land Uses and Expected Maximum Special Tax Revenues

Tax Zone	Land Use Category	Expected Residential Units/Acreage	Base Special Tax (FY 2023-24) *	Expected Maximum Special Tax Revenues (FY 2023-24) *
Tax Zone 1	Single Family Property Other Property	72 Residential Units 0 Acres	\$2,300 per Residential Unit \$23,728 per Acre	\$165,600 \$0
Tax Zone 2	Single Family Property Other Property	33 Residential Units 0 Acres	\$2,601 per Residential Unit \$26,587 per Acre	\$85,833
Tax Zone 3	Single Family Property Other Property	51 Residential Units 0 Acres	\$2,770 per Residential Unit \$22,846 per Acre	\$141,270
Tax Zone 4	Single Family Property Other Property	50 Residential Units 0 Acres	\$3,171 per Residential Unit \$26,347 per Acre	\$158,550
Tax Zone 5	Single Family Property Other Property	3 Residential Units 0 Acres	\$3,566 per Residential Unit \$28,678 per Acre	\$10,698
Expected Maximum Special Tax Revenues (FY 2023-24 \$)				\$561,951

* On July 1, 2024, and each July 1 thereafter, all dollar amounts shown above shall be increased by two percent (2%) of the amount in effect in the prior Fiscal Year.

MEMORANDUM



ITEM 11.1.

DATE: August 7, 2023

TO: Honorable Mayor and Council Members

FROM: Albert Stricker, Public Works Director
Dalia Fadl, Principal Engineer

SUBJECT: **ORDINANCE ADDING CHAPTER 16.96 FLOODPLAIN MANAGEMENT ORDINANCE; AND AMENDING TITLE 3 REVENUE AND TAXATION, CHAPTER 3.60 PURCHASING SYSTEM, CHAPTER 3.70 INFORMAL BIDDING PROCEDURES; TITLE 6 HEALTH AND SANITATION, CHAPTER 6.20 SOLID WASTE MANAGEMENT, CHAPTER 6.21 BUSINESS AND MULTIFAMILY RECYCLING AND ORGANICS RECYCLING; TITLE 10 VEHICLES AND TRAFFIC; TITLE 12 STREETS AND SIDEWALKS; TITLE 15 WATER AND SEWERS, CHAPTER 15.10 STORM DRAINAGE FEE, CHAPTER 15.12 STORMWATER MANAGEMENT AND DISCHARGE CONTROL; TITLE 16 BUILDINGS AND CONSTRUCTION, CHAPTER 16.44 LAND GRADING AND EROSION CONTROL, CHAPTER 16.84 DEVELOPMENT IMPACT FEES TO FINANCE THE COST OF TRANSPORTATION FACILITIES**

RECOMMENDATION

Waive the first reading and introduce the Ordinance adding Chapter 16.96 and amending Titles 3, 6, 10, 12, 15, 16.

RESULT OF RECOMMENDED ACTION

The Ordinance will come back for a second reading and adoption at the next regular City Council meeting. Approval of the Ordinance would amend Title 3 Revenue and Taxation, Title 6 Health and Sanitation, Title 10 Vehicles and Traffic, Title 12 Streets and Sidewalks, Title 15 Water and Sewer, and Title 16 Building and Construction. The Ordinance would also adopt Chapter 16.96 Floodplain Management Ordinance, which will allow the City to continue participating in the National Flood Insurance Program as required by FEMA and the State Department of Water Resources.

BACKGROUND

Periodically, amendments to the Municipal Code are necessary to provide clarification, to be consistent with customary practice or comply with changes in State and Federal laws and regulations. In the past, various titles of the code have routinely been amended for these reasons.

ANALYSIS

Attachment 4 includes all draft amendments, shown in track changes. Draft amendments are shown with track changes, with new draft language underlined and language proposed for removal with strikethroughs. Only those chapters and/or sections with proposed changes are included in the attached documents as excerpts from the Rancho Cordova Municipal Code. A summary of the changes is provided below. As a note, Attachment 2 includes all the amendments in a non-track change format. This is provided as an exhibit to the Ordinance. Attachment 3 is the new Floodplain Management Ordinance (Chapter 16.96) required by FEMA to keep the City in compliance with the requirements of the National Flood Insurance Program.

Title 3 Revenues and Taxation

Chapter 3.60 Purchasing System

Currently the limitation for the purchasing agent (\$100,000) is called out at the beginning of the chapter under 3.60.030(A). In the proposed amendment, subsequent sections addressing purchasing authority within the chapter are referenced to 3.60.030(A) rather than restating the amount.

Chapter 3.70 Informal Bidding Procedures

The City's Informal Bidding Procedures detail informal bidding thresholds for public projects. The updates would clarify and revise language in Chapter 3.70 to align with the latest revisions to the state's informal bidding thresholds.

Title 6 Health and Sanitation

Chapter 6.20 Solid Waste Management

The purpose of this chapter is to provide for the uniform regulation of residential and commercial solid waste collection, removal, and transportation within the geographical area of the city. The revisions would update Chapter 6.20 to align with the requirements of the Statewide mandatory Organic Recycling Program (SB 1383).

Chapter 6.21 Business and Multifamily Recycling and Organics Recycling

The purpose of this chapter is to provide a mechanism to require the implementation of recycling programs and organics recycling programs for covered generators within the city. The revisions would update multiple sections of Chapter 6.21 to align with the requirements of the Statewide mandatory Organic Recycling Program (SB 1383).

Title 10 Vehicles and Traffic

The current language in this chapter sets forth various procedures and standards related to traffic, pedestrian and bike traffic, and speed limits within the city. The revisions would clarify and update language in Title 10. In addition, the list of one-way streets (Section 10.44) is not needed and has been deleted as part of this update.

Title 12 Streets and Sidewalks

The current language in this chapter sets forth various procedures and standards related to street and sidewalk improvements within the city. The revisions would clarify and update language in Title 12.

Title 15 Water and Sewers

Chapter 15.10 Storm Drainage Fee

The current language in this chapter sets forth the provisions and standards for the establishment and administration of fees related to the operation and maintenance of the city's storm drainage system. The revisions would update Chapter 15.10 to replace references to the County of Sacramento, with the City of Rancho Cordova as the lead agency for operating and maintaining the city's storm drainage system.

Chapter 15.12 Stormwater Management and Discharge Control

The current language in this chapter sets forth the provisions for compliance with the city's Municipal Stormwater Permit within the city. The revisions would update Chapter 15.12 to align with the requirements of the latest Municipal Stormwater Permit and the Federal Clean Water Act regulations, as required by the State of CA.

Title 16 Buildings and Construction

Chapter 16.44 Land Grading and Erosion Control

The current language in this chapter sets forth the provisions and standards for compliance with the grading and erosion and sediment control requirements within the city. The revisions would update Chapter 16.44 to clarify language and increase the fine for repeat offenders. The proposed fine is \$100 per day for first violation, and \$500 per day for second or subsequent violations.

Chapter 16.84 Development Impact Fees to Finance the Cost of Transportation Facilities

The current language in this chapter sets forth the provisions and standards for the establishment and administration of the Transportation Impact Fee within the city. The revisions would update Chapter 16.84 to reference the latest nexus study and update fee categories.

Chapter 16.96 Floodplain Management (New Chapter)

A floodplain management ordinance is a set of regulations and guidelines implemented to mitigate the impact of flooding by restricting certain activities and requiring mitigation measures in flood-prone areas, aiming to protect public safety and reduce damage during flood events. If development within a floodplain is permitted, the ordinance requires mitigation such as technical studies, demonstration of no-net loss in flood storage, and minimum floor elevations. The proposed floodplain ordinance only applies if a project is approved to be built in the floodplain.

The City of Rancho Cordova currently implements the Sacramento County Floodplain Management Ordinance. In a recent audit by the California Department of Water Resources, the state required that the city adopt its own ordinance to comply with State and Federal guidelines, and to continue to participate in the National Flood Insurance Program, which provides flood insurance within Federal Emergency Management Agency (FEMA) mapped floodplains.

Adoption of this chapter will replace the City's reliance on the County of Sacramento's Floodplain Ordinances and allow the City to continue participating in the National Flood Insurance Program. The ordinance does not significantly change the city's processes in regulating floodplains and will not alter the current city review and approval processes for development in the floodplain. The proposed ordinance uses the latest language from California Department of Water Resources and FEMA.

Implementation of the floodplain ordinance will apply to all flood-prone areas in the city, including FEMA floodplain areas. The majority of the FEMA floodplain areas within the City lie along the American River. The current effective FEMA base flood elevations in that area do not reflect good work done by the US Army Corps of Engineers in adding a spillway to Folsom Dam which significantly reduces high flows on the American River. Sacramento Area Flood Control Agency (SAFCA) submitted revised modeling information to FEMA requesting the adjustment of the base flood elevation to account for changes in operations at the Folsom Dam, and downstream levee certification efforts in the City and County of Sacramento. Once approved, the revised FEMA maps will show a reduction in the base flood elevation for floodplain areas within FEMA flood zones in the City. The approved, but not yet mapped American River base flood elevation will be several feet lower than what is currently mapped. It is anticipated that the FEMA maps will not reflect the revised flood elevations for a number of years. The City, as a co-applicant in this effort, is receiving periodic updates from FEMA.

The addition of the proposed floodplain management ordinance (chapter 16.96) will meet General Plan Policy S.2.1.2, which requires the city to participate in the National Flood Insurance Program by updating the floodplain management ordinance as necessary to help reduce future flood damage.

The proposed floodplain management ordinance does not supersede more restrictive General Plan policies. The ordinance specifically states in section 16.96.010-9 that "these regulations are not intended to repeal, abrogate or impair any existing ordinances including land development regulations, subdivision regulations, zoning ordinances, general plan policies, stormwater management regulations, or building codes, nor any existing easements, covenants, or deed restrictions. In the event of an overlap or conflict between these regulations and any other ordinance, code, regulation, easement, covenant, or deed restriction, the more restrictive shall govern". This would include, without limitations, other provisions of the General Plan that address development in the floodplain, such as Policy S.2.2 that discusses discouraging and precluding development in the floodplain, unless otherwise approved by the city's floodplain administrator based on site-specific mitigation. General Plan Policy S.2.2, and the subsequent action items are listed below for reference:

- *Policy S.2.2 - Manage the risk of flooding by discouraging new development located in an area that is likely to flood.*
 - *Action S.2.2.1 - Disapprove new projects that would result in new or increased flooding impacts on adjoining parcels or upstream and downstream areas, unless it can be shown that the existing drainage facilities are being improved to mitigate such impacts.*
 - *Action S.2.2.2 - Preclude development within the 100-year floodplain, as determined by the most recent floodplain mapping available from the Federal Emergency Management Agency (FEMA) or other acceptable source, unless otherwise approved by the City floodplain administrator based on site-specific mitigation.*
 - *Action S.2.2.3 - On flood-prone parcels, locate development on portions of the site that are not subject to flooding, consistent with other policies of this General Plan or provide an approved grading plan showing no-net-loss of floodplain storage.*
 - *Action S.2.2.4 - Require every residential lot to have buildable area sufficient to accommodate a residence and associated structures outside the 100-year and 200- year floodplain. Discourage the use of fill to create buildable area within the*

100- year floodplain, except in extreme circumstances consistent with all other applicable policies and regulations, and after review to determine potential impacts on wildlife, habitat, and flooding on other parcels.

- *Action S.2.2.5 - Require vehicular access to the buildable area of all parcels to be at or above the ten-year floodplain elevation.*
- *Action S.2.2.6 - Preclude the creation of lots whose access will be inundated by flows resulting from a ten-year or greater storm event. Bridges or similar structures may be used to provide access over creeks or inundated areas, subject to applicable local, state, and federal regulations.*
- *Action S.2.2.7 - Discourage additional crossings of natural creeks in order to reduce potential flooding and access problems, except as needed to provide roadway and trail connections and preserve natural resource areas.*
- *Action S.2.2.8 – Regulate new and modified bridge structures that will cause an increase in water surface elevations of the 100-year floodplain and 200-year floodplains.*

Per FEMA, consequences of not adopting the new floodplain management ordinance include:

1. No resident will be able to purchase a flood insurance policy.
2. Existing flood insurance policies will not be renewed.
3. No Federal grants or loans for development may be made in identified flood hazard areas under programs administered by Federal agencies such as HUD, EPA, and SBA.
4. No Federal disaster assistance may be provided to repair insurable buildings located in identified flood hazard areas for damage caused by a flood.
5. No Federal mortgage insurance or loan guarantees may be provided in identified flood hazard areas.

ENVIRONMENTAL ANALYSIS

CEQA requires analysis of agency approvals of discretionary “projects.” A “project,” under CEQA, is defined as “the whole of an action, which has a potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment.” (CEQA Guidelines, § 15378.) As reflected in State CEQA Guideline 15061 (b) (3), an activity is not subject to CEQA, “where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment...” The proposed amendments are not a “project” within the meaning of CEQA because the amendments seek to further regulate or clarify uses that are already present in the City or provide consistency with State law and no significant expansion of these activities can reasonably be anticipated to occur. Because no expansion of uses or activities is reasonably anticipated, no possibility exists that the ordinance will result in a significant effect on the environment. Thus, the proposed ordinance is not subject to the requirements of CEQA. However, in the event that adoption of the ordinance is considered a CEQA project, it would nonetheless qualify for categorical exemptions as set forth below.

CEQA Guidelines Section 15061(b)(3) states that a project is exempt from CEQA “where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment.” The approval of the code amendments set forth in the proposed ordinance does not approve any physical development and it would not result in a direct or indirect physical changes in the environment. Any specific development projects that may result from these changes will be subject to environmental review. The proposed

amendments are consistent with the City's General Plan. For these reasons, the proposed amendments would not have the potential to result in individually or cumulatively significant effects on the environment and these Municipal Code amendments are exempt from review under CEQA and no further environmental review is necessary.

FISCAL IMPACT AND FUNDING SOURCE

There is no Fiscal Impact to the City's General Fund.

ATTACHMENT(S)

1. Ordinance Amending Titles 3, 6, 10, 12, 15, and 16 of the Rancho Cordova Municipal Code
2. Exhibit A to the Ordinance - Revised Titles 3, 6, 10, 12, 15, and 16 of the Rancho Cordova Municipal Code
3. Exhibit B to the Ordinance - Floodplain Management Ordinance
4. Track Changes
5. Public Works Code Updates Presentation

CITY OF RANCHO CORDOVA

ORDINANCE NO. XX-2023

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RANCHO CORDOVA, STATE OF CALIFORNIA, ADDING CHAPTER 16.96 FLOODPLAIN MANAGEMENT ORDINANCE; AMENDING TITLE 3 REVENUE AND TAXATION, CHAPTER 3.60 PURCHASING SYSTEM, CHAPTER 3.70 INFORMAL BIDDING PROCEDURES; TITLE 6 HEALTH AND SANITATION, CHAPTER 6.20 SOLID WASTE MANAGEMENT, CHAPTER 6.21 BUSINESS AND MULTIFAMILY RECYCLING AND ORGANICS RECYCLING; TITLE 10 VEHICLES AND TRAFFIC; TITLE 12 STREETS AND SIDEWALKS; TITLE 15 WATER AND SEWERS, CHAPTER 15.10 STORM DRAINAGE FEE, CHAPTER 15.12 STORMWATER MANAGEMENT AND DISCHARGE CONTROL; TITLE 16 BUILDINGS AND CONSTRUCTION, CHAPTER 16.44 LAND GRADING AND EROSION CONTROL, CHAPTER 16.84 DEVELOPMENT IMPACT FEES TO FINANCE THE COST OF TRANSPORTATION FACILITIES

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

Section 1. Purpose and Declarations.

WHEREAS, the Legislature of the State of California has, in Government Code Sections 65302, 65560, and 65800, conferred upon local governments the authority to adopt regulations designed to promote the public health, safety, and general welfare of its citizenry; and

WHEREAS, the Federal Emergency Management Agency has identified special flood hazard areas within the boundaries of **the City of Rancho Cordova** and such areas may be subject to periodic inundation which may result in loss of life and property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief, and impairment of the tax base, all of which adversely affect the public health, safety and general welfare; and

WHEREAS, the **City of Rancho Cordova** was accepted for participation in the National Flood Insurance Program on 09/15/2004 and the **City Council** desires to continue to meet the requirements of Title 44 Code of Federal Regulations, Parts 59 and 60, necessary for such participation; and

WHEREAS, pursuant to the California Health and Safety Code, Division 13, Part 1.5 and Part 2.5, the City of Rancho Cordova is required to administer and enforce the *California Building Standards Code*, and such building codes contain certain provisions that apply to the design and construction of buildings and structures in flood hazard areas; and

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

WHEREAS, Chapter 3.60 Purchasing System of the Municipal Code, sets forth the City's purchasing system requirements. The Ordinance would revise multiple sections of

Chapter 3.60. Currently the limitation for the purchasing agent is called out earlier in the chapter under 3.60.030(A). In the proposed amendment, subsequent sections addressing purchasing authority within the chapter are referenced to 3.60.030(A) rather than restating the amount. That will facilitate more efficient updates in the future if the purchasing limit amount is revised; and

WHEREAS, Chapter 3.70 Informal Bidding Procedures of the Municipal Code, sets forth the informal bidding procedures for public projects in the City. The Ordinance would revise language in multiple sections of Chapter 3.70 to align with the latest revisions to the Uniform Public Construction Cost Accounting Act's informal bidding thresholds; and

WHEREAS, Chapter 6.20 Solid Waste Management of the Municipal Code, sets forth residential and commercial solid waste requirements within the City. The Ordinance would revise multiple sections of Chapter 6.20 to align with the requirements of the Statewide mandatory Organic Recycling Program (SB 1383); and

WHEREAS, Chapter 6.21 Business and Multifamily Recycling and Organics Recycling of the Municipal Code, sets forth a mechanism to require the implementation of recycling programs and organics recycling programs for covered generators within the City. The Ordinance would revise multiple sections of Chapter 6.21 to align with the requirements of the Statewide mandatory Organic Recycling Program (SB 1383); and

WHEREAS, Title 10 Vehicles and Traffic of the Municipal Code, sets forth various procedures and standards related to traffic, pedestrian and bike mobility, and speed limits within the City. The Ordinance would clarify and update language in Title 10. In addition, the list of one-way streets (Section 10.44) is not needed and has been deleted as part of this update; and

WHEREAS, Title 12 Streets and Sidewalks of the Municipal Code, sets forth various procedures and standards related to street and sidewalk improvements within the City. The Ordinance would clarify and update language in Title 12; and

WHEREAS, Chapter 15.10 Storm Drainage Fee of the Municipal Code, sets forth the provisions and standards for establishment and administration of fees related to operation and maintenance of the City's storm drainage system. The Ordinance would revise multiple sections of Chapter 15.10 to replace references to the County of Sacramento, with the City of Rancho Cordova as the lead agency for operating and maintaining the City's storm drainage system; and

WHEREAS, Chapter 15.12 Stormwater Management and Discharge Control of the Municipal Code, sets forth the provisions for compliance with the City's Municipal Stormwater Permit within the City. The Ordinance would revise multiple sections of Chapter 15.12 to align with the requirements of the latest Municipal Stormwater Permit and Clean Water Act regulations, as required by the State of CA; and

WHEREAS, Chapter 16.44 Land Grading and Erosion Control of the Municipal Code, sets forth the provisions and standards for compliance with the grading and erosion and sediment control requirements within the City. The Ordinance would revise multiple sections of Chapter 16.44 to clarify language, emphasize compliance with the County of Sacramento Improvement Standards and Construction Specifications, increase the fine for

repeat offenders. The proposed fine is \$100 per day for first violation, and \$500 per day for second or subsequent violations; and

WHEREAS, Chapter 16.84 Development Impact Fees to Finance the Cost of Transportation Facilities of the Municipal Code, sets forth the provisions and standards for establishment and administration of the Transportation Impact Fee within the City. The Ordinance would revise multiple sections of Chapter 16.84 to reference the latest nexus study and update fee categories; and

WHEREAS, on August 7, 2023, the City Council held a properly noticed public hearing for this Ordinance and considered all oral and written testimony.

Section 2: Findings. This Ordinance is adopted pursuant to the following findings:

- A. CEQA Compliance.** CEQA requires analysis of agency approvals of discretionary “projects.” A “project,” under CEQA, is defined as “the whole of an action, which has a potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment.” (CEQA Guidelines, § 15378.) As reflected in State CEQA Guideline 15061 (b) (3), an activity is not subject to CEQA, “[w]here it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment...” The proposed amendments are not a “project” within the meaning of CEQA because the amendments seek to provide clarification of uses, standards and/or enforcement procedures, address inconsistencies between definitions, delete text that is no longer necessary. Because no expansion of uses or activities is reasonably anticipated, no possibility exists that the ordinance will result in a significant effect on the environment. Thus, the proposed ordinance is not subject to the requirements of CEQA. However, in the event that adoption of the ordinance is considered a CEQA project, it would nonetheless qualify for categorical exemptions as set forth below.

CEQA Guidelines Section 15061(b)(3) states that a project is exempt from CEQA “where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment.” The approval of the code amendments set forth in the proposed ordinance does not approve any physical development and it would not result in a direct or indirect physical changes in the environment. Any specific development projects that may result from these changes will be subject to environmental review. The proposed amendments are consistent with the City’s General Plan. For these reasons, the proposed amendments would not have the potential to result in individually or cumulatively significant effects on the environment and these Municipal Code amendments are exempt from review under CEQA and no further environmental review is necessary.

- B. The proposed amendment is consistent with the General Plan.** The attached Municipal Code Amendments (“Amendment”) are consistent with the General Plan. The amendments would provide standards and/or enforcement procedures, address inconsistencies, delete text that is no longer necessary or provide clarifying language for enforcement.
- C. The proposed amendment would not be detrimental to the public interest, health, safety, convenience, or welfare of the City.** The attached amendments would provide standards and/or enforcement procedures, address inconsistencies, delete text that is

no longer necessary, or provide clarifying language for enforcement. None of these proposed amendments will be detrimental to the public interest, health, safety, convenience, or welfare of the City.

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

Section 3. Amendments to Title 3 Revenue and Taxation, Title 6 Health and Sanitation, Title 10 Vehicles and Traffic, Title 12 Streets and Sidewalks , Title 15 Water and Sewer, and Title 16 Building and Construction

The City Council hereby adopts the proposed amendments to Title 3 Revenue and Taxation, Title 6 Health and Sanitation, Title 10 Vehicles and Traffic, Title 12 Streets and Sidewalks , Title 15 Water and Sewer, and Title 16 Building and Construction, as shown and incorporated in **Exhibit A** to this Ordinance.

The City Council adds the following sections to the Rancho Cordova Municipal Code:
CHAPTER 16.96– FLOODPLAIN MANAGEMENT ORDINANCE

The City Council hereby adopts Chapter 16.96 Floodplain Management Ordinance, as shown and incorporated in **Exhibit B** to this Ordinance.

Section 4. Severability

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

Section 5. Effective Date

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

PASSED AND ADOPTED by the City Council of the City of Rancho Cordova on the 7th day of August, 2023 by the following vote:

AYES:

NOES:

ITEM 11.1.

ATTACHMENT 1

ABSENT:

ABSTAIN:

Linda Budge, Mayor

ATTEST:

Stacy Leitner, CMC
City Clerk

ITEM 11.1.

Rancho Cordova Municipal Code
Chapter 3.60 PURCHASING SYSTEM

Chapter 3.60

PURCHASING SYSTEM

Sections:

- 3.60.010 Adoption of purchasing system.
- 3.60.020 Purchasing agent designated.
- 3.60.030 Limitations of purchasing agent.
- 3.60.040 Purchase procedures.
- 3.60.050 Purchase orders.
- 3.60.060 Availability of sufficient funds.
- 3.60.070 Multiyear contracts.
- 3.60.080 Splitting purchase and projects prohibited.
- 3.60.090 Inspection and review.
- 3.60.100 Surplus supplies and equipment.
- 3.60.110 Public projects.
- 3.60.120 Exemptions.

3.60.010 Adoption of purchasing system.

A purchasing system is adopted in order to:

- A. Establish efficient procedures for the purchase of supplies, services and equipment;
- B. Secure supplies, services and equipment at cost commensurate with the level of quality required;
- C. Exercise financial control over purchases; and
- D. Clearly define authority for the purchasing function. [Ord. 9-2012 § 1].

3.60.020 Purchasing agent designated.

The city manager is designated as the city's purchasing agent and shall be responsible for the purchase of all supplies, services and equipment for all departments and divisions of the city. The city manager may delegate all or a portion of the purchasing duties to any city staff member. In accordance with the limitations imposed by RCMC 3.60.030, the purchasing agent shall have the authority to:

- A. Purchase or contract for supplies, services and equipment required by the city in accordance with purchasing procedures outlined in this chapter;
- B. Negotiate and recommend execution of contracts for the purchase of supplies, services and equipment;
- C. Act to procure for the city the necessary quality in supplies, services, and equipment at the lowest cost to the city;
- D. Prepare and recommend to the city council revisions and amendments to the purchasing rules;
- E. Establish and maintain such forms as reasonably necessary to the operation of purchasing guidelines;
- F. Supervise the inspection of all supplies, services, and equipment purchased to ensure conformance with specifications;
- G. Recommend the sale or disposal of all supplies and equipment which cannot be used by the city, or which have become unsuitable for city use;
- H. Maintain records necessary for the efficient acquisition of supplies, equipment and services; and
- I. Award contracts for public projects and approve change orders to contracts for public projects in accordance with the provisions of this chapter. [Ord. 9-2012 § 1].

3.60.030 Limitations of purchasing agent.

A. Unless otherwise directed by the city council, the city manager shall have authority to purchase supplies, services and equipment, and approve and execute payment of all warrants in the amount of \$100,000 or less, on an annual basis; drawn upon the city treasury without presentation to the city council, except as provided for in RCMC 3.60.110 and 3.60.120. The purchase of supplies, services, public contracts, equipment, and payment of warrants in excess of \$100,000, on an annual basis, which have not been authorized pursuant to a specific contract or other instrument previously approved by the city council, shall be presented to the city council for approval.

B. The city manager shall have the authority to extend or renew contracts, previously approved by the city council, for the purchase of supplies, services, and equipment, so long as no other amendments to the terms of the applicable contract are made, without city council approval. [Ord. 1-2014 § 2; Ord. 9-2012 § 1].

3.60.040 Purchase procedures.

A. Except as otherwise provided in RCMC 3.60.110 and 3.60.120, the purchasing agent or designee shall secure favorable pricing for the procurement of supplies, equipment, and nonprofessional services. This shall include obtaining at least three bids based upon identical specifications from different vendors prior to purchasing supplies, equipment and nonprofessional services costing over \$20,000. Bids may be received by informal price checking, in writing, in person, or via the telephone and shall be documented and maintained in a file with the final awarded contract. The competitive bidding procedures as described in Section 20161 et seq. of the Public Contract Code may be utilized when not otherwise required, at the discretion of the purchasing agent or designee. Award shall be made to the vendor offering the lowest acceptable bid. This requirement shall not apply to the purchase of supplies and equipment for which less than three vendors exist.

B. The purchase of professional services, such as architectural, landscape architectural, engineering, environmental, land surveying, legal, financial consultants or construction project management contractors shall be made on the basis of demonstrated competence and on the professional qualifications necessary for the satisfactory performance of the services required.

C. Without complying with the bidding requirements contained in this section, the purchasing agent may participate in, sponsor, conduct or administer a cooperative purchasing agreement for the procurement of any supplies, equipment, and services with one or more public entities in accordance with an agreement entered into between the participants. Such cooperative purchasing may include, but is not limited to, joint or multiparty contracts between public entities and open-ended state public procurement unit contracts which are made available to the city. [Ord. 9-2012 § 1].

3.60.050 Purchase orders.

All purchases requiring a contract shall be documented by a purchase order prepared by the purchasing agent or designee. [Ord. 9-2012 § 1].

3.60.060 Availability of sufficient funds.

No purchase order shall be issued until it has been ascertained that there is to the credit of the department of the city for whose benefit such purchase is to be made a sufficient unappropriated balance in excess of all unpaid obligations to defray the amount of the purchase order. [Ord. 9-2012 § 1].

3.60.070 Multiyear contracts.

A contract for equipment, supplies or services may be entered into for any period of time deemed to be in the best interest of the city; provided, that the term of the contract and renewal provisions are included in the contract. Adequate funds must be available to fulfill the first fiscal year's obligation at the time of contract execution. Appropriations for subsequent years are subject to authorization by the city council. The purchasing agent shall have the authority to enter into multiyear contracts pursuant to this section in amounts not to exceed \$100,000 on an annual basis. [Ord. 9-2012 § 1].

3.60.080 Splitting purchase and projects prohibited.

It shall be unlawful to split or separate into smaller purchases or projects any purchase or project for the purpose of evading the provisions of this chapter or the provisions of the Public Contract Code requiring competitive bidding. [Ord. 9-2012 § 1].

ITEM 11.1.**Exhibit A to the Ordinance**

Rancho Cordova Municipal Code
Chapter 3.60 PURCHASING SYSTEM

Page 3/3

3.60.090 Inspection and review.

The purchasing agent or designee shall require the inspection of supplies and equipment delivered, and contractual services performed, to determine their conformance with the specifications and requirements set forth in the order or contract as applicable. [Ord. 9-2012 § 1].

3.60.100 Surplus supplies and equipment.

At such times as determined by the purchasing agent, reports shall be prepared showing all supplies and equipment which are no longer used or which have become obsolete or worn out. The purchasing agent shall have the authority to sell, trade or exchange all said supplies and equipment. Any such sales shall be in accordance with RCMC 3.60.040(A). [Ord. 9-2012 § 1].

3.60.110 Public projects.

A. The provisions contained in Section 20161 et seq. of the Public Contract Code establish contract procedures that the city is required to follow for public projects, where the expenditure required for the public project exceeds the limit set by Section 20162 of the Public Contract Code. The term “public project” is defined by Section 20161 of the Public Contract Code as the following: (1) a project for the erection, improvement, painting, or repair of public buildings and works; (2) work in or about streams, bays, waterfronts, embankments, or other work for protection against overflow; (3) street or sewer work except maintenance or repair; and (4) furnishing supplies or materials for any such project, including maintenance or repair of streets or sewers. The definition of public project contained in Section 20161 of the Public Contract Code provided above may be amended from time to time by the state Legislature and such amendments shall be incorporated herein.

1. Subsection (A) of this section shall not apply in instances where the city elects to follow the alternative procedures established in Chapter 3.70 RCMC under the Uniform Public Construction Cost Accounting Act.

B. The city manager shall have the authority to award contracts for public projects in the amount specified in RCMC 3.60.030 (A) or less. Contracts for public projects in excess of the current amount specified in RCMC 3.60.030 (A) shall be awarded by the city council.

C. The city manager shall have authority to approve change orders for public project contracts up to a cumulative and final contract amount as specified in RCMC 3.60.030 (A). For contracts over the current maximum amount as specified in RCMC 3.60.030 (A), the city manager shall have authority to approve change orders up to a cumulative total of 10 percent of the latest city council approved contract amount. Change orders which exceed these amounts shall be presented to the city council for approval. [Ord. 24-2016 § 2; Ord. 9-2012 § 1].

3.60.120 Exemptions.

A. Emergencies. The bidding requirements for supplies, services and equipment contained in this chapter may be dispensed with when an emergency exists involving a sudden, unexpected occurrence or discovery of a condition or circumstance that poses a clear and imminent danger requiring immediate action to prevent or mitigate the loss or impairment of life, health, property, or essential public services. In such an emergency the purchasing agent may procure supplies, services and equipment in an amount greater than the current amount specified in RCMC 3.60.030 (A); provided, that any such procurement be reported to the city council at the next city council meeting. The procurement of supplies, services and equipment pursuant to this chapter shall not extend beyond the period of the emergency. Notwithstanding the foregoing, Section 22050 of the Public Contract Code shall apply to expenditures made for public projects in an emergency.

B. Grants. Notwithstanding the foregoing, any contract which is paid with grant monies shall strictly adhere to those purchasing provisions set forth in the applicable grant agreement and pursuant to any applicable state or federal law or regulation. [Ord. 9-2012 § 1].

ITEM 11.1.

Chapter 3.70

INFORMAL BIDDING PROCEDURES

Sections:

[3.70.010 Uniform Public Construction Cost Accounting Act.](#)

[3.70.020 Definitions.](#)

[3.70.030 Methods for bidding – Size of project.](#)

[3.70.040 Informal bidding procedures.](#)

[3.70.050 Award of contract.](#)

3.70.010 Uniform Public Construction Cost Accounting Act.

The City Council elects to become subject to the **Uniform Public Construction Cost Accounting Act**, **Public Contract Code Section 22000** et seq., and to establish informal bidding procedures for **public** projects. [Ord. 24-2016 § 3].

3.70.020 Definitions.

A. “Commission” means the California **Uniform Construction Cost Accounting Commission** under **Public Contract Code Section 22010** et seq.

B. “**Public project**” means a project defined in Section [22002](#) of the **Public Contract Code**, as that section may be amended or renumbered from time to time. Pursuant to Section 22002, “**public project**” means any of the following:

1. Construction, reconstruction, erection, alteration, renovation, improvement, demolition, and repair work involving any **publicly** owned, leased, or operated facility.
2. Painting or repainting of any **publicly** owned, leased, or operated facility.
3. In the case of a **publicly** owned utility system, “**public project**” shall include only the construction, erection, improvement, or repair of dams, reservoirs, power plants, and electrical transmission lines of 230,000 volts and higher.
4. “**Public project**” does not include maintenance work. For purposes of this section, “maintenance work” includes all of the following:
 - a. Routine, recurring, and usual work for the preservation or protection of any **publicly** owned or **publicly** operated facility for its intended purposes.
 - b. Minor repainting.
 - c. Resurfacing of streets and highways at less than one inch.
 - d. Landscape maintenance, including mowing, watering, trimming, pruning, planting, replacement of plants, and servicing of irrigation and sprinkler systems.

ITEM 11.1.

e. Work performed to keep, operate, and maintain **publicly** owned water, power, or waste disposal systems, including, but not limited to, dams, reservoirs, power plants, and electrical transmission lines of 230,000 volts and higher. [Ord. 24-2016 § 3].

3.70.030 Methods for bidding – Size of project.

A. A **public** project up to the greater of \$60,000 or the amount authorized by Article 3, Chapter 2 of Part 3 of Division 2, Section [22032](#)(a) of the Public Contract Code as amended, may be performed by City force account, by negotiated contract, or by purchase order, or the city may elect to follow the informal bidding procedures prescribed in RCMC [3.70.040](#) and California Contract Code Section 22034.

B. A **public** project greater than \$60,000 (or the amount authorized by Article 3, Chapter 2 of Part 3 of Division 2, Section [22032](#)(a) of the Public Contract Code) and less than or equal to the greater of \$200,000 or maximum amount authorized in Article 3, Chapter 2 of Part 3 of Division 2, Section [22032](#)(b) of the Public Contract Code as amended, the City may elect to follow informal bid procedures, as established in RCMC [3.70.040](#) and California Contract Code Section 22034.

C. A **public** project of more than \$200,000 (or otherwise in amounts authorized by Article 3, Chapter 2 of Part 3 of Division 2, Section [22032](#)(c) of the Public Contract Code as amended) shall, except as otherwise provided in this chapter, be let to contract by formal bidding procedure in accordance with all applicable provisions of the California **Public** Contract Code, and RCMC 3.60.110.

D. Emergencies. In compliance with **Public** Contract Code Sections [22035](#) and [22050](#), in cases of emergency when repair or replacements are necessary, the City Council may proceed at once to replace or repair any **public** facility without adopting plans, specifications, strain sheets, or working details, or by giving notice for bids. [Ord. 24-2016 § 3].

3.70.040 Informal bidding procedures.

A. Mailing of Notice. Where a **public** project of \$200,000 (or otherwise in amounts authorized by Article 3, Chapter 2 of Part 3 of Division 2, Section [22032](#)(b) of the Public Contract Code) or less is to be performed, the City Manager or designee shall mail a written notice inviting informal bids to (1) all contractors for the category of work to be bid as shown on the contractors list developed in accordance with subsection (D) of this section and/or (2) all construction trade journals designated by the Commission under **Public** Contract Code Section [22036](#). Additional contractors and construction trade journals may be notified at the discretion of the City Manager or designee.

B. Timing of Notice. All notices shall be mailed not less than 10 calendar days before bids are due.

C. Contents of Notice. The notice inviting bids shall describe the project in general terms, set forth how to obtain more detailed information about the project, state the time and place for submission of bid, and whether any bonds will be required.

D. Qualified Contractors List - Informal Bidding List. The City Manager or designee(s) shall develop and maintain a list of qualified contractors identified according to categories which comply with Section [22034](#) of the **Public** Contract Code and criteria adopted by the Commission.

ITEM 11.1.

E. No Qualified Contractors. If there is no list of qualified contractors for the particular category of work to be performed, the notice inviting bids shall be sent only to the construction trade journals specified by the Commission.

F. If the product or service is proprietary in nature such that it can be obtained only from a certain contractor or contractors, the notice inviting bids may be sent exclusively to such contractor or contractors.

G. It shall be unlawful to split or separate into smaller work orders or projects any project for the purpose of evading the provisions of this chapter requiring work to be done by contract after competitive bidding. [Ord. 24-2016 § 3].

3.70.050 Award of contract.

A. The City Manager shall have the authority to award contracts for **public** projects up to the amount authorized in RCMC 3.60.030 (A). Contracts for **public** projects in excess of the amount authorized in RCMC 3.60.030 (A), shall be awarded by the City Council.

B. If all bids received on a **public** project under this procedure set forth in this section are in excess of \$200,000 (or the current maximum amount authorized by Article 3, Chapter 2 of Part 3 of Division 2, Section [2203](#)4(d) of the Public Contract Code), the City Council may award the contract at \$212,500 (or the current maximum amount authorized by Article 3, Chapter 2 of Part 3 of Division 2, Section [2203](#)4(d) of the Public Contract Code) or less to the lowest responsible bidder if the City Council determines by adopting a resolution by at least four-fifths vote that the City's original **cost** estimate was reasonable. [Ord. 24-2016 § 3].

5376249.1

Chapter 6.20 SOLID WASTE MANAGEMENT

Sections:

- 6.20.010 Purpose and declarations.
- 6.20.020 Definitions.
- 6.20.030 Collection or transportation prohibited.
- 6.20.035 Mandatory service.
- 6.20.040 Public agency exemption.
- 6.20.045 Mandatory service exemption.
- 6.20.050 Franchise requirement.
- 6.20.055 Exempt collection or transportation.
- 6.20.060 City council authority to grant franchise.
- 6.20.070 Franchise terms and conditions.
- 6.20.080 Application for commercial or residential franchise.
- 6.20.090 Commercial franchise application review process.
- 6.20.095 Residential franchise application review process.
- 6.20.100 Appeal upon denial of award.
- 6.20.110 Awarding of franchise.
- 6.20.120 Requirements for franchise effectiveness.
- 6.20.130 Franchise fees.
- 6.20.140 Recycling facility reporting requirements.
- 6.20.150 Restrictions on franchisees.
- 6.20.160 Medical waste.
- 6.20.170 Enforcement.
- 6.20.180 Abatement proceedings.
- 6.20.190 Notices.
- 6.20.200 On-site storage.
- 6.20.210 Solid waste disposal restrictions.
- 6.20.220 Use of containers.
- 6.20.230 Rules and regulations.
- 6.20.240 Vehicle inspection.
- 6.20.250 Vehicle requirements.
- 6.20.260 Covered load requirement.
- 6.20.270 Rights reserved to city.
- 6.20.280 Other franchise provisions.
- 6.20.290 Criminal penalties for violations.
- 6.20.300 Civil penalties for violations.
- 6.20.310 Settlement process.
- 6.20.320 Hearing officer.
- 6.20.330 Appeals.
- 6.20.340 Appeal hearing.

6.20.010 Purpose and declarations.

A. It is hereby declared and determined that the business of collecting and subsequently transporting, transferring, disposing and/or recycling of residential and commercial solid waste generated, kept or accumulated within the incorporated limits of the city of Rancho Cordova affects the health, safety, public welfare and quality of life of the inhabitants of the city. The city further declares that the business of collecting and disposing of residential and commercial solid waste is a public service and should be regulated by the city to ensure reliability and adequacy of service. The use of any public street or public property in connection with such business is of great concern to the city and should be regulated by the city. Therefore, it is the purpose of this chapter to provide such regulation.

The city further declares that residential collection service will be most efficient, and at a lower cost, when collection routes provide door-to-door service uninterrupted by competition in the same area; and that exclusive residential collection services allow for energy conservation in fuel consumed by collection equipment, for the reduction of traffic congestion on roads and streets, and for fewer adverse effects on public streets and rights-of-way due to less truck traffic.

B. It is the further purpose of this chapter to regulate such business in order to ensure its orderly operation and to minimize the adverse effects it may have on the local environment. It is also the purpose of this chapter, aside and apart from regulation, to require compensation for the value of the franchise issued by the city.

C. It is the further purpose of this chapter to provide for the uniform regulation of residential and commercial solid waste collection, removal and transportation within the geographical area of the city.

D. The city hereby elects to have the grant of franchises governed by this chapter, and any ordinances amendatory thereof, and these provisions shall constitute the exclusive procedure applicable to the granting of franchises for the conduct of the business of collecting, transporting or disposing of residential and commercial solid waste. [Ord. 17-2020 § 3 (Exh A)].

6.20.020 Definitions.

Unless the context otherwise requires, the definitions set forth in this section shall govern the interpretation of this chapter.

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

B. "City council" means the city council of the city of Rancho Cordova.

C. "City clerk" means the city clerk of the city of Rancho Cordova.

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

E. "City limits" means the territorial jurisdiction of the city of Rancho Cordova.

F. "Collection" means the act of picking up and removing solid waste or recyclable material at the place of waste generation.

G. "Commercial hauler" means any person who loads, collects, hauls, or transports commercial solid waste for a fee by use of any means, including, but not limited to, a dumpster truck; roll-off truck; a side-load, front-load, or rear-load garbage truck; or a trailer.

H. "Commercial solid waste" means all solid waste, as defined in this chapter, that is generated by and at commercial and industrial sources, multifamily residential property, and construction and demolition activities that is collected by a commercial hauler.

I. "Franchise" or "commercial franchise" means a commercial solid waste and recyclables collection franchise issued under the provisions of this chapter to a commercial hauler within the city.

J. "Franchisee" means a person or entity holding a franchise issued pursuant to this chapter.

"Garbage" means those elements of the Solid Waste stream designated for the "Garbage Container", and excludes hazardous waste, materials designated for the "Organics Container" or "Recycling Container" or materials which have been separated for reuse.

"Garbage Container" has the same meaning as "Gray Container" in 14 CCR Section 18982(a)(28) and shall be used for the purpose of storage and collection of Garbage.

L. "Materials recovery facility" or "MRF" means any facility designed, operated, and legally permitted for the purpose of receiving, sorting, processing, storing, or preparing recyclable materials for sale and which has obtained and maintains a valid permit(s) to accept, process or store recyclable materials. This definition shall apply only within the framework of materials recovery facility services and reporting of this chapter.

M. "Multifamily residential property" means five or more individual living units located on a single parcel of land and any mobile home park located within the city.

Organics Container” has the same meaning as “Green Container” in 14 CCR Section 18982(a)(29) and shall be used for the purpose of storage and collection of Source Separated Organic Waste designated for Compost processing, including Food Waste and landscape and pruning waste accepted in the City’s Organic Waste Collection program, and other organic materials as determined by the City as acceptable for the Organics Container

“Organic Waste” or “Organic Recyclable Material” means Solid Waste containing material originated from living organisms and their metabolic waste products, including but not limited to Food Scraps, food soiled paper, green material, landscape and pruning waste, organic textiles and carpets, lumber, wood, paper products, printing and writing paper, manure, biosolids, digestate, and sludges or as otherwise defined in 14 CCR Section 18982(a)(46). Organic Waste does not include Rigid Compostable Plastic. N. “Person” means an individual, firm, limited liability company, association, partnership, industry, public or private corporation, or any other entity whatsoever.

O. “Police chief” means the chief of police of the city of Rancho Cordova.

P. “Public works director” means the public works director of the city of Rancho Cordova, California.

Q. “Recycling” means the process of collecting, sorting, cleansing, treating and reconstituting materials that would otherwise become solid waste and returning them for use or reuse in the form of raw materials for new, used or reconstituted products which meet the quality standard necessary to be used in the marketplace. “Recycling” does not include transformation as defined in Section 40201 of the Public Resources Code.

R. “Recycling facilities” means those facilities or operations that receive, process, and transfer to market recyclable materials that have been source separated from the solid waste stream.

S. “Recyclable material” or “recyclables” means materials that have been separated from the solid waste stream prior to disposal for the purpose of returning them for use or reuse in the form of raw materials for new, used or reconstituted products which meet the quality standard necessary to be used in the marketplace, and that are not landfilled. Recyclable material or recyclables includes those materials that can be placed in the Recycling Container including but not limited to, glass and plastic bottles, aluminum, tin and steel cans, metals, unsoiled paper products, printing and writing paper, and cardboard, and any other items as determined by the City.

“Recycling Container” has the same meaning as “Blue Container” in 14 CCR Section 18982.2(a)(5) and shall be used for the purpose of storage and collection of source separated Recyclable Materials.

T. “Removal” means the act of taking solid wastes or recyclable materials from the place of generation.

U. “Residential dwelling unit” means an individual living unit in a single-family dwelling, condominium, townhouse, mobile home, duplex (two units), triplex (three units), fourplex (four units) or building of four or less total individual living units intended for, or capable of being utilized for, residential living other than a hotel or motel.

V. “Residential hauler” means any person who loads, collects, hauls, or transports residential solid waste for a fee by use of any means, including, but not limited to, a dumpster truck; roll-off truck; a side-load, front-load, or rear-load garbage truck; or a trailer.

W. “Residential solid waste” means all solid waste, as defined in this chapter, that is generated by and at a residential dwelling unit.

X. “Residential franchise” means a residential solid waste collection franchise issued under the provisions of this chapter to a residential hauler within the city.

Y. “Solid waste” means all putrescible and nonputrescible solid, semisolid, and liquid wastes, including garbage, trash, refuse, paper, rubbish, ashes, industrial wastes, construction and demolition debris, discarded home and industrial appliances, dewatered, treated or chemically fixed sewage sludge which is not hazardous waste, manure, vegetable or animal solid and semi-solid wastes, and other discarded solid and semi-solid wastes. “Solid waste” does not include hazardous waste or low-level radioactive waste regulated under Chapter 7.6 (commencing with Section

25800) of Division 20 of the Health and Safety Code, or medical waste. “Solid waste” includes recyclable materials set out for separate collection for the purposes of recycling, and that are not landfilled.

Z. “Source separate” or “source separated” means the process of removing recyclable materials from solid waste for the purpose of recycling.

AA. “Treated medical waste” means medical waste as defined in subsection (a) of Section 25023.5 of the Health and Safety Code.

BB. “Construction and demolition debris” means used or discarded materials resulting from construction, renovation, remodeling, repair or demolition operations on any pavement, house, commercial building, or other structure and such other materials as may be removed during the normal cleanup process of such construction, renovation, remodeling, repair, or demolition operations. This includes mixed construction and demolition debris and source separated recyclable construction and demolition material. [Ord. 17-2020 § 3 (Exh A)].

6.20.030 Collection or transportation prohibited.

Except as authorized by RCMC 6.20.040 and 6.20.050, it shall be unlawful for any person to engage in the business of collecting, removing or transporting residential or commercial solid waste, or otherwise organizing, directing, sponsoring, brokering or causing the collection, removal or transportation of commercial residential or solid waste within the city without possessing a valid franchise or valid residential franchise granted by the city. [Ord. 17-2020 § 3 (Exh A)].

6.20.035 Mandatory service.

Except as otherwise expressly provided by this chapter, the owner, tenant, or occupant of every improved parcel (parcel with one or more business and/or residential buildings approved for occupancy) located within the city shall subscribe to garbage container, recycling container and organics container collection service from a residential or commercial franchisee operating pursuant to this chapter. Each business (DBA) and/or residential building with a separate address and each separate business unit and each separate residential unit (under separate rental agreement) with a common address located on such parcel shall subscribe to such a three container waste collection service. The owner, tenant or occupant of a parcel with a residential dwelling unit shall subscribe to a collection service from a residential franchisee operating according to this chapter. The owner, tenant, or occupant of a parcel with a commercial or multifamily property shall subscribe to a three container collection service from a commercial franchisee operating according to this chapter. The owner, tenant or occupant shall comply with the relevant sections of this chapter, state law and local ordinances; and pay for the collection and disposal of such containers, unless a Commercial Business Owner receives an exemption or waiver as provided in RCMC 6.21. 140 Subscription to such required service does not preclude Single Family Residents or Commercial Businesses from self-hauling their own waste in their own vehicles if they meet the self-haul requirements of this chapter.

6.20.040 Public agency exemption.

The provisions of RCMC 6.20.035 shall not be applicable to the United States, the state of California, the county, a city, a special district or any other local public agency with respect to the accumulation, collection or transportation of refuse resulting from operations of such agency. [Ord. 17-2020 § 3 (Exh A)].

6.20.050 Franchise requirement.

It is unlawful for any person to engage in the business of collecting, transporting or disposing of residential or commercial solid waste kept, accumulated or generated in the city, or to engage in the business of soliciting accounts or invoicing customers for residential or commercial solid waste service in the city unless:

A. A commercial franchise or residential franchise therefor has first been granted pursuant to the provisions of this chapter and such franchise is in full force and effect and a written franchise agreement therefor has been executed between such person and the city and such agreement is in full force and effect. [Ord. 17-2020 § 3 (Exh A)].

6.20.055 Exempt collection or transportation.

The following persons shall be authorized to organize, direct or sponsor the collection, removal or transportation of residential or commercial solid waste within the city, or collect, remove or transport such solid waste, without a franchise or a residential franchise:

A. The United States, the state of California, a city, a special district or other local public agency, or any employee or member of the Armed Forces thereof, or any individual or employee of such individual who has entered into a contract for solid waste collection with a federal or state agency, when collecting or transporting solid waste produced by operation of the public entity under a system of solid waste collection and transportation operated and maintained by the public agency;

B. The owner, operator or occupant or employee of a farm or ranch consisting of five acres or more, when transporting for off-site disposal solid waste accumulated as a result of operation of the farm or ranch;

C. An owner or occupant of a residential or multifamily residential property, when collecting or transporting recyclable materials and/or organic recyclable materials, not containing garbage, from his or her residential premises to a lawful point of disposal;

D. A residential construction contractor, commercial or residential gardener and those engaged in the business of cleaning residential, commercial and multifamily residential properties and employees thereof, when collecting or transporting solid waste consisting of by-products of the services provided to a lawful disposal location;

E. A person or employee thereof, when collecting or transporting dead animals, bones, meat scraps or food waste resulting from food processing plants for tallow or fertilizer, or other waste material to be used as raw material in manufacturing, or solid waste that is collected without charging a fee to the customer for purposes of salvage; provided, that such persons shall reuse or recycle or cause to be reused or recycled all materials collected, and shall not transport or arrange for the transport of any collected materials to a disposal site;

F. An operator or employee thereof of one or more industrial plants which are under single ownership, when collecting or transporting wastes which cannot be handled by standard solid waste collection equipment or which involve significant health, operating or handling hazards, including but not limited to rice hulls, tomato pulp, chemical residues, explosives, and other toxic, noxious or hazardous substances; provided, that all such wastes shall be deposited at an appropriate disposal area permitted pursuant to California State solid or hazardous waste management standards.

Any transportation of solid waste authorized by this section shall be conducted in strict compliance with any and all requirements of this chapter relating to transportation and any regulations issued hereunder;

G. Any person collecting or transporting hazardous waste, medical waste and designated waste, as defined in law, regardless of its source;

H. Any person collecting or transporting by-products of sewage treatment, including sludge, sludge ash, grit, and screenings;

I. Any person collecting or transporting residue or nonprocessable waste from a solid waste management facility, including material recovery, composting, and transformation facilities;

J. Municipal corporations and other governmental agencies using their own vehicles engaged in the collection, transportation, or disposal of solid waste within the city; and

K. Any commercial edible food recovery organization collecting edible food from commercial establishments resulting in the recovery and redistribution of edible food for consumption. [Ord. 17-2020 § 3 (Exh A)].

6.20.060 City council authority to grant franchise.

A. The city council may and is hereby empowered to grant to a qualified applicant a nonexclusive franchise to engage in the business of collecting, transporting or disposing of commercial solid waste, accumulated or generated in the city, or to delegate the authority, by resolution, to the public works director, and/or his or her designee, to grant the franchise.

B. The city council may and is hereby empowered to grant to a qualified applicant an exclusive residential franchise to engage in the business of collecting, transporting or disposing of residential solid waste and recyclable materials kept, accumulated or generated in the city, or to delegate the authority, by resolution, to the public works director,

ITEM 11.1.

Exhibit A to the Ordinance

and/or his or her designee, to grant the franchise according to the procedures set forth in RCMC 6.20.080 and 6.20.095.

C. The city council may grant a commercial franchise or a residential franchise to an applicant based on compliance with this chapter. Any grant of a commercial franchise or a residential franchise by the city council may be subject to such terms, conditions, rules, regulations, restrictions, and limitations as the city council deems necessary to protect the public health, safety, or welfare.

D. The city council hereby empowers and grants to the public works director, and/or his or her designee, the authority to administer and negotiate nonsubstantive changes to the commercial franchise and residential franchise agreements. The city council may delegate authority by resolution to the public works director, and/or his or her designee, to administer, negotiate and execute franchise agreements. [Ord. 17-2020 § 3 (Exh A)].

6.20.070 Franchise terms and conditions.

A. All franchises and residential franchises shall be subject to the terms and conditions specified in this chapter, in the franchise agreement and in all other applicable federal, state and local laws and regulations.

B. In granting any franchise or residential franchise, the city council may prescribe such other additional terms and conditions, not in conflict with this chapter, as in the judgment of the city council are in the public interest.

C. Each franchisee shall provide residential or commercial solid waste collection, removal, recycling, and transportation services consistent with the provisions of this chapter, the terms and conditions of the franchise issued to the franchisee, and any applicable federal, state, or local statute, ordinance, rule or regulation.

D. Each franchisee shall provide services without undue interruptions caused by mechanical failures or other inadequacies of equipment and shall utilize equipment in quantities and of an age and quality adequate for the provisions of reliable service and to provide preventive and repair maintenance of such equipment sufficient to ensure reliability. [Ord. 17-2020 § 3 (Exh A)].

6.20.080 Application for commercial or residential franchise.

A. All applications for commercial or residential franchises pursuant to this chapter shall be in writing and shall be filed with the public works director, and/or his or her designee.

B. Each application for a commercial or residential franchise from a company that has never held a commercial or residential franchise in the city shall be submitted by the applicant on a form provided by the public works director, and/or his or her designee. The application shall contain all attachments with the following information:

1. Identification.

a. The name and address of the applicant.

b. Business address and telephone number of the applicant.

c. Address where all vehicles and operating equipment used within the city will be kept.

d. If the applicant is a partnership, the applicant shall include the name and address of each partner, general, limited or otherwise, owning more than 10 percent ownership in the partnership and their percentage of ownership.

e. If the applicant is a corporation, the application shall state the names and addresses of the corporation's directors, date and place of incorporation, main offices, major stockholders and associates, and the names and addresses of the parent and subsidiary companies.

f. If the applicant is an affiliate or a franchised operation of another corporation (not to be confused in this instance with a solid waste franchisee of the city), the applicant shall list the names and addresses of the parent or subsidiary companies, together with a description of their business interests and/or ownership.

g. If the applicant is a joint venture or other combination of persons and corporations, identify separately the names and addresses of each member of the joint venture or combined effort, together with their percentage interest.

2. Business Operations. The names of the executive, operational and financial managers to be used in connection with the solid waste collection services, together with documentation that such persons and the applicant have sufficient experience in solid waste handling to perform solid waste collection services in the city.

a. Attestation that books and accounts of all revenue and income arising out of its operations will be kept in a manner that conforms to generally accepted accounting principles.

b. A statement that the applicant shall obtain insurance prior to commencing business subject to the franchise agreement.

c. A statement that the applicant shall maintain and report on a timely basis all operational information and data elements reasonably required by the city to comply with its reporting requirements such as those established under AB 939, and as defined in the franchise agreement.

d. A complete listing and explanation of any civil or criminal rulings or judgments in excess of \$5,000, or convictions against applicant, any of applicant's partners, major stockholders, corporate directors or parent or subsidiary companies, occurring within the last five years. Applicants that are subject to the periodic reporting requirements of Section 13(a) of the Securities Exchange Act may, in lieu of the information required by this subsection, submit the information reported pursuant to 17 CFR 229.103 (Legal proceedings) and 229.403 (Security ownership of certain beneficial owners and management) on the most recent form 10-K filed by the applicant with the Securities and Exchange Commission.

3. Facilities and Equipment.

a. A description of all vehicles and equipment that the applicant owns, has control of, or intends to acquire for the collection, transportation, or disposal of commercial waste in the city and which are subject to the provisions of the franchise agreement. A statement as to whether said vehicles and equipment are self-unloading and equipped with audible automatic backup warning devices. The minimum vehicle description for existing vehicles shall include Vehicle Identification Number (VIN) and license plate number.

b. Evidence demonstrating that the applicant owns or will have access to suitable facilities for keeping vehicles and equipment clean and in good repair, and that the applicant owns or will have access to reasonable office and billing facilities.

c. Evidence demonstrating that the applicant owns or will have the legally enforceable right to use at least two collection vehicles, the bodies of which are closed, leak-resistant, and constructed for the purpose of solid waste collection, transportation, and disposal. In the alternative, for the purposes of this provision, an applicant may demonstrate by the evidence that they service and transport open-top roll-off boxes for the collection, transportation, and disposal of nonputrescible waste and/or roll-off compaction boxes which are closed, leak-resistant, and are constructed for the purpose of solid waste collection, transportation, and disposal.

4. Financial Resources. Applicant shall provide proof satisfactory to the public works director, and/or his or her designee, that the applicant has adequate financial resources to conduct commercial solid waste collection services.

5. Diversion Plans. Each franchisee shall submit a diversion plan with their franchise application. The diversion plan shall provide a detailed description of how the franchisee intends to divert recyclable materials from commercial solid waste in order to assist the city in meeting the city's AB 939 reporting requirements.

6. Application for Police Chief Review.

a. The city may request that the police chief review each franchise application prior to the city issuing a franchise. The public works director, and/or his or her designee, may refer all franchise applications or renewals pursuant to this chapter to the police chief who, in conjunction with city staff, shall make such investigation of the applicant as the police chief deems necessary in order to determine whether the applicant's character or the business responsibility of the firm the applicant represents is satisfactory. The requirements of this section apply to all pending or future applications or proposals for issuance or renewal of such franchise pursuant to this chapter. The police chief's investigation may include, but is not limited to, obtaining the fingerprints and a photograph of the applicant, or any other person connected with the firm which the applicant represents, and the obtaining of reports from the state and federal law enforcement agencies and reports from any other appropriate sources.

b. If requested to review an application, the police chief shall evaluate each franchise application or proposal to determine whether the operation of the business which the applicant or party submitting the proposal represents would involve an unreasonable risk to the health, safety or general welfare of the public. In making such a determination, the police chief shall consider the character of the applicant or party submitting the proposal and each director, officer, manager and other person who exercises policy control over the operations of the applicant or proponent, the business responsibility of the firm which the applicant or party submitting the proposal represents, and the manner in which the firm intends to conduct its business.

c. The police chief shall notify the public works director, and/or his or her designee, of the results of the investigation conducted pursuant to this section. If the police chief recommends disapproval of the application or proposal, the reasons for disapproval shall be specified in writing. The police chief shall forward a copy of the statement of reasons to the public works director, and/or his or her designee, and shall provide a copy to the applicant or party submitting the application.

7. Other.

a. Any other evidence that demonstrates that the applicant is able to render collection and subsequent transportation and/or disposal services in accordance with applicable federal, state and local statutes.

b. Such additional information as may be reasonably requested by the public works director, and/or his or her designee.

c. During the application or proposal period and during the full term of any franchise, all information contained in the franchise application shall be kept up to date by the applicant who shall file a new verified statement within 48 hours of any change indicating in detail the nature of any change in the information.

C. Each application for a commercial or residential franchise from a company holding a valid, current commercial or residential franchise which is set to expire shall be submitted by the applicant on a form provided by the public works director, and/or his or her designee. The application shall include all attachments required by the public works director, and/or his or her designee.

D. The application shall be signed by the person applying for the commercial or residential solid waste and recyclables collection franchise or, in the case of a partnership or corporation, by a person authorized to bind the partnership or corporation. [Ord. 17-2020 § 3 (Exh A)].

6.20.090 Commercial franchise application review process.

A. The city council may award franchises for the collection of commercial solid waste within the city to applicants meeting all of the qualifications of this chapter.

B. Applicants may submit their completed application for a commercial franchise, as provided in RCMC 6.20.080, to the public works director, and/or his or her designee, for review and consideration at any time. The public works director, and/or his or her designee, shall review such submittals and either make a recommendation to the city council to award such franchise or notify applicant of denial within 60 days of receiving a completed application.

C. The public works director, and/or his or her designee, shall take into consideration all components of the completed application, including but not limited to:

1. The ability of the applicant to meet all terms of the agreement;
2. Any history of civil or criminal convictions that may compromise the public's interests; and
3. The completeness, accuracy, and validity of the application.

The public works director, and/or his or her designee, shall also have the authority to verify independently any and all statements made and implied in the application. The public works director, and/or his or her designee, may also request clarification from applicant of any or all elements of the submitted application.

D. After the 60-day review period, the public works director, and/or his or her designee, shall either:

1. Deny an award and notify the applicant in writing of the reasons why the award was denied; or
2. Recommend to the city council that a franchise be awarded.

E. Upon concurrence with a positive recommendation, the city council will award the franchise or will delegate authority to the public works director, and/or his or her designee, to award the franchise within a reasonable period of time. The public works director, and/or his or her designee, will notify applicant in writing of an award. [Ord. 17-2020 § 3 (Exh A)].

6.20.095 Residential franchise application review process.

A. The city council may award an exclusive franchise for the collection of residential solid waste and recyclables within the city to an applicant meeting all of the qualifications of this chapter.

B. Applicants may submit their completed application for a residential franchise, as provided in RCMC 6.20.080, to the public works director, and/or his or her designee, for review and consideration when the city has noticed its desire to receive such applications and according to the deadlines set forth by such notice. The public works director, and/or his or her designee, shall review applications and either make a recommendation to the city council to award such franchise or notify applicant of denial within 60 days of receiving a completed application.

C. The public works director, and/or his or her designee, shall take into consideration all components of the completed application, including but not limited to:

1. The ability of the applicant to meet all terms of the agreement;
2. Any history of civil or criminal convictions that may compromise the public's interests;
3. The completeness, accuracy, and validity of the application; and
4. The applicant's ability to provide the most efficient and cost-effective collection service to city residents while minimizing the adverse effects of such service on the residents, city streets and rights-of-way, and the environment.

The public works director, and/or his or her designee, shall also have the authority to verify independently any and all statements made and implied in the application. The public works director, and/or his or her designee, may also request clarification from applicant of any or all elements of the submitted application.

D. After the 60-day review period, the public works director, and/or his or her designee, shall either:

1. Deny an award and notify the applicant in writing of the reasons why the award was denied; or
2. Recommend to the city council that a franchise be awarded to a particular applicant; or

3. Recommend to the city council a group of finalists from which the city council may select an applicant to award an exclusive franchise to.

E. Upon concurrence with a positive recommendation, the city council will award the franchise or will delegate authority to the public works director, and/or his or her designee, to award the franchise within a reasonable period of time. The public works director, and/or his or her designee, will notify applicant in writing of an award. [Ord. 17-2020 § 3 (Exh A)].

6.20.100 Appeal upon denial of award.

A. Within 30 days of written notification of award denial or within 60 days of the public works director, and/or his or her designee's failure to act on the commercial or residential franchise application, the applicant has the right to meet with the public works director, and/or his or her designee, to review the items cited in the written notice and provide any additional evidence to support an award. Within 15 days of such meeting, the public works director, and/or his or her designee, will make a final, written determination of the application, based on the reviews of additional evidence, together with the original application. The public works director, and/or his or her designee, will send a copy of all final, written determinations, including reasons for denial, if any, to both applicant and the city council.

B. Applicant may, within 10 days after receiving the public works director, and/or his or her designee's final denial, request a public hearing before the city council by submitting to the city clerk a written petition for an appeal hearing. If a public hearing is requested, the city clerk shall set the matter for hearing at the next regularly scheduled city council meeting or any later date as agreed upon by the applicant and clerk of the city council. At such hearing, applicant may present evidence in writing and through testimony of its employees and others relevant to the application. During such hearing, the city council may demand from the applicant such additional information as the city council may deem relevant and necessary. Standard rules of evidence are not in effect at such public hearing, and the applicant shall have the burden of proof to show facts demonstrating that the applicant does in fact meet the requirements of this chapter. Any hearing may be continued or adjourned to a stated time and place without the giving of further notice. The city council will provide applicant with a written explanation of its determination on the application within 30 days of such hearing. The city council's decision is final.

C. If the term of an applicant's existing franchise expires while the application is under city review, the city council or the public works director, and/or his or her designee, may administratively extend the term for such period of time as is required to complete the appeal process. [Ord. 17-2020 § 3 (Exh A)].

6.20.110 Awarding of franchise.

A. A commercial or residential franchise shall become effective only once the applicant and the city have signed a written agreement, and upon applicant's satisfying all of the requirements and conditions set forth in both this chapter and the franchise agreement.

B. The franchisee must provide to the city copies of all required certificates of insurance, and bonds as may be enumerated in the franchise agreement and this chapter. Should franchisee fail to maintain all such insurance and bonding requirements, uninterrupted for the term of the agreement, the city will immediately suspend or terminate the commercial or residential franchise.

C. If the franchisee's description of vehicles and equipment, as required under RCMC 6.20.080, has changed between the application date and the effective date of the franchise agreement, franchisee must submit to the public works director, and/or his or her designee, an amended description, including all identification elements required under RCMC 6.20.080, prior to commencing services authorized in the agreement. [Ord. 17-2020 § 3 (Exh A)].

6.20.120 Requirements for franchise effectiveness.

A franchise granted pursuant to this chapter shall not become effective unless and until all of the following requirements have been satisfied:

A. The ordinance granting the residential or commercial franchise, or the resolution granting the public works director, and/or his or her designee, the authority to grant the franchise, is effective.

B. The applicant and the city have executed a franchise agreement.

C. Within 20 days from the date of adoption of the ordinance granting the commercial or residential franchise, or within 20 days of the date of adoption of the resolution delegating authority to the public works director, and/or his or her designee, to grant the franchise, the applicant to whom a franchise has been granted has filed with the city clerk evidence of compliance with the insurance requirements specified in the franchise agreement. [Ord. 17-2020 § 3 (Exh A)].

6.20.130 Franchise fees.

A. Each person engaging in the business of collecting, transporting or disposing of commercial or residential solid waste accumulated or generated in the city shall pay a franchise fee to the city. The city council shall set the franchise fee by resolution, or shall delegate the authority to set the franchise fee to the city manager.

B. The payment of franchise fees to the city pursuant to this section shall be in addition to any license fee or business tax prescribed by any local jurisdictions for the same period.

C. Commercial and residential solid waste franchise fees shall be payable on all gross collection revenues by a franchisee from its commercial or residential solid waste collection customers located within the city. The franchise fee shall be calculated based on gross collection revenues prior to franchisee imposing the franchise fee on its customers. Nonexclusive franchisees shall also pay franchise fees on revenues received from federal and state government entities within the city.

D. Franchise fees shall be payable by any person providing commercial or residential solid waste services within the city after the effective date of the ordinance codified in this chapter, even where no franchise has been granted. [Ord. 17-2020 § 3 (Exh A)].

6.20.140 Recycling facility reporting requirements.

A. All recycling facilities within the city shall provide bi-annual written reports to the public works director, and/or his or her designee, due 45 days after the close of the six-month reporting period, and including the following information for the previous six months:

1. The total aggregate tonnage of recyclable material received from generators located within the city;
2. The aggregate tonnage of recyclable material received from waste management and recycling operations in the city;
3. The aggregate tonnage of recyclable material received from franchises operating within the city; and
4. The total aggregate amount of residuals generated at the facility and disposed of at a permitted solid waste disposal facility, expressed as a percentage of total tonnage received.

B. To the extent permitted by the California Public Records Act, any report or other information required by this chapter shall be deemed confidential and shall not be subject to public disclosure except for aggregate totals for all facilities.

C. Recycling facilities receiving only scrap metals, agricultural waste, inert materials, and/or discarded, white-coated major appliances that are not normally disposed of and thus cannot be counted towards the state's diversion requirements are exempt from the reporting requirements of this chapter. [Ord. 17-2020 § 3 (Exh A)].

6.20.150 Restrictions on franchisees.

The following restrictions shall be applicable to franchisees:

A. Except to meet the two-truck requirement of RCMC 6.20.080(B)(3)(c), no franchisee shall, by contract, subcontract, or otherwise, share with another franchisee any office space associated with operations under a franchise.

B. No franchisee, by contract, express understanding or indirectly, shall, in cooperation with another franchisee, divide, segregate or apportion any territory within the city for the purpose of restricting competition within a particular territory.

C. No franchisee shall, directly or indirectly, enter into any contract, express understanding or other transaction with another franchisee for the purpose of fixing customer rates or charges or otherwise maintaining rates or charges at a particular level.

D. No franchisee or any director, officer, partner, joint venturer, sole proprietor or corporate owner thereof shall be a controlling shareholder of, be a partner, joint venturer or sole proprietor, owner, have any other interest in or be employed by another franchisee. No franchisee which is owned in whole or in part by a corporation shall be effectively controlled by a person or entity by virtue of that person or entity's ownership of shares in the corporation, if the same person or entity otherwise controls another franchisee. The sole remedy for violation of the provisions of this subsection shall be revocation or refusal to renew a franchise.

E. Each franchisee shall provide to the public works director, and/or his or her designee, such information as the public works director, and/or his or her designee, determines is reasonably necessary to facilitate effective administration of the franchise under the provisions of this chapter. Diversion information may be provided consistent with the framework for materials recovery facility (MRF) services and reporting of RCMC 6.20.140.

F. Notwithstanding any other provisions of this chapter, it shall be allowable for a franchisee having an interest in a materials recovery facility (MRF) to provide a reporting service, a solid waste processing service to another franchisee consistent with the framework for MRF services and reporting of RCMC 6.20.140. [Ord. 17-2020 § 3 (Exh A)].

6.20.160 Medical waste.

A. Commercial franchisees shall not be required to divert treated medical waste.

B. No treated medical waste from commercial or residential solid waste generators shall be delivered by a permittee to a materials recovery facility for the purpose of recycling. [Ord. 17-2020 § 3 (Exh A)].

6.20.170 Enforcement.

Except as otherwise expressly provided, the provisions of this chapter shall be administered and enforced within the city by the public works director, and/or his or her designee, or other staff and enforcement officials designated by the public works director, and/or his or her designee. [Ord. 17-2020 § 3 (Exh A)].

6.20.180 Abatement proceedings.

Any operation or activity contrary to the provisions of this chapter or a franchise agreement, including the terms and conditions of any franchise, is unlawful and shall constitute a public nuisance. The public works director, and/or his or her designee, is authorized to commence in the name of the city actions or proceedings to abate and enjoin any such operation or activity. [Ord. 17-2020 § 3 (Exh A)].

6.20.190 Notices.

A. Whenever a provision of this chapter authorizes or requires a public hearing to be conducted by the city council, notice of the time, date, place and purpose of the hearing shall be published at least once not later than 10 calendar days in advance of the date of such hearing in a newspaper of general circulation which is published within the city, and shall be served upon each franchisee who is affected by such hearing.

B. Any written notice or other communication to a franchisee which is authorized or required by this chapter shall be deemed served and effective for all purposes when deposited in the United States mail, postage prepaid, and addressed to the latest address of the franchisee shown in the city records pertaining to the franchise. [Ord. 17-2020 § 3 (Exh A)].

6.20.200 On-site storage.

Every owner, tenant or occupant of a residential dwelling unit or multifamily residential property and every owner, operator or keeper of any business with a fixed location in the city which generates solid waste shall provide and at all times keep within an enclosure, or conveniently located near an enclosure or building, water-tight containers for garbage and suitable containers for recyclable materials and organic recyclable materials, and shall cause to be deposited in such containers, and not elsewhere, all solid waste which accumulates on the premises. The containers shall have tightly fitted covers and shall not leak or permit the escape of odors. Notwithstanding the requirements of this section, generators shall not be required to set out or store recyclable materials and/or organic recyclable

materials together with garbage and generators shall be allowed to appropriately store recyclable materials and/or organic recyclable materials for collection separate from garbage. It shall be unlawful for any person to fail to comply with the requirements of this section. Containers shall be clearly identified with the name of the franchisee. [Ord. 17-2020 § 3 (Exh A)].

6.20.210 Solid waste disposal restrictions.

A. It shall be unlawful for any franchisee to do any of the following:

1. To operate or have an interest in a solid waste disposal site, other than a transfer, receiving and/or processing station, within the city;
2. To operate a solid waste disposal area in the city; or
3. To dump any solid waste upon, or permit the same to fall upon, any property, road or highway other than the areas designated by this chapter for the disposal or dumping of solid waste.

B. It shall be unlawful for any person to dump, deposit, or release any solid waste in or on any public or private property, including streets, sidewalks, gutters, highways, or easements, except when acting in accordance with the solid waste collection regulations set forth in this chapter. [Ord. 17-2020 § 3 (Exh A)].

6.20.220 Use of containers.

No person other than a customer who has contracted for service with a franchisee, or a person with such customer's consent, shall deposit solid waste into a solid waste bin, drop box or compactor placed in the city by a franchisee for the purpose of receiving solid waste. [Ord. 17-2020 § 3 (Exh A)].

6.20.230 Rules and regulations.

A. The collection and subsequent transportation and disposal of commercial solid waste within the city is under the supervision of the public works director, and/or his or her designee, who shall have the power to promulgate rules and regulations regulating such collection and subsequent transportation and disposal, including but not limited to:

1. Commercial solid waste generation, storage, recycling, recovery, accumulation, collection, removal, transportation and disposal;
2. The manner in which commercial solid waste collection services are provided;
3. Types of commercial solid waste and vehicles used therefor;
4. The operation and maintenance of sanitary methods of commercial solid waste disposal;
5. Reporting requirements for recycling facilities.

B. A copy of said rules and regulations and all amendments thereto shall be sent by registered or certified mail, postage prepaid, to all affected franchisees addressed to their last place of business. To the extent not otherwise provided by law, it shall be unlawful for a franchisee to collect and subsequently transport or dispose of commercial solid waste contrary to any regulation, order, permit or requirement promulgated by the public works director, and/or his or her designee.

C. All such rules and regulations shall be consistent with the provisions of this chapter and shall be effective on the thirtieth day following the filing of any such rules and regulations with the city clerk.

D. Any person who asserts that he or she is aggrieved by the terms or application of a regulation issued pursuant to this section may appeal the issuance of such regulation by filing a written notice of appeal with the city clerk. The notice of appeal shall specifically identify the regulation or regulations from which the appeal is taken and the reasons for the appeal. Upon receipt of such notice, the city clerk shall schedule the appeal for a public hearing by the city council, notice of which shall be given in the manner prescribed by RCMC 6.20.340(A). At the conclusion of the public hearing, the city council shall be vested with jurisdiction to deny the appeal or to rescind or modify the regulation. The city council's determination in this regard shall be final.

E. Any regulation from which an appeal is filed prior to its effective date shall not become effective until the date of a determination by the city council of the appeal. Any regulation from which an appeal is filed on or subsequent to the effective date thereof shall remain in full force and effect during the pendency of the appeal, and any decision that rescinds or modifies the regulation shall apply prospectively.

F. It shall be unlawful and constitute a violation of this chapter for any person to violate or otherwise fail to comply with any rule or regulation issued pursuant to this section. [Ord. 17-2020 § 3 (Exh A)].

6.20.240 Vehicle inspection.

All trucks and containers used in the collection, removal, transportation or storage of commercial solid waste in the city shall be subject to inspection by the city engineer for the purpose of determining whether or not the trucks and containers comply with Title 14, Sections 17341 through 17345 of the California Code of Regulations. [Ord. 17-2020 § 3 (Exh A)].

6.20.250 Vehicle requirements.

The bodies of vehicles used in the collection, removal or transportation of commercial solid waste in the city shall have beds of metal or other impervious material which can be cleaned, and shall otherwise be of a type approved by the city engineer's department adopted pursuant to Title 14, Section 17341.B of the California Code of Regulations. The city engineer shall be authorized to issue administrative regulations pertaining to specifications for vehicles and containers, the cleansing and disinfecting thereof, and other sanitary measures in connection therewith. [Ord. 17-2020 § 3 (Exh A)].

6.20.260 Covered load requirement.

A. All franchisee vehicles and all privately owned or operated vehicles using solid waste disposal facilities in the city shall have their vehicle loads covered, with a tarp or equivalent cover, to ensure protection from littering during transportation from the origin of the trip to any waste disposal facility located in the city.

B. All vehicles hauling materials with the load originating in the city to a waste disposal facility located outside of the city shall have their loads covered while in transit within the city.

C. Every permitted or nonpermitted waste disposal facility located within the city shall post signs notifying the public that it is illegal to haul uncovered loads to the facility. These facilities shall cooperate with the city enforcement staff by providing covered load education and promotion information to their customers to help assure the effectiveness of this chapter. [Ord. 17-2020 § 3 (Exh A)].

6.20.270 Rights reserved to city.

In addition to all other rights reserved to the city under this chapter, the following shall apply:

A. There is hereby reserved to the city every right and power, and the exercise thereof, which is reserved or authorized by any provision of any lawful ordinance or resolution of the city, whether enacted before or after the effective date of the ordinance codified in this chapter.

B. Neither the granting of any franchise nor any provision of any franchise shall constitute a waiver of or a bar to the exercise of any governmental right or power of the city.

C. The franchisee shall have no recourse whatsoever against the city, its officers, employees or agents or any of the city member entities, their officers, employees, or agents for any loss, cost, expense or damage arising out of any provision or requirement of this chapter or of any franchise issued under this chapter or because of the enforcement of this chapter.

D. There is hereby expressly reserved to the city the power and authority to amend any section of this chapter so as to require additional or greater standards on the part of the franchisee and the power and authority to increase the franchise fees to be paid by the franchisee pursuant to RCMC 6.20.130. [Ord. 17-2020 § 3 (Exh A)].

6.20.280 Other franchise provisions.

The city council may expand or contract the scope of franchise agreements over time due to changes in law or interpretations of law. [Ord. 17-2020 § 3 (Exh A)].

6.20.290 Criminal penalties for violations.

The following criminal penalties apply to violations of this chapter:

A. Violation as Misdemeanor. Unless otherwise specified by this chapter, violations of the provisions of this chapter or failure to comply with any of its requirements, including violations of terms and conditions established in connection with franchises issued pursuant to this chapter, shall constitute a misdemeanor.

B. Penalty for Misdemeanor. Unless otherwise specified in this chapter, any person, whether as principal, agent, employee or otherwise, who violates this chapter or fails to comply with any of its requirements shall upon conviction thereof be fined not more than \$1,000 or imprisoned for not more than six months in the county jail, or by both such fine and imprisonment. Each day such violation continues shall be considered a separate offense. Such penalties shall be in addition to any late fees, civil penalties, administrative civil penalties, or other charges payable to the city by a franchisee for the same period of time or for the same violations.

C. Violation as Infraction. Unless otherwise specified by this chapter or the franchise agreement, the following violations by a franchisee are infractions:

1. Delinquent Payment of Franchise Fee. A delinquent payment of a franchise fee that is not received by the city before the first day of the month following the due date established under the franchise agreement is a violation and a separate violation for every month the payment remains delinquent thereafter.

2. Delinquent Payment of Franchise Fee Late Charge. A delinquent payment of a late payment charge and/or interest charges for a late franchise fee payment (under the franchise agreement) that is not received by the city before the first day of the month following the due date is a violation and a separate violation for every month the payment remains delinquent thereafter.

3. Delinquent Payment of Late Report Charge. A delinquent payment of a late charge for a delinquent quarterly report of diversion (under the franchise agreement) that is not received before the first day of the month following the due date is a violation and a separate violation for every month the payment remains delinquent thereafter.

4. Delinquent Payment of Audit Fee. A delinquent payment of an audit fee (under the franchise agreement) that is not received by the city before the first day of the month following the due date is a violation and a separate violation for every month the payment remains delinquent thereafter.

5. Delinquent Diversion Report. A delinquent quarterly report of diversion (under the franchise agreement) that is not received by the city before the first day of the third month following the end of the quarter reporting is a violation and a separate violation for every month the report remains delinquent thereafter.

6. Incomplete Diversion Report. If a quarterly report of diversion (under the franchise agreement) that is received by the city is incomplete, the inadequacy must be remedied or corrected by the franchisee before the first day of the third month following the end of the quarter or it is a violation and a separate violation for every month the report remains incomplete thereafter. A complete quarterly report of diversion includes all information as may be required by the public works director, and/or his or her designee. Partial quarterly reports of diversion will be considered incomplete.

D. Penalty for Infraction. Unless otherwise specified by this chapter or in the franchise agreement, an infraction is punishable by a fine not exceeding \$200.00 for a first violation of any offense under subsection (C) of this section within the preceding 12-month period; a fine of \$500.00 for a second violation of the same offense under subsection (C) of this section within the preceding 12-month period; and a fine of \$1,000 for each additional violation of the same offense under subsection (C) of this section within the preceding 12-month period. The public works director, and/or his or her designee, or the city attorney shall also have the discretion to elevate any infraction under subsection (C) of this section to a misdemeanor, punishable under subsection (B) of this section. Such penalties shall

be in addition to any late fees, civil penalties, administrative civil penalties, or other charges payable to the city by a franchisee for the same period of time or for the same violation.

E. Separate Remedies. Each civil, criminal, or administrative civil penalty imposed pursuant to this chapter for any separate violation shall be separate from, and in addition to, any other provision of law and does not supersede or limit any and all other legal remedies and penalties, civil, administrative or criminal, which may be applicable under other laws. [Ord. 17-2020 § 3 (Exh A)].

6.20.300 Civil penalties for violations.

The following administrative civil penalties apply to violations of this chapter:

A. Administrative Civil Penalties. In addition to any other remedies provided by this chapter, any person who violates any provision of this chapter shall be liable for an administrative civil penalty to be imposed by the public works director, and/or his or her designee. The amount of the penalty shall not be more than \$1,000 for each day of violation. Any person who knowingly violates any provision of this chapter, after reasonable notice of the violation, is liable for an administrative civil penalty of not more than \$1,000 for each day of violation. In determining the civil, criminal, and administrative civil penalties imposed pursuant to this chapter, all relevant circumstances shall be considered, including but not limited to the extent of harm or potential harm caused by the violation, the nature of the violation and the period of time over which it occurred, the frequency of past violations, and the corrective action, if any, taken by the violator.

B. Administrative Civil Penalty Procedure.

1. Notice of Violation. The public works director, and/or his or her designee, shall notify the violator in writing of the time within which an alleged violation must be remedied or corrected. The notice shall provide that an administrative civil penalty will be imposed if the continuing violation is not remedied or corrected within the time stated.

2. Notice of Penalty and Opportunity for Hearing. Notice of any administrative civil penalty shall set forth the alleged acts or failures to act that constitute a basis for liability and the amount of the proposed administrative civil penalty. The notice of administrative civil penalty shall be served by personal service or certified mail and shall inform the person so served that the administrative civil penalty imposed may be administratively reviewed by a city-designated hearing officer before it is enforced if a request for hearing is timely filed. The notice shall also specify the procedure for requesting a hearing before the hearing officer.

3. Administrative Review. If a person desires administrative review of the administrative civil penalty imposed by the public works director, and/or his or her designee, he or she shall request a hearing by timely filing a written request pursuant to the provisions of RCMC 6.20.330. The written request for an appeal must be accompanied by an administrative hearing fee, as established by the city council. Any such appeal shall be in writing, shall state the specific reasons therefor and grounds asserted for relief, and shall be filed with the public works director, and/or his or her designee, not later than 15 calendar days after the date of service of any such decision. A hearing shall be conducted by the hearing officer pursuant to RCMC 6.20.340 unless the person has waived the right to a hearing or has entered into a settlement agreement with the public works director, and/or his or her designee. A person waives the right to a hearing by so stating in writing or by failure to file with the public works director, and/or his or her designee, a written request for hearing within 15 days after service of the notice of opportunity for hearing.

4. Effective Date. Where the person has waived the right to a hearing or where the person has entered into a settlement agreement, the administrative civil penalty shall not be subject to review by any court, the hearing authority, or any other agency and shall be effective 15 days after notice of the penalty is served. Where a hearing has been held, the penalty shall be effective 20 days after the decision of the hearing authority becomes final.

5. Judicial Review. The manner of contesting the final order of the hearing officer concerning any administrative civil penalty is governed by Section 53069.4 of the Government Code, or any successor provision thereto. Service of the notice of appeal authorized by Section 53069.4 of the Government Code upon the city shall be by service upon the city clerk.

6. Payment of Costs of Enforcement/Collection. In addition to any penalty, sanction, fine or imprisonment, each person who violates this chapter shall be required to pay any and all expenses of enforcement including costs necessary to bring the person into compliance with this chapter. In addition to all remedies contained herein, the city may pursue all reasonable and legal means in collecting those sums authorized and due.

7. Collection. Payment of the penalty shall be made within 30 days from when the penalty became effective. In addition to all remedies herein contained, the city may pursue all reasonable and legal means in collecting administrative civil penalties. [Ord. 17-2020 § 3 (Exh A)].

6.20.310 Settlement process.

The public works director, and/or his or her designee, may adopt a written settlement agreement process for the settlement of violations of this chapter, which shall take into consideration the penalty factors set forth in RCMC 6.20.300. [Ord. 17-2020 § 3 (Exh A)].

6.20.320 Hearing officer.

Whenever the term “hearing officer” is utilized in this chapter, it shall be deemed to refer to one or more qualified persons assigned the responsibility of conducting a hearing by the city manager. [Ord. 17-2020 § 3 (Exh A)].

6.20.330 Appeals.

Any decision of the public works director, and/or his or her designee, may be appealed to a hearing officer appointed by the city manager. Any such appeal shall be in writing, shall state the specific reasons therefor and grounds asserted for relief, and shall be filed with the public works director, and/or his or her designee, not later than 15 days after the date of service of any such decision. If an appeal is not filed within the time or in the manner prescribed above, the right to review of the action against which complaint is made shall be deemed to have been waived. [Ord. 17-2020 § 3 (Exh A)].

6.20.340 Appeal hearing.

A. Not later than 30 days following the date of filing an appeal within the time and in the manner prescribed by RCMC 6.20.330, the hearing officer shall conduct a hearing for the purpose of determining whether the appeal should be granted. Written notice of the time, date and place of the hearing shall be mailed to the appellant not later than 10 days preceding the date of the hearing.

B. The provisions of the California Administrative Procedure Act (commencing at Section 11500 of the Government Code) shall not be applicable to such hearings; nor shall formal rules of evidence in civil or criminal judicial proceedings be so applicable. Testimony shall be given under oath, and the parties to the hearing shall have the right to cross-examine witnesses. Any relevant evidence shall be admitted if it is the type of evidence upon which responsible persons are accustomed to rely in the conduct of serious affairs, regardless of the existence of any common law or statutory rules which make improper the admission of such evidence over objection in civil actions in courts of competent jurisdiction in this state. Hearsay evidence may be admitted for the purpose of supplementing or explaining any direct evidence but shall not be sufficient in itself to support a finding unless it would be admissible over objection in civil actions. The rules of privilege shall be effective to the same extent that they are now or hereafter may be recognized in civil actions. Irrelevant and unduly repetitious evidence shall be excluded.

1. Record. A record of the entire hearing proceedings shall be made by either a certified court reporter or tape recorder operated by the hearing officer. A transcript of the proceedings shall be made available to all parties upon request and upon payment of the fee prescribed therefor. Such fees may be established and revised from time to time by the city council.

2. Scope. Only those matters or issues specifically raised by the appellant(s) in the written appeal shall be considered in the hearing on appeal.

3. Oaths and Certification. The hearing officer has the power to administer oaths and affirmations and to certify official acts.

4. Oral Evidence. Oral evidence shall only be taken on oath or affirmation.

5. Rights of Parties. Each party shall have the right to call and examine witnesses, to introduce exhibits, to cross-examine opposing witnesses on any matter relevant to the issues of the hearing even though the matter was not raised in the direct examination, to impeach any witness regardless of which party first called him or her to testify, to present rebuttal evidence and to represent himself or herself or to be represented by anyone of his or her choice who is lawfully permitted to do so. No appellant shall be required to testify without his or her consent.

6. At the conclusion of the hearing, the hearing authority shall prepare a written decision that either grants or conditionally grants or denies the appeal, and contains findings of fact and conclusions. Notice of the written decision, including a copy thereof, shall be filed with the public works director, and/or his or her designee, and served not later than 30 days following the date on which the hearing is closed on the appellant and on other persons who appeared at the hearing and requested a copy. Service shall be by personal delivery or certified mail.

C. City and appellant shall jointly pay for the costs of the hearing. [Ord. 17-2020 § 3 (Exh A)].

Chapter 6.21 BUSINESS AND MULTIFAMILY RECYCLING AND ORGANICS RECYCLING

Sections:

- 6.21.010 Purpose and declarations.
- 6.21.020 Definitions.
- 6.21.030 Threshold for covered generators.
- 6.21.040 Requirements for covered generators.
- 6.21.050 Special requirements.
- 6.21.060 Designation of recyclable materials and organic recyclable materials.
- 6.21.070 Ownership of recyclable materials and organic recyclable materials.
- 6.21.080 Requirements for franchised waste haulers.
- 6.21.090 Requirements for service agreements.
- 6.21.100 Process for addressing covered generator noncompliance.
- 6.21.110 Requirements for multifamily residential properties.
- 6.21.120 Requirements for self-hauling.
- 6.21.125 SB 1383 regulatory compliance.
- 6.21.130 Reporting.
- 6.21.140 Exemptions from recycling standards.
- 6.21.150 City rules and regulations.
- 6.21.160 Rights reserved to city.
- 6.21.170 Administration and costs.
- 6.21.180 Unlawful acts.
- 6.21.190 Implementation and enforcement.
- 6.21.200 Posting of notices.
- 6.21.210 Notice of violation.
- 6.21.220 Notice of violation – Content.
- 6.21.230 Administrative enforcement order.
- 6.21.240 Administrative enforcement order – Content.
- 6.21.250 Delivery of notice or order.
- 6.21.260 Administrative appeals.
- 6.21.270 Hearing officer.
- 6.21.280 Hearing procedure.
- 6.21.290 Form and contents of decision – Finality of decision.
- 6.21.300 Procedures for collection of administrative civil penalty.
- 6.21.310 Actions not prohibited.
- 6.21.320 Penalties.

6.21.010 Purpose and declarations.

A. It is the intent and purpose of this chapter to promote recycling and organics recycling by:

1. Requiring covered generators in the city of Rancho Cordova to keep recyclable materials separate from all other garbage for recycling;
2. Requiring covered generators in the city of Rancho Cordova to keep organic recyclable materials separate from all other garbage for organics recycling;
3. Requiring covered generators to provide city-approved signs and labeled containers for the storage and collection of recyclable materials and organic recyclable materials;
4. Requiring covered generators to self-haul recyclable materials and/or organic recyclable materials with written approval from the public works director, and/or his or her designee, or enter into a written service agreement for the collection and subsequent delivery of recyclable materials and organic recyclable materials to a recycling facility; and

5. Prohibiting the collection of garbage to covered generators that are not subscribed to recyclable material and organic recyclable material collection services with the same franchised waste hauler or who have not received written approval from the public works director, and/or his or her designee, for an exemption or waiver.

B. It is further the purpose of this chapter to provide a mechanism to require the implementation of recycling programs and organics recycling programs for covered generators within the city to thereby enable the city to meet and maintain the 50 percent waste diversion requirements set forth in Section 41780(a)(2) of the California Public Resources Code. [Ord. 17-2020 § 4 (Exh B)].

6.21.020 Definitions.

A. “AB 341” means the California Jobs and Recycling Act of 2011 (Chapter 476, Statutes of 2011 [Chesbro, AB 341]), also commonly referred to as “AB 341,” as amended, supplemented, superseded, and replaced from time to time.

B. “AB 827” means the Solid Waste: Commercial and Organic Waste: Recycling Bins Act of 2019.

C. “AB 1826” means the Organic Waste Recycling Act of 2014 (Chapter 727, Statutes of 2014 modifying Division 30 of the California Public Resources Code), also commonly referred to as “AB 1826,” as amended, supplemented, superseded, and replaced from time to time.

D. “Alternative compliance and exemption form” means the form provided by the public works director, and/or his or her designee, on which a covered generator may request an exemption or waiver from the recycling and organics materials collection requirements.

F. “City” means the city of Rancho Cordova, California.

G. “Collection” means the act of picking up and removing garbage, recyclable materials or organic recyclable materials at the place of generation.

H. “Commercial hauler” or “hauler” means any person who collects, hauls, or transports commercial garbage, recyclables and/or organics for a fee by use of any means, including, but not limited to, a dumpster truck, roll-off truck, a side-load, front-load, or rear-load garbage truck, or a trailer.

I. “Commercial solid waste” means all solid waste as defined in subsection (GG) of this section that is generated by and at commercial and industrial sources, multifamily residential properties, and construction and demolition activities that is collected by a commercial hauler.

“Commercial Business” or “Commercial” means a firm, partnership, proprietorship, joint-stock company, corporation, or association, whether for-profit or nonprofit, strip mall, industrial facility, or a Multi-Family Residential Dwelling, or as otherwise defined in 14 CCR Section 18982(a)(6). A Multi-Family Residential Dwelling that consists of fewer than five (5) units is not a Commercial Business for purposes of implementing this chapter.

“Commercial Edible Food Generator” includes a Tier One or a Tier Two Commercial Edible Food Generator as defined in 14 CCR Section 18982(a)(73) and (a)(74).

J. “Covered generator” means all single family, commercial businesses and multifamily residential properties (which are a type of Commercial Business for the purposes of implementing this chapter). The public works director, and/or his or her designee, shall specify the minimum weekly solid waste collection service threshold that defines covered generators for the purposes of this chapter and shall include such designation in the commercial franchise agreement and shall also be designated in RCMC.

6.21.030, “Threshold for Single Family, Commercial Business and Multifamily Property Generators” . A covered generator may include a single family, business or multifamily residential property owner or generator and is dependent on whomever executes a contract(s) for solid waste, recycling, and organics recycling removal and collection services.

K. “Customer” means a single family, business or multifamily residential property owner or generator who contracts for solid waste removal services and enters into a service agreement with a franchised waste hauler. Where several

businesses or multifamily residential properties share garbage containers and service, “customer” refers only to the party who enters into a contract for garbage, recycling and organic collection services.

L. “Designated green materials” (or “green materials”) means materials that are required to be separated from garbage and designated recyclable materials prior to disposal and returned for use or reuse in the form of raw materials for new, used or reconstituted products. Green materials include, but are not limited to: yard trimmings, grass, weeds, leaves, branches, dead plants, brush, tree trimmings, dead trees, small wood pieces and other types of organic yard waste. Green material excludes food scraps and paper contaminated with food scraps.

M. “Designated organic recyclable materials” (or “organic recyclable materials”) means materials that are required to be separated from garbage and designated recyclable materials prior to disposal and returned for use or reuse in the form of raw materials for new, used or reconstituted products. Organic recyclable materials include, but are not limited to: yard trimmings and food scraps such as green trimmings, grass, weeds, leaves, prunings, branches, dead plants, brush, tree trimmings, dead trees, small wood pieces, other types of organic yard waste, vegetable waste, fruit waste, dairy waste, meat waste, fish waste, paper products and food-soiled paper products and/or as otherwise specified by the public works director and/or his or her designee.

N. “Designated recyclable materials” (or “recyclable materials”) means materials that are required to be separated from garbage and designated organic recyclable materials prior to disposal and returned for use or reuse in the form of raw materials for new, used or reconstituted products. Recyclable materials include, but are not limited to: clean cardboard, paper, plastic, scrap metal, beverage containers, and clean (untreated and unpainted) wood.

O. “Designee” means a person or entity that the City Manager or Public Works Director designates, contracts with, or otherwise arranges to carry out any of the Jurisdiction’s responsibilities of this chapter authorized by 14 CCR Section 18981.2. A Designee may be a government employee or entity, a private entity, a Franchised Collector, or a combination of those entities.

P. “Edible Food” means food intended for human consumption, or as otherwise defined in 14 CCR Section 18982(a)(18). For the purposes of this chapter or as otherwise defined in 14 CCR Section 18982(a)(18), “Edible Food” is not Solid Waste if it is recovered and not discarded. Nothing in this chapter or in 14 CCR, Division 7, Chapter 12 requires or authorizes the recovery of Edible Food that does not meet the food safety requirements of the California Retail Food Code.

Q. “Food Recovery Organization” means an entity that engages in the collection or receipt of Edible Food from Commercial Edible Food Generators and distributes that Edible Food to the public for Food Recovery either directly or through other entities or as otherwise defined in 14 CCR Section 18982(a)(25), including, but not limited to:

- A food bank as defined in Section 113783 of the Health and Safety Code;
- A nonprofit charitable organization as defined in Section 113841 of the Health and Safety Code; and,
- A nonprofit charitable temporary food facility as defined in Section 113842 of the Health and Safety Code.

R. “Food Recovery Service” means a person or entity that collects and transports Edible Food from a Commercial Edible Food Generator to a Food Recovery Organization or other entities for Food Recovery, or as otherwise defined in 14 CCR Section 18982(a)(26). A Food Recovery Service is not a Commercial Edible Food Generator for the purposes of this chapter and implementation of 14 CCR, Division 7, Chapter 12 pursuant to 14 CCR Section 18982(a)(7).

S. “Food Scraps” means all edible or inedible food such as, but not limited to, fruits, vegetables, meat, poultry, seafood, shellfish, bones, rice, beans, pasta, bread, cheese, coffee grounds, and eggshells. Food Scraps excludes fats, oils, and grease when such materials are Source Separated from other Food Scraps.

T. “Food Service Provider” means an entity primarily engaged in providing food services to institutional, governmental, Commercial, or industrial locations of others based on contractual arrangements with these types of organizations, or as otherwise defined in 14 CCR Section 18982(a)(27).

U. “Food Waste” means Food Scraps and food soiled paper.

V. “Franchise” or “commercial franchise” means a commercial garbage, organics and recyclables collection franchise issued to a commercial hauler by the city of Rancho Cordova.

W. “Franchisee” or “franchised waste hauler” means a person or entity holding a commercial or residential franchise issued by the city pursuant to Chapter 6.20 RCMC.

X. “Garbage” means those elements of the Solid Waste stream designated for the “Garbage Container”, and excludes hazardous waste, Excluded Waste, materials designated for the “Organics Container” or “Recycling Container” or materials which have been separated for reuse.

Note: The distinction between garbage and solid waste is that solid waste includes garbage, recyclable materials, and organic recyclable materials while “garbage” does not.

Y. “Garbage Container” has the same meaning as “Gray Container” in 14 CCR Section 18982(a)(28) and shall be used for the purpose of storage and collection of Garbage.

Z. “Generator” means each single family, business or multifamily residential property that is responsible for the initial creation of Garbage, Organic Waste or Recyclable Materials

AA. “Grocery Store” means a store primarily engaged in the retail sale of canned food; dry goods; fresh fruits and vegetables; fresh meats, fish, and poultry; and any area that is not separately owned within the store where the food is prepared and served, including a bakery, deli, and meat and seafood departments, or as otherwise defined in 14 CCR Section 18982(a)(30).

BB. “Multifamily residential property” means five or more individual living units located on a single parcel of land and any mobile home park located within the city.

CC. “National contracts” means contracts between waste management companies and multi-sited waste-generating companies that operate currently throughout the United States, in more than one state.

DD. “Organics Container” has the same meaning as “Green Container” in 14 CCR Section 18982(a)(29) and shall be used for the purpose of storage and collection of Source Separated Organic Recyclable Material designated for Compost processing, including Food Waste and landscape and pruning waste accepted in the City’s Organic Waste Collection program, and other organic materials as determined by the City as acceptable for the Organics Container

EE. “Organic Waste or Organic Recyclable Material” means Solid Waste containing material originated from living organisms and their metabolic waste products, including but not limited to food, Food Scraps, food soiled paper, green material, landscape and pruning waste, organic textiles and carpets, lumber, wood, paper products, printing and writing paper, manure, biosolids, digestate, and sludges or as otherwise defined in 14 CCR Section 18982(a)(46). Organic Waste does not include Rigid Compostable Plastic.

FF. “Organic Waste Generator” means a person or entity that is responsible for the initial creation of Organic Recyclable Material, or as otherwise defined in 14 CCR Section 18982(a)(48).

GG. “Owner” means the person who owns a business or multifamily residential property. An owner may also be a generator.

HH. “Person” means an individual, firm, limited liability company, association, partnership, industry, public or private corporation, or any other entity whatsoever.

II. “Public works director” means the public works director of the city of Rancho Cordova, California.

JJ. “Recycling” means the process of collecting, sorting, cleansing, treating and reconstituting materials that would otherwise become garbage and returning them for use or reuse in the form of raw materials for new, used or reconstituted products which meet the quality standard necessary to be used in the marketplace. Recycling does not

include transformation as defined in Section 40201 of the California Public Resources Code. The term “recycling” may be used to include source separated materials.

KK. “Recycling facility” means those facilities or operations that receive, process, and transfer to market recyclable materials or organic recyclable materials that have been source separated from the solid waste stream.

LL. “Recyclable material” or “recyclables” means materials that have been separated from the solid waste stream prior to disposal for the purpose of returning them for use or reuse in the form of raw materials for new, used or reconstituted products which meet the quality standard necessary to be used in the marketplace, and that are not landfilled. Recyclable material or recyclables includes those materials that can be placed in the Recycling Container including but not limited to, glass and plastic bottles, aluminum, tin and steel cans, metals, unsoiled paper products, printing and writing paper, and cardboard, and any other items as determined by the City.

MM. “Recyclable materials container” or “Recycling Container” has the same meaning as “Blue Container” in 14 CCR Section 18982(a)(5) and shall be used for the purpose of storage and collection of source separated Recyclable Materials.

NN. “Recycling plan” means the plan to be presented to all covered generators by their franchised waste hauler to document understanding of the requirements of this chapter and record the selected compliance option for each designated recyclable material or each designated organic recyclable material.

OO. “Removal” means the act of taking garbage, recyclable materials, or organic recyclable materials from the place of generation.

PP. “SB 1383” means the Short-Lived Climate Pollutants: Methane Emissions: Dairy and Livestock: Organic Waste: Landfills Act of 2016. Article 4 Title 14, Division 4, Chapter 12 of the California Code of Regulations.

QQ. “Single-Family” means, of, from, or pertaining to any residential premises with fewer than five (5) units for the purposes of implementing this chapter.

RR. “Self-haul,” when used in reference to a covered generator, means a covered generator, or employee designated by the covered generator, who collects, transports and hauls recyclable materials and/or organic recyclable materials from the business or multifamily residential property in a vehicle owned by either an employee or the entity to a recycling facility rather than hiring a franchised waste hauler to perform this function. Self-hauler also includes a person who back-hauls waste.

1. “Back-haul” means generating and transporting organic waste to a destination owned and operated by the generator using the generator’s own employees and equipment.

SS. “Service agreement” means a written agreement between a franchised waste hauler and a covered generator concerning the collection of designated recyclable materials and/or designated organic recyclable materials.

TT. “Solid waste” means all putrescible and nonputrescible solid, semisolid, and liquid wastes, including garbage, trash, refuse, paper, rubbish, ashes, industrial wastes, demolition and construction wastes, discarded home and industrial appliances, dewatered, treated or chemically fixed sewage sludge which is not hazardous waste, manure, vegetable or animal solid and semisolid wastes, and other discarded solid and semisolid wastes. “Solid waste” does not include hazardous waste or low-level radioactive waste regulated under Chapter 7.6 (commencing with Section 25800) of Division 20 of the California Health and Safety Code, or medical waste. “Solid waste” includes recyclable materials or organic recyclable materials set out for separate collection for the purposes of recycling and that are not landfilled.

WW. “Source separate” or “source separated” means the process of removing recyclable materials and/or organic recyclable materials from garbage for the purpose of recycling and/or organics recycling.

XX. “Subcontract” is a contract assigning some of the obligations of a contract to a third party.

YY. Tier 1 and Tier 2 Commercial Edible Food Covered Generators.

1. “Tier one Commercial Edible Food Generator” means a Commercial Edible Food Generator that is one of the following:

- a. Supermarket. “Supermarket” means a full-line, self-service retail store with gross annual sales of \$2,000,000, or more, and which sells a line of dry grocery, canned goods, or nonfood items and some perishable items.
- b. Grocery Store with a total facility size equal to or greater than 10,000 square feet.
- c. Food Service Provider
- d. Food Distributor. “Food Distributor” means a company that distributes food to entities including, but not limited to, supermarkets and grocery stores.
- e. Wholesale Food Vendor. “Wholesale Food Vendor” means a business or establishment engaged in the merchant wholesale distribution of food, where food (including fruits and vegetables) is received, shipped, stored, prepared for distribution to a retailer, warehouse, distributor, or other destination.

2. “Tier two Commercial Edible Food Generator” means a Commercial Edible Food Generator that is one of the following:

- a. Restaurant with 250 or more seats, or a total facility size equal to or greater than 5,000 square feet. “Restaurant” means an establishment primarily engaged in the retail sale of food and drinks for on-premises or immediate consumption.
- b. Hotel with an on-site food facility and 200 or more rooms. “Hotel” has the same meaning as in Section 17210(a) of the Business and Professions code.
- c. Health Facility with an on-site food facility and 100 or more beds. “Health Facility” has the same meaning as in Section 1250 of the Health and Safety Code.
- d. Large Venue. “Large Venue” means a permanent venue facility that annually seats or serves an average of more than 2,000 individuals within the grounds of the facility per day of operation of the venue facility. For the purposes of this chapter, a venue facility includes, but is not limited to, a public, nonprofit, or privately owned or operated stadium, amphitheater, arena, hall, amusement park, conference or civic center, zoo, aquarium, airport, racetrack, horse track, performing arts center, fairground, museum, theater, or other public attraction facility. For the purposes of this chapter, a site under common ownership or control that includes more than one large venue that is contiguous with other large venues in the site, is a single large venue.
- e. Large Event. “Large Event” means an event, including, but not limited to, a sporting event or a flea market, that charges an admission price, or is operated by a local agency, and serves an average of more than 2,000 individuals per day of operation of the event, at a location that includes, but is not limited to, a public, nonprofit, or privately owned park, parking lot, golf course, street system, or other open space when being used for an event.
- f. A state agency with a cafeteria with 250 or more seats or a total cafeteria facility size equal to or greater than 5,000 square feet.
- g. A Local Education Agency with an on-site food facility. “Local Education Agency” means a school district, charter school, or county office of education that is not subject to the control of city or county regulations related to solid waste. [Ord. 17-2020 § 4 (Exh B)].

6.21.030 Threshold for Single Family, Commercial Business and Multifamily Property Generators.

A. Recycling Requirements. All single family, commercial business and multifamily residential property generators, and any other covered generators as defined in state law, must subscribe to a sufficient number of recyclable material containers to adequately store all source separated recyclable materials generated in connection with the residence or business between the times designated for collection from a franchised waste hauler unless

ITEM 11.1.

Exhibit A to the Ordinance

they receive alternative compliance and exemption from the city as provided for in RCMC 6.21.040. The City shall have the right to review the number and size of such containers to evaluate the adequacy of capacity provided for each type of collection service and to require additional or larger containers (or additional service days) and to review the separation and containment of materials. Generators shall adjust service levels for their collection services as requested by the City in order to meet the standards set forth in this chapter.

B. **Organics Recycling Requirements.** All single family, commercial business and multifamily residential property generators, and any other covered generators as defined in state law, must subscribe to a sufficient number of recyclable material containers to adequately store all source separated organic recyclable materials generated in connection with the residence or business between the times designated for collection and receive an adequate level of organic waste collection services from a franchised waste hauler unless they receive written approval of an alternative compliance and exemption from the city as provided for in RCMC 6.21.040. The City shall have the right to review the number and size of such containers to evaluate the adequacy of capacity provided for each type of collection service and to require additional or larger containers (or additional service days) and to review the separation and containment of materials. Generators shall adjust service levels for their collection services as requested by the City in order to meet the standards set forth in this chapter.

6.21.035 Education and Outreach Requirements for Commercial Business Owners and Multi-family Owners.

All Commercial Business Owners are required to:

- A. Excluding Multi-Family Residential Dwellings, to the extent practical through education, training, inspection, and/or other measures, prohibit employees from placing materials in a container not designated for those materials per the Recycling Container, Organics Container, and Garbage Container collection service.
- B. Excluding Multi-Family Residential Dwellings, periodically inspect Recycling Containers, Organics Containers, and Garbage Containers for contamination and inform employees if containers are contaminated and of the requirements to keep contaminants out of those containers.
- C. Including Multi-Family Residential Dwellings, annually provide information to employees, contractors, tenants, building residents, and customers about Organic Waste Recovery requirements and about proper sorting of Organic Waste and Recyclable Materials. A copy of such instructions shall be provided to the Public Works Director or Designee, upon request.
- D. Including Multi-Family Residential Dwellings, provide information before or within fourteen (14) days of new occupation of the Premises to new tenants and no less than fourteen (14) days before tenants move out of the Premises, unless a tenant does not provide fourteen (14) or more days' notice to before moving out, that describes requirements to keep Organics Container Organic Waste and Recyclable Materials separate from each other and from Garbage, the location of containers, and the rules governing their use at the Premises.
- E. Including Multi-Family Residential Dwellings, prominently post and maintain one or more signs where Recyclable Materials and/or Organic Waste are collected and/or stored that set forth what materials are required to be Source Separated, in addition to collection procedures for such materials.

6.21.040 Additional Requirements for covered generators.

A. Any covered generator that does not subscribe to garbage, recyclable material, and organic waste collection services with the same franchised waste hauler is required to complete an "alternative compliance and exemption form" and have that form approved by the city in writing as a condition of receiving garbage collection service from a franchised waste hauler.

B. Each covered generator shall be responsible for ensuring and demonstrating its compliance with the following requirements:

1. Source separate designated recyclable materials and designated organic recyclable materials from garbage;

2. Provide a basic level of recycling and organics recycling services that includes, at a minimum, the collection of designated recyclable materials and/or designated organic recyclable materials;

3. Enter into a service agreement with the same franchised waste hauler for the collection of designated recyclable materials and designated organic recyclable materials; and

4. Complete and retain, on site, if applicable, the approved alternative compliance and exemption form, certifying that recycling and/or organic collection services are being provided by a franchised waste hauler if that franchised waste hauler is not also providing garbage service or certifying and receiving written approval from the public works director, and/or his or her designee, that all self-hauling activities will be completed in accordance with provisions in RCMC 6.21.120.

C. Multi family property owners shall provide for recyclable materials containers for designated recyclable and organic materials in multifamily residential rental units and in maintenance and work areas where recyclable materials may be collected and/or stored.

D. Each covered generator under AB 827, and all other applicable state law, shall provide recyclable materials containers for designated recyclable and organic materials where customers have access to the business. Each covered generator shall prominently post and maintain one or more signs where designated recyclable materials and/or designated organic recyclable materials are collected and/or stored that set forth what materials are required to be source separated in addition to collection procedures for such materials.

F. Commercial Business Owners and Multifamily Property Owners shall ensure that designated recyclable materials and/or designated organic recyclable materials generated at their site will be taken only to a recycling facility and not to a landfill for disposal by complying with all requirements under this chapter.

G. The service agreement, alternative compliance and exemption form, and/or other documents pertaining to this chapter, shall be available for inspection by the public works director, and/or his or her designee, at the principal location of the covered generator during normal business hours.

H. Nothing in this chapter shall abridge the right of any covered generator, or any other person, to sell or exchange at fair market value its own recyclable materials or organic recyclable materials which are source separated for reuse and recycling or organics recycling.

I. No franchised waste hauler shall be held liable for the failure of its customers to comply with such regulations.

J. No covered generator shall be liable for the failure of their franchised waste hauler to deliver designated recyclable materials or designated organic recyclable materials to a recycling or processing facility. [Ord. 17-2020 § 4 (Exh B)].

6.21.050 Special requirements.

In addition to any and all requirements that apply to the recycling and/or organics recycling of designated recyclable materials and/or designated organic recyclable materials throughout the city above, collection service received or provided in the city shall be subject to the following additional special requirements:

A. No recycling, automatic lift containers or bins within the collection area of the city shall be placed or located in such a manner that blocks or impedes passage through an alley or through any doorway of any building adjoining an alley, notwithstanding that such building may be abandoned or otherwise out of use.

B. Compliance with the above special requirements shall be the sole responsibility of the covered generator. [Ord. 17-2020 § 4 (Exh B)].

6.21.060 Designation of recyclable materials and organic recyclable materials.

Designated recyclable materials and/or designated organic recyclable materials shall be source separated from garbage before collection, removal, transportation or disposal pursuant to this chapter. The public works director, and/or his or her designee, shall specify designated recyclable materials and organic recyclable materials that must be source separated by all covered generators pursuant to RCMC 6.21.040. The specifications for designated

recyclable materials and designated organic recyclable materials shall consider materials market conditions and the availability of a cost-effective system for recycling such materials. [Ord. 17-2020 § 4 (Exh B)].

6.21.070 Ownership of recyclable materials and organic recyclable materials.

A. All designated recyclable materials and designated organic recyclable materials placed in automatic lift containers, bins or roll-off bins shall be considered owned by and be the responsibility of the franchised waste hauler. No person shall collect designated recyclable materials or designated organic recyclable materials placed in automatic lift containers, bins or roll-off bins for recyclable materials or organic recyclable materials by customers without permission from the franchised waste hauler.

B. Except as authorized by RCMC 6.21.120, Requirements for self-hauling, it shall be unlawful for any person to engage in the business of collecting, removing or transporting, or to otherwise organize, direct or sponsor the collection, removal or transportation of designated recyclable materials or designated organic recyclable materials who is not a franchised waste hauler. [Ord. 17-2020 § 4 (Exh B)].

6.21.080 Requirements for franchised waste haulers.

A. Commercial waste haulers shall be franchised pursuant to the provisions of Chapter 6.20 RCMC, and such franchise shall be in full force and effect.

B. Franchised waste haulers shall offer collection service and automatic lift containers, bins or roll-off bins for designated recyclable materials and designated organic recyclable materials sufficient to accommodate the quantity and types of designated recyclable materials and designated organic recyclable materials to all its garbage customers.

C. Franchised waste haulers shall equip and provide automatic lift containers, bins and roll-off bins for designated recyclable materials and designated organic recyclable materials with locks and/or other suitable features to prevent theft of recyclable materials and organic recyclable materials.

D. Franchised waste haulers may subcontract for collection of designated recyclable material and/or designated organic recyclable materials, so long as the subcontractor holds a current franchise.

E. Franchised waste haulers shall conduct all activities in accordance with all applicable state and local laws and best management practices. Vehicles, equipment and containers shall be kept in a clean and well-maintained condition.

F. Franchised waste haulers shall not take a customer's designated recyclable materials or designated organic recyclable materials to a landfill or other disposal site, but to a recycling facility.

G. Franchised waste haulers, upon request, shall provide the public works director, and/or his or her designee, with a copy of a service agreement, recycling plan, alternative compliance and exemption form, or other document (e.g., receipt from a recycling facility) demonstrating that the covered generator's designated recyclable materials and/or designated organic recyclable materials are being taken to a recycling facility. The service agreement, recycling plan, alternative compliance and exemption form, or other documents shall be available for inspection by the public works director, and/or his or her designee, at the franchised waste haulers' place of business during normal business hours.

H. City staff may audit all franchised waste haulers' records.

I. Franchised waste haulers shall not provide garbage collection services to a business or multifamily residential property covered generator unless that business or multifamily property covered generator is also receiving both recyclable material and organics recyclable material collection services from the same franchised waste hauler providing garbage service; or

1. Unless the franchise waste hauler has received a completed alternative compliance and exemption form from the business or multifamily residential covered generator; and

2. The city has received and provided the covered generator with written approval of its alternative compliance and exemption form request and notified the franchised waste hauler in writing of any such approval.

J. Franchised waste haulers are required to submit all completed alternative compliance and exemption forms to the city for review which will be due on the tenth of each month for the previous reporting month.

K. Franchised waste haulers are required to maintain a list of any and all businesses and multifamily properties that the franchised hauler is providing garbage collection services to but is not also providing recycling and organic collection services (non full-service account list). Franchised haulers shall provide a current non full-service account list to the city, which will be due on the tenth of each month for the previous reporting month.

L. Franchised waste hauler shall be required to meet full compliance with requirements pursuant to RCMC 6.21.090 by a date set by the public works director and/or his or her designee. Franchised waste hauler shall receive written notification of such terms. [Ord. 17-2020 § 4 (Exh B)].

M. Franchised hauler shall meet the following requirements and standards in connection with collection of Organic Waste and Recyclables:

1. Through written notice or written report to the City, Franchised hauler shall annually identify the facilities to which they will transport Organic Waste including facilities for Source Separated Recyclable Materials and Source Separated Organic Waste.
2. Transport Source Separated Recyclable Materials to a facility that recycles those materials and transport Source Separated Organic Waste to a facility, operation, activity, or property that recovers Organic Waste as defined in 14 CCR, Division 7, Chapter 12, Article 2.
3. Obtain approval from the City to haul Organic Waste, unless it is transporting Source Separated Organic Waste to a Community Composting site or lawfully transporting C&D in a manner that complies with 14 CCR Section 18989.1.

6.21.090 Requirements for service agreements.

A. Franchised waste haulers shall execute a written service agreement with all covered generators as required in RCMC 6.21.040 before the franchised waste hauler begins to collect garbage and/or designated recyclable materials and/or designated organic recyclable materials.

B. Service agreements shall incorporate, but are not limited to, the following terms and conditions:

1. Be clearly labeled as a service agreement.
2. Describe the garbage and/or recyclable material and/or organics recyclable material collection services to be provided by the franchised waste hauler and the cost for providing such services to the customer.
3. Clearly state the initial term and renewal terms.
4. Include the condition, as applicable, that the franchised waste hauler cannot provide garbage collection services to a covered generator unless:
 - a. The business or multifamily property covered generator is also receiving both recyclable materials and organics recyclable waste collection services from the franchised waste hauler; or
 - b. The city has received and provided the covered generator with written approval of its alternative compliance and exemption form request.
5. May contain automatic renewal for successive periods of no longer than one year, unless either party gives written notice of termination by certified or registered mail at least 60 days prior to the termination date of the current agreement.
6. May be amended as mutually agreed upon by the customer and the franchised waste hauler.

7. Customers are to receive a written notice of price increases not less than 30 days prior to the effective date of such price increase.
8. Franchised waste haulers shall respond to customer inquiries regarding the service agreement within 30 days.
9. Include language stating that collection containers will be removed from the property of a customer within 30 days of final termination of services to the customer.
10. Not require customers to pay over three months' liquidated damages during the renewal term and over six months' liquidated damages during the initial term of the service agreement.
11. Not require a customer to give a franchised waste hauler the exclusive right to provide recycling collection services or the exclusive right to provide organics recyclable material collection services as a condition of a service agreement, unless the customer affirmatively indicates that is its desire.
12. Not require customers to give notice of any offer by a competitor or require customers to give franchised waste haulers the right to respond to such an offer.
13. Franchises must be in full force and effect for the service agreement to be effective.

C. The requirements for service agreements contained in this section shall be incorporated into all new service agreements upon enactment of this chapter. Existing service agreements between a franchised waste hauler and a customer executed before the effective date of the ordinance codified in this chapter shall remain in force for the remainder of the existing contract and shall be governed by the terms and conditions specified in the existing service agreement; provided, that such existing service agreements shall comply, to the extent allowable by law, with the new recycling and organics recycling programs established by this chapter.

D. National contracts or agreements are exempt from the requirements of contract length and renewal terms. [Ord. 17-2020 § 4 (Exh B)].

6.21.100 Process for addressing covered generator noncompliance.

In the event that the franchised waste hauler must stop providing garbage collection service to a covered generator due to the covered generator's noncompliance with this chapter the franchised waste hauler shall take the following steps:

- A. Issue a written "service termination notice" to the noncompliant commercial generator stating that the franchised waste hauler shall terminate garbage collection services within 14 days of providing that service termination notice to the business or multifamily residential property. That "service termination notice" shall clearly state that it is mandatory for the business or multifamily residential property to subscribe to garbage, recyclable material and organic recyclable material collection service as required by RCMC 6.21.040.
- B. Notify the city by email no more than seven business days and no less than two business days before collection service is suspended for all carts, bins and/or containers from the business or multifamily residential property.
- C. Suspend collection service of all carts and/or containers from the business or multifamily residential property that has not complied within 14 days of receiving the service termination notice.
- D. Notify the public works director, and/or his or her designee, in person or by telephone within 24 hours after suspending collection service of all garbage carts and/or containers from the business or multifamily residential property.
- E. Send a follow-up email that has been confirmed by the franchised waste hauler to be received by the public works director, and/or his or her designee, by the end of the next business day the name and address of the covered generator that the franchised waste hauler has suspended collection service of all garbage carts and/or containers to. [Ord. 17-2020 § 4 (Exh B)].

6.21.110 Requirements for multifamily residential properties.

A. Multifamily residential tenants shall be responsible for compliance with the requirement to source separate designated recyclable materials and/or designated organic recyclable materials from garbage pursuant to RCMC 6.21.040(B)(1).

B. No multifamily residential property owner who is a covered generator pursuant to RCMC 6.21.020(J) shall be cited for noncompliance with this chapter as a result of the failure of his or her rental property tenants to source separate designated recyclable materials or designated green materials and/or organic recyclable materials from garbage pursuant to RCMC 6.21.040.

C. Multifamily residential property owners who are covered generators pursuant to RCMC 6.21.020(J) shall be responsible for compliance with RCMC 6.21.030, 6.21.035, and 6.21.040.

D. Every multifamily residential unit shall have a recyclable materials container provided by either the multifamily residential property owner who is a covered generator pursuant to RCMC 6.21.020(J), or by the multifamily tenant as part of their rental agreement. [Ord. 17-2020 § 4 (Exh B)].

6.21.115 Commercial Edible Food Generator Requirements.

A. Tier One Commercial Edible Food Generators must comply with the requirements of this Section commencing January 1, 2022, and Tier Two Commercial Edible Food Generators must comply commencing January 1, 2024, pursuant to 14 CCR Section 18991.3, or such later deadline established by State law or regulations.

B. Large Venue or Large Event operators not providing food services, but allowing for food to be provided by others, shall require Food Facilities, operating at the Large Venue or Large Event to comply with the requirements of this Section, commencing January 1, 2024, or such later deadline established by State law or regulations.

C. Commercial Edible Food Generators shall comply with the following requirements:

- (1) Arrange to safely recover for human consumption the maximum amount of Edible Food that would otherwise be disposed.
- (2) Enter into a contract or other written agreement with Food Recovery Organizations or Food Recovery Services for: (i) the collection for Food Recovery of Edible Food that would otherwise be disposed; or (ii) acceptance of Edible Food that would otherwise be disposed that the Commercial Edible Food Generator self-hauls to the Food Recovery Organization for Food Recovery.
- (3) Use best efforts to abide by all contractual or written agreement requirements specified by the Food Recovery Organization or Food Recovery Service on how Edible Food should be prepared, packaged, labeled, handled, stored, distributed or transported to the Food Recovery Organization or Service.
- (4) Not intentionally donate food that has not been prepared, packaged, handled, stored and/or transported in accordance with the safety requirements of the California Retail Food Code.
- (5) Not intentionally spoil Edible Food that is capable of being recovered by a Food Recovery Organization or a Food Recovery Service.
- (6) Allow the Enforcement Officer to review records upon request, including by providing electronic copies or allowing access to the Premises.
- (7) Keep records that include the following information, or as otherwise specified in 14 CCR Section 18991.4:
 - (a) A list of each Food Recovery Service or Food Recovery Organization that collects or receives its Edible Food pursuant to a contract or written agreement established under 14 CCR Section 18991.3(b).

- (b) A copy of all contracts and written agreements between the Commercial Edible Food Generator and a Food Recovery Service or organization.
- (c) A record of the following information for each of those Food Recovery Services or Food Recovery Organizations:
 - (i) The name, address and contact information of the Food Recovery Service or Food Recovery Organization.
 - (ii) The types of food that will be collected by or self-hauled to the Food Recovery Service or Food Recovery Organization.
 - (iii) The established frequency that food will be collected or self-hauled.
 - (iv) The quantity of food, measured in pounds recovered per month, collected or self-hauled to a Food Recovery Service or Food Recovery Organization for Food Recovery.
- (8) If it has not entered into a contract or written agreement with Food Recovery Organizations or Food Recovery Service, a record that describes (i) its direct donation of Edible Food to end recipients (including employees) and/or (ii) its food waste prevention practices that result in it generating no surplus Edible Food that it can donate.
- (9) Tier One Commercial Edible Food Generators and Tier Two Commercial Edible Food Generators shall provide, upon request, a Food Recovery report to the Enforcement Officer that includes the information in C(7)(c). Entities shall provide the requested information within sixty (60) days of the request.
- D. Nothing in this chapter shall be construed to limit or conflict with (1) the protections provided by the California Good Samaritan Food Donation Act of 2017, the Federal Good Samaritan Act, or share table and school food donation guidance pursuant to Senate Bill 557 of 2017; or (2) otherwise applicable food safety and handling laws and regulations.
- E. Nothing in this chapter prohibits a Commercial Edible Food Generator from donating Edible Food directly to end recipients for consumption, pursuant to Health and Safety Code Section 114432(a).

6.20.116 Food Recovery Organizations and Services Requirements.

- A. Food Recovery Services collecting or receiving Edible Food directly from Commercial Edible Food Generators, via a contract or written agreement established under 14 CCR Section 18991.3(b), shall maintain the following records:
 - (1) The name, address, and contact information for each Commercial Edible Food Generator from which the service collects Edible Food.
 - (2) The quantity in pounds of Edible Food collected from each Commercial Edible Food Generator per month. This may also include the total quantity in pounds of food collected that was spoiled when received from a Commercial Edible Food Generator or otherwise not able to be used to feed people.
 - (3) The quantity in pounds of Edible Food transported to each Food Recovery Organization per month.
 - (4) The name, address, and contact information for each Food Recovery Organization to which the Food Recovery Service transports Edible Food for Food Recovery.

- B. Food Recovery Organizations collecting or receiving Edible Food directly from Commercial Edible Food Generators, via a contract or written agreement established under 14 CCR Section 18991.3(b), shall maintain the following records:
- (1) The name, address, and contact information for each Commercial Edible Food Generator from which the organization receives Edible Food.
 - (2) The quantity in pounds of Edible Food received from each Commercial Edible Food Generator per month. This may also include the total quantity in pounds of food collected that was spoiled when received from a Commercial Edible Food Generator or otherwise not able to be used to feed people.
 - (3) The name, address, and contact information for each Food Recovery Service that the organization receives Edible Food from for Food Recovery.
- C. Food Recovery Organizations and Food Recovery Services that have their primary address physically located in the City and contract with or have written agreements with one or more Commercial Edible Food Generators shall report to the City, or its Enforcement Officer, the total pounds of Edible Food recovered from the Tier One and Tier Two Commercial Edible Food Generators they have established a contract or written agreement with (regardless of whether those Generators are located in the City) according to the following schedule:
- (i) no later than April 31, 2023, and no later than every April 31 thereafter, submit a report covering the period of January 1 to December 31 of the previous calendar year.
- D. In order to support Edible Food Recovery capacity planning assessments and similar studies, Food Recovery Services and Food Recovery Organizations operating in the City shall provide, upon request, information and consultation to the City and/or the County, regarding existing, or proposed new or expanded, Food Recovery capacity in a form that can be provided to or that can be accessed by the County, the City and Commercial Edible Food Generators in the City. A Food Recovery Service or Food Recovery Organization shall respond to such request for information within sixty (60) days, unless a shorter timeframe is otherwise specified.

6.21.120 Requirements for self-hauling.

A. A covered generator may haul or transport designated recyclable materials and/or designated organic recyclable materials generated and collected at its business or multifamily residential property to a recycling facility that diverts material from disposal, rather than hiring a franchised waste hauler, only if an owner, generator or employee of the entity completes this activity by utilizing a vehicle owned by either an employee or the entity has also submitted an alternative compliance form to the city and received written approval for self-hauling activities.

Self haulers must Source Separate their Recyclable Materials and Organic Waste generated on-site from Solid Waste in a manner consistent with this section or haul Organic Waste to a High Diversion Organic Waste Processing Facility.

Self haulers must haul their Source Separated Recyclable Materials to a facility that recovers those materials; and haul their Source Separated Organic Waste to a Solid Waste facility, operation, activity, or property that processes or recovers Source Separated Organic Waste or to a High Diversion Organic Waste Processing Facility; and haul their Garbage to a fully permitted Solid Waste facility.

B. Business and multifamily covered generators pursuant to RCMC 6.21.020(J) that self-haul or transport designated recyclable materials and/or designated organic recyclable materials shall follow established provisions pursuant to RCMC 6.21.040(A) and 14 CCR Section 18988.3.

C. A covered generator that self-hauls or transports designated recyclable materials and/or designated organic recyclable materials collected at its business or multifamily residential property to a recycling facility without the utilization of a franchised waste hauler must complete and retain on site an approved alternative compliance and

exemption form certifying all self-hauling activities will be completed in accordance with the provisions of all applicable laws or regulations of this chapter and 14 CCR Section 18988.3. The alternative compliance and exemption form shall be made available to the public works director, and/or his or her designee, upon request. At a minimum, the covered generator shall provide the following information on the alternative compliance and exemption form and also keep records containing the following information.

1. The name, address and telephone number of the covered generator that is signing the self-haul form.
2. A list of the types of recyclable materials and/or organic recyclable materials being self-hauled.
3. Delivery receipts and weight tickets from the entity accepting the waste.
4. The amount of material in cubic yards or tons transported by the Generator to each entity.
 - (a) If the material is transported to an entity that does not have scales on-site or employs scales incapable of weighing the Self-Hauler's vehicle in a manner that allows it to determine the weight of materials received, the Self-Hauler is not required to record the weight of material but shall keep a record of the entities that received the Organic Waste.
- 5.. For each type of recyclable material and/or organic recyclable material, the amount that is being taken from the business and multifamily residential property to a recycling facility quarterly.
6. The name and address of the recycling facility(ies).
7. A written statement signed by the business or multifamily residential property owner or generator certifying that the owner or generator agrees to comply with the requirements of this chapter.

D. The public works director, and/or his or her designee, may restrict or prohibit self-hauling by a person if the public works director, and/or his or her designee, determines, after providing 30 days' written notice and an opportunity for a hearing, that the person's self-hauling activities violate the provisions of this chapter or any other applicable law or regulation.

E. Self-Haulers, which are Commercial Businesses including Multi-Family Residential Dwellings, shall keep records of the amount of Organic Waste delivered to each Solid Waste facility, operation, activity, or property that processes or recovers Organic Waste for a minimum of five (5) years; this record shall be subject to inspection by the City.

F. Self-Haulers that are Commercial Businesses including Multi-Family Residential Dwellings shall provide these records, upon request, to the Public Works Director or Designee. Self-Haulers shall provide the requested information within sixty (60) days.

G. Landscapers, who self-haul Organic Waste generated at a customer's site, must also meet the requirements in this section.

H. A Single-Family Organic Waste Generator that self-hauls Organic Waste is not required to record or report this information.

I. The public works director, and/or his or her designee, will notify the covered generator that self-hauls if the alternative compliance and exemption form has been approved within 14 days of receiving the submitted request. [Ord. 17-2020 § 4 (Exh B)].

6.21.125 SB 1383 regulatory compliance.

Organic waste generators, franchised waste haulers, and all other entities subject to the requirements of SB 1383 shall fully comply with all applicable SB 1383 regulatory requirements or be subject to the penalties as prescribed in Section 18997.2 of SB 1383 or RCMC 6.21.230 as determined by the public works director and/or his or her designee. [Ord. 17-2020 § 4 (Exh B)].

6.21.130 Reporting.

A. Franchised waste haulers' failure to file the reports required by this chapter or by the franchise agreement shall constitute cause for termination or suspension of its franchise pursuant to Chapter 6.20 RCMC.

B. Unless otherwise required by the franchise agreement, self-haulers shall prepare quarterly reports to be kept on site identifying, at a minimum, the following:

1. The recyclable materials and organic recyclable materials tonnage collected and removed within the city region during the previous quarter.
2. The location of the recycling facility(ies) to which the recyclable materials and organic recyclable materials were taken during the previous quarter.

C. Unless otherwise required by the franchise agreement, franchised waste haulers shall prepare quarterly reports as designated by the public works director and/or his or her designee.

D. Unless otherwise required by the franchise agreement, franchised waste haulers shall prepare monthly reports as required pursuant to RCMC 6.21.080(J) and (K).

E. The public works director, and/or his or her designee, shall provide and establish guidelines, forms and other appropriate materials to assist franchised waste haulers and self-haulers in preparing the reports required by this chapter. [Ord. 17-2020 § 4 (Exh B)].

6.21.140 Exemptions from recycling standards.

A. Notwithstanding any other provision herein, a covered generator shall not be required to source separate recyclable materials and/or organic recyclable materials if the business or multifamily residential property, owner or generator, demonstrates to the public works director, and/or his or her designee, that there is no collection service or other system available for recycling such material.

B. Notwithstanding any other provision herein, a covered generator shall be exempt from the recycling and/or organics recycling requirements in RCMC 6.21.040 if all of the generators on the owner's business or multifamily residential property are exempt from or not required to comply with the provisions of RCMC 6.21.040, or if designated recyclable materials and/or designated organic recyclable materials are not being generated by any activities occurring on the covered generator's property. Documentation to that effect will be required as described in C.2 and 3.

C. Covered commercial and multi-family generators may be exempted by the public works director, and/or his or her designee, if it is determined through a site visit or other means of verification:

1. That the premises lacks adequate space for any of the recycling or organic waste containers. If the public works director and/or his or her designee determines that it is feasible for recycling and/or organic collection containers to be placed on site or shared with an adjoining generator, the covered generator will be responsible for compliance with this chapter; The commercial or multi-family generator requesting an exemption must provide documentation with the application for an exemption that the premises lacks adequate space for Recycling Containers and/or Organics Containers, which shall include documentation from its licensed contractor, licensed architect, licensed engineer, or other person authorized by the public works director and/or his or her designee.
2. That the covered generator's total solid waste generation is two cubic yards or more per week and organic waste subject to collection in a blue recycling container or green organics container comprises less than 20 gallons per week of the covered generator's solid waste; or
3. That the covered generator's total solid collection service is less than two cubic yards per week and total organic waste generation subject to collection in a blue container or green container is less than 10 gallons per week of the covered generator's total solid waste.

D. Covered generators may be exempted by the public works director, and/or his or her designee, from the regulatory requirements of AB 341, AB 1826 and/or SB 1383, or any other applicable state law; provided, that the

business or multifamily residential property covered generator has submitted an alternative compliance and exemption form with the requested documentation to the city and the city has provided the covered generator with written approval of its exemption request.

E. City-issued exemptions from the regulatory requirements of AB 341, AB 1826 and/or SB 1383, or any other applicable state law, shall be valid for no more than two years unless the city authorizes an extension of that two-year waiver period.

F. The following persons shall automatically be exempt from the requirements of this chapter:

1. The United States, state of California, a city, a county, a special district or other local public agency, or any employee or member of the armed forces thereof, when collecting or transporting designated recyclable materials produced by operation of the public entity under a system of recyclable materials collection and transportation operated and maintained by the public agency within the city region as specified herein and in Chapter 6.20 RCMC.
2. Municipal corporations and other governmental agencies using their own vehicles and employees engaged in the collection, transportation or disposal of designated recyclable materials within the city. [Ord. 17-2020 § 4 (Exh B)].

6.21.150 City rules and regulations.

A. The public works director, and/or his or her designee, is authorized to make and enforce administrative rules and regulations governing recycling and organics recycling at businesses and multifamily residential properties, and all related activities including recycling and commercial solid waste generation, storage, recovery, accumulation, collection, removal, transportation and disposal; the manner in which commercial garbage, recycling and organics recycling services are provided; types of commercial garbage, organics and recycling containers and vehicles used for the operation and maintenance of sanitary methods of commercial garbage, recycling and organics recycling disposal; reporting requirements for franchised waste haulers and self-haulers; and for the effective administration of this chapter. All such rules and regulations shall be consistent with the provisions of the city code and shall be effective on the thirtieth day following the filing of any such rules and regulations with the city clerk.

B. The city council may, and is hereby empowered to, grant to a qualified applicant a nonexclusive franchise to engage in the business of collecting, transporting or disposing of commercial garbage, recyclable materials or organic recyclable materials kept, accumulated or generated in the city region.

C. The city council may grant a franchise based on compliance with this chapter. Any grant of a franchise by the city council may be subject to such terms, conditions, rules, regulations, restrictions, and limitations, as the city council deems necessary to protect the public health, safety, or welfare.

D. The city council hereby empowers and grants to the public works director, and/or his or her designee, the authority to grant commercial nonexclusive collection service agreements (commercial nonexclusive franchisees) to franchised waste haulers, to specify designated recyclable materials and designated organic recyclable materials and make administrative rules and regulations governing covered generators.

E. The city council hereby empowers and grants to the public works director, and/or his or her designee, the authority to administer, implement and enforce this chapter and administrative rules and regulations governing business and multifamily residential property recycling and organics recycling thereafter.

F. It shall be unlawful and constitute a violation of this chapter for any person to violate or otherwise fail to comply with any rule or regulation issued pursuant to this chapter. [Ord. 17-2020 § 4 (Exh B)].

6.21.160 Rights reserved to city.

In addition to all other rights reserved to the city, the following shall apply:

A. There is hereby reserved to the city every right and power, and the exercise thereof, which is reserved or authorized by any provision of any lawful code, title or resolution of the city, whether enacted before or after the effective date of the ordinance codified in this chapter.

B. Neither the granting of any franchise, nor any provision of any franchise, shall constitute a waiver of or a bar to exercise of any governmental right or power of the city.

C. The grantee receiving any type of franchise agreement shall have no recourse whatsoever against the city, its officers, employees or agents, or any of the city member entities, their officers, employees, or agents for any loss, cost, expense or damage arising out of any provision or requirement of this chapter because of the enforcement of this chapter.

D. There is hereby expressly reserved to the city the power and authority to amend any section of this chapter so as to require additional or greater standards on the part of the franchised waste hauler, commercial hauler or covered generator. [Ord. 17-2020 § 4 (Exh B)].

6.21.170 Administration and costs.

A. The administration of this chapter is the duty of the public works director and/or his or her designee. The public works director, and/or his or her designee, is authorized and directed by the city council to administer this chapter.

B. Commercial franchise fees will fund administration, implementation and enforcement costs. [Ord. 17-2020 § 4 (Exh B)].

6.21.180 Unlawful acts.

A. It shall be unlawful to combine designated recyclable materials and organic recyclable materials with garbage. Failure of covered generators to source separate designated recyclable materials or organic recyclable materials for recycling or organics recycling is a violation of this chapter.

B. It shall be unlawful for franchised waste haulers to commingle materials in garbage bins or carts with materials in recycling bins or carts in one collection vehicle.

C. It shall be the responsibility of the covered generator whose garbage was not removed because it contained designated recyclable materials to properly separate designated recyclable materials from the uncollected solid waste for proper recycling. Allowing such unseparated garbage to accumulate will be considered a violation of this chapter. [Ord. 17-2020 § 4 (Exh B)].

6.21.190 Implementation and enforcement.

The implementation and enforcement of this chapter is the duty of the public works director, and/or his or her designee, of the city's department of public works. The public works director, and/or his or her designee, is authorized and directed by the city council to implement and enforce this chapter. [Ord. 17-2020 § 4 (Exh B)].

6.21.200 Posting of notices.

A. The public works director, and/or his or her designee, may post notices on automatic lift containers, bins and roll-off bins that are used for garbage collection and the collection of designated recyclable materials, and the collection of designated organic recyclable materials, within the city if the owner of the automatic lift containers, bins and roll-off bins is in violation of this chapter, including, but not limited to, any regulation, franchise requirement, permit, information request, order, variance, or other requirement that the public works director, and/or his or her designee, is authorized to enforce or implement pursuant to this chapter.

B. A notice shall remain on automatic lift containers, bins and roll-off bins that are used for garbage collection within the city so long as the owner of the automatic lift containers, bins and roll-off bins is in violation of this chapter. The notice shall be posted on the automatic lift container, bin, and/or roll-off bin so as to be clearly visible to the general public and include all of the following information:

1. The date the notice was posted on the container.
2. The address or location of the property, including the identification of any dwelling unit, room number, apartment number, business or multifamily residential property.
3. The name and contact telephone number of the agency posting the notice on the property.
4. The city code section that has been violated.

5. A statement that it is unlawful for any person to engage in the business of collecting, transporting or disposing of commercial garbage kept, accumulated or generated in the city, or to engage in the business of soliciting accounts or invoicing customers for commercial garbage service in the city unless a franchise has first been granted pursuant to the provisions of this chapter and such a franchise is in full force and effect.

C. A statement that a person violating the posted notice is subject to criminal penalties pursuant to city code and administrative civil penalties in an amount of up to \$1,000 per day for each violation.

D. A statement that a person disturbing or destroying the posted notice is subject to administrative civil penalties in an amount of up to \$1,000, in addition to any other remedies provided by this chapter. [Ord. 17-2020 § 4 (Exh B)].

6.21.210 Notice of violation.

The public works director, and/or his or her designee, may issue a notice of violation to any person found to be in violation of a provision of this chapter, including, but not limited to, any regulation, franchise requirement, permit, information request, order, variance, or other requirement that the public works director and/or his or her designee, is authorized to enforce or implement pursuant to this chapter. Issuance of a notice of violation may also result in the issuance of a notice of administrative enforcement order pursuant to this chapter. [Ord. 17-2020 § 4 (Exh B)].

6.21.220 Notice of violation – Content.

A. In addition to any other content, a notice of violation shall contain the following elements:

1. A statement of the public works director, and/or his or her designee, that indicates a violation has occurred.
2. A citation of the provisions of this chapter, including any regulation, franchise requirement, permit, information request, order, variance, or other requirement that has been violated.
3. A date by which any person must be in compliance with this chapter including any regulation, franchise requirement, permit, information request, order, variance, or other requirement, or a date by which an action plan must be submitted by the person to propose a means and timeframe by which to correct violations. The public works director, and/or his or her designee, may extend the compliance date when good cause exists for such an extension.
4. Notification that continued noncompliance may result in additional enforcement action being taken against the business, facility, or any responsible persons.
5. Notification that the city may recover any costs incurred by the city as a result of the violation.
6. Notification that a violation of this chapter may result in an administrative civil penalty or in criminal penalties.
7. Notification that the correction of any alleged violation(s) within the specified deadline date(s) will not necessarily prevent the public works director, and/or his or her designee, from issuing an administrative enforcement order and imposing administrative civil penalties relating to the alleged violation(s).

B. In addition to any other content, a notice of violation may establish required corrective actions, including the following:

1. Terms, conditions, and requirements reasonably related to the provisions of this chapter, including the following:
 - a. Cessation of prohibited actions.
 - b. Correction of prohibited conditions.
 - c. A requirement for submittal of a written action plan for achieving and maintaining compliance with this chapter.
 - d. Reporting requirements to demonstrate ongoing compliance.

2. A requirement that the person receiving same shall submit written certification to the public works director, and/or his or her designee, that the necessary corrective actions have been completed. As appropriate for the type of correction action taken, the notice of violation may require documentation that substantiates the certification, including but not limited to receipts, contracts, or photographs.

3. Any other terms or conditions reasonably calculated to prevent additional violations of this chapter.

C. An administrative enforcement order may be issued separately, but only after issuance of a notice of violation, or in combination with a notice and order, for the same violations or set of related violations. [Ord. 17-2020 § 4 (Exh B)].

6.21.230 Administrative enforcement order.

A. If the public works director, and/or his or her designee, determines that a person, covered generator, or franchised waste hauler has committed or is committing a violation of any provision of this chapter, the public works director, and/or his or her designee, may issue an administrative enforcement order, after issuing a notice of violation or, in combination with a notice of violation, requiring that the violation be corrected and imposing an administrative penalty.

B. Pursuant to this chapter, the violator shall be liable for a penalty of not more than \$1,000 for each day on which each violation occurs and/or continues. [Ord. 17-2020 § 4 (Exh B)].

6.21.240 Administrative enforcement order – Content.

A. In addition to any other content, an administrative enforcement order shall contain the following elements:

1. A statement of the public works director, and/or his or her designee, that indicates a violation has occurred.
2. A citation of the provision of this chapter including any regulation, franchise requirement, permit, information request, order, variance, or other requirement that has been violated.
3. A date by which any person must be in compliance with this chapter, or a date by which an action plan must be submitted by the person to propose a means and timeframe by which to correct violations. The public works director, and/or his or her designee, may extend the compliance date when good cause exists for such an extension.
4. Notification that continued noncompliance may result in additional enforcement action being taken against the business, facility, or any responsible persons.
5. Notification that the city may recover any costs incurred by the city as a result of the violation.
6. Notification as to whether an administrative civil penalty is imposed and the terms and conditions of payment, if any. In establishing the penalty amount, the public works director, and/or his or her designee, shall take into consideration:
 - a. The nature, circumstances, extent, and gravity of the violation.
 - b. The violator's past and present efforts towards compliant behavior.
 - c. The violator's ability to pay the penalty.
 - d. The deterrent effect that the imposition of the penalty would have on both the violator and the regulated community.
7. Notification that the correction of any alleged violation(s) within the specified deadline date(s) will not necessarily prevent the public works director, and/or his or her designee, from issuing an administrative enforcement order and imposing administrative civil penalties relating to the alleged violation(s).
8. Notification that the recipient has a right to a hearing on the matter as set forth in RCMC 6.21.280 to appeal any findings or required corrective actions established by the public works director and/or his or her designee.

9. Notification of procedures for requesting a hearing established according to RCMC 6.21.260.

B. In addition to any other content, an administrative enforcement order may establish required corrective actions, including the following:

1. Terms, conditions, and requirements reasonably related to the provisions of this chapter, including the following:
 - a. Cessation of prohibited actions.
 - b. Correction of prohibited conditions.
 - c. A requirement for submittal of a written action plan for achieving and maintaining compliance with this chapter.
 - d. Reporting requirements to demonstrate ongoing compliance.
2. A requirement that the person receiving same shall submit written certification to the public works director, and/or his or her designee, that the necessary corrective actions have been completed. As appropriate for the type of correction action taken, the notice of violation may require documentation that substantiates the certification, including, but not limited to, receipts, contracts, or photographs.
3. Any other terms or conditions reasonably calculated to prevent additional or ongoing violations of this chapter.

C. A notice of violation or an administrative enforcement order may be issued separately or in combination with another notice or order for the same violations or set of related violations. [Ord. 17-2020 § 4 (Exh B)].

6.21.250 Delivery of notice or order.

Any notice of violation, permit revocation, administrative enforcement order or other enforcement action pursuant to the requirements of this chapter shall be subject to the following requirements:

- A. Delivery shall be deemed complete upon either personal delivery to the recipient or by certified mail.
- B. Where the recipient of the notice or order is the owner of the premises, the address for notice or order shall be the address from the most recently issued equalized assessment roll for the premises.
- C. Where the owner or occupant of any premises cannot be located after reasonable efforts of the public works director, and/or his or her designee, the notice or order shall be deemed delivered after posting on the premises for a period of 10 business days. [Ord. 17-2020 § 4 (Exh B)].

6.21.260 Administrative appeals.

- A. Hearing Request. Any person, owner or operator served with a notice of violation or an administrative enforcement order issued pursuant to this chapter may contest the order on the basis that there was no violation of this chapter or that he or she is not the responsible party. To contest the order, the person shall submit a request for hearing form to the city within 15 days from the date of the administrative enforcement order. Directions on how to obtain the request form will be provided on the order.
- B. Filing Fee. The completed request must be submitted together with a filing fee, established and amended from time to time by the public works director, and/or his or her designee, based on actual expense to conduct the hearing by the hearing officer.
- C. Notice of Hearing. The person, owner or operator requesting the hearing shall be notified of the time and place set for the hearing at least 10 days before the date of the hearing.
- D. Additional Reports. If the public works director, and/or his or her designee, submits an additional written report concerning the administrative enforcement order to the hearing officer for consideration at the hearing, then a copy

of this report also shall be provided to the person requesting the hearing at least five days before the date of the hearing. [Ord. 17-2020 § 4 (Exh B)].

6.21.270 Hearing officer.

Pursuant to RCMC 1.05.200, a hearing officer will be assigned the responsibility of conducting a hearing by the city manager. The city manager shall be authorized to assign hearing responsibilities from time to time to any person or persons, qualified by training or experience, whom the city manager may appoint, employ or who are retained by contract to conduct such hearings. [Ord. 17-2020 § 4 (Exh B)].

6.21.280 Hearing procedure.

A. Setting the Hearing. A hearing before the hearing officer shall be set for a date that is not less than 15 days nor more than 60 days from the date that the request for hearing is filed. The person requesting the hearing shall be notified of the time and place set for the hearing as soon as it is set, and at least 10 days before the hearing. If the public works director, and/or his or her designee, submits a written report concerning the notice or order to the hearing officer for consideration at the hearing, then a copy of the report shall be served on the person requesting the hearing at least five days before the hearing. No hearing shall be held unless the filing fee has been paid in advance under RCMC 6.21.260(B).

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

C. At the Hearing. The administrative enforcement order and any additional report submitted by the public works director, and/or his or her designee, shall constitute prima facie evidence of the respective facts contained in those documents. At the hearing, the party contesting the citation shall be given the opportunity to testify and to present evidence concerning the citation.

D. Continuances. The hearing officer may continue the hearing and may request additional information from the public works director, and/or his or her designee, or the person receiving the administrative enforcement order before issuing the decision. [Ord. 17-2020 § 4 (Exh B)].

6.21.290 Form and contents of decision – Finality of decision.

A. Following the hearing, the hearing officer shall issue an order in writing no later than 30 days from the date of the hearing, unless the time is waived by the parties. The order shall contain findings of fact and rationale appropriate to the violation and result, and a resolution of the essential issues raised, including the following:

1. Confirmation or denial of the occurrence of violations of this chapter that are alleged by the public works director and/or his or her designee.
2. Confirmation or rejection of any administrative civil penalty sought by the public works director, and/or his or her designee, and establishment of the monetary amount of any administrative civil penalty to be enforced.
3. Confirmation, amendment, or rejection of required corrective actions related to compliance with this chapter that are imposed by the public works director, and/or his or her designee, but only if those requirements are appealed by the person.

B. The hearing officer's order shall uphold required corrective actions if the person fails to show clear and convincing evidence that the required corrective actions are unreasonable or unnecessary for achieving or demonstrating ongoing compliance with this chapter. The hearing officer's order may amend or reject required corrective actions; provided, that compliance with this chapter will be achieved.

C. The hearing officer's order shall inform the person that failure to comply with the hearing officer's order shall constitute a misdemeanor and is subject to additional enforcement action, including criminal penalties and additional civil and administrative penalties.

D. The hearing officer's order shall inform the person that the time and manner by which a person may file a challenge to the hearing officer's order is governed by Section 53069.4 of the California Government Code or any successor provision thereto.

E. The order issued by the hearing officer pursuant to this chapter shall be effective upon issuance. The decision of the hearing officer is final and may not be appealed. [Ord. 17-2020 § 4 (Exh B)].

6.21.300 Procedures for collection of administrative civil penalty.

A. Any administrative penalty due shall be paid to the city within 30 days after the hearing officer's decision is issued. If the penalty is not timely paid, the public works director, and/or his or her designee, may pursue all reasonable and legal means in collecting those sums authorized and due.

B. All administrative civil penalties collected from actions brought pursuant to this chapter shall be paid to the public works director, and/or his or her designee, enforcing this chapter, and shall be deposited into a special account that shall be expended to fund the activities of the department to implement the applicable provisions of this chapter. [Ord. 17-2020 § 4 (Exh B)].

6.21.310 Actions not prohibited.

This chapter does not do any of the following:

A. Otherwise affect the authority of the public works director, and/or his or her designee, to take any other action authorized by any other provision of law.

B. Restrict the power of a city attorney, district attorney, or the Attorney General to bring, in the name of the people of California, any criminal proceeding otherwise authorized by law.

C. Prevent the public works director, and/or his or her designee, from cooperating with, or participating in, proceedings specified in subsection (B) of this section. [Ord. 17-2020 § 4 (Exh B)].

6.21.320 Penalties.

In addition to the administrative penalties imposed by RCMC 6.21.230, the city may seek all other legal remedies available under state law and under this code, including, but not limited to, criminal sanctions. [Ord. 17-2020 § 4 (Exh B)].

ITEM 11.1.

Rancho Cordova Municipal Code
Title 10 VEHICLES AND TRAFFIC

ATTACHMENT 2 Exhibit A to the Ordinance

Page 1/52

Title 10

VEHICLES AND TRAFFIC

Chapters:

- 10.04 Interpretation**
- 10.08 Definitions**
- 10.12 Enforcement**
- 10.16 Signs and Signals**
- 10.20 Pedestrians and Crosswalks**
- 10.24 Parking Regulations**
- 10.25 Preferential Residential Permit Parking Program**
- 10.30 Human Habitation of Vehicles**
- 10.32 Miscellaneous Driving Rules**
- 10.36 Emergency Vehicles**
- 10.40 Truck Routes**
- 10.41 Interstate Truck Terminals and Access Routes**
- 10.44 One-Way Streets**
- 10.48 Speed Zones**
- 10.50 Reduced Speed Limits on Specific Streets**
- 10.58 Off-Road Vehicles**
- 10.62 Transit and School District Loading Zones**
- 10.64 Trip Reduction Programs**
- 10.66 Regulation of Cruising**
- 10.70 Street Racing**

Code reviser's note: The various statutory provisions relating to vehicles and traffic appear in the Vehicle Code.

ITEM 11.1.

Rancho Cordova Municipal Code
Chapter 10.04 INTERPRETATION

Chapter 10.04**INTERPRETATION**

Sections:

- 10.04.010 Short title.
- 10.04.020 Conviction of violation.
- 10.04.030 Scope.
- 10.04.040 Deputies.
- 10.04.050 Powers of the council.
- 10.04.060 Effect of resolution.
- 10.04.080 Penalty.
- 10.04.090 Minimum penalty.
- 10.04.100 Civil penalties, fines, fees, and charges for parking and related violations.
- 10.04.110 Civil penalty provisions.

10.04.010 Short title.

This title shall be known as, and may be cited as, the traffic ordinance. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 703 § 1, 1960].

10.04.020 Conviction of violation.

Any conviction for a misdemeanor under any ordinance repealed by the ordinance codified in this title, which misdemeanor is continued as a public offense by this title, constitutes a conviction under this title for any purpose for which it constituted a conviction under the act repealed. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 703 § 3, 1960].

10.04.030 Scope.

Any provision of this title which regulates traffic or delegates the regulation of traffic upon state highways in any way for which the approval of the State Department of Public Works is required by state law shall cease to be operative six months after receipt by the city council of written notice of withdrawal of approval of the State Department of Public Works.

Whenever this title delegates authority to a city officer or authorized action by the city council to regulate traffic upon a state highway in any way which by state law requires the prior approval of the State Department of Public Works, no such officer shall exercise such authority nor shall such action by the city council be effective with respect to any state highway without the prior approval in writing of the State Department of Public Works when and to the extent required by the Vehicle Code. [Ord. 38-2007 § 1 (Exh. 1(G)); Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 725 § 4, 1961; SCC 703 § 4, 1960].

10.04.040 Deputies.

Whenever, by the provisions of this title, a power is granted to a public officer or a duty imposed upon such officer, the power may be exercised or duty performed by a deputy of the officer or by a person authorized pursuant to law by the officer, unless it is expressly otherwise provided. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 703 § 5, 1960].

10.04.050 Powers of the council.

The city council may exercise by resolution any rights, powers or authority granted to it by the provisions of the Vehicle Code where such provisions authorize the council to act by resolution. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 703 § 11, 1960].

10.04.060 Effect of resolution.

Any and all resolutions passed and adopted by the council or any administrative order given pursuant to the provisions of this title or pursuant to the provisions of the Vehicle Code affecting any matter covered in this title shall be deemed to be a part of this title and any violations of the provisions of such resolution or order shall be deemed to be a violation of this title to the same extent as if such resolution or order were fully set out herein. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 703 § 12, 1960].

ITEM 11.1.**Exhibit A to the Ordinance**

Rancho Cordova Municipal Code
Chapter 10.04 INTERPRETATION

Page 3/52

10.04.080 Penalty.

Except as provided in RCMC 10.04.100 and 10.04.110, any person violating or failing to comply with any of the provisions of this title shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punishable for the first offense by a fine of not to exceed \$50.00, or by imprisonment in the county jail for a period not exceeding five days; for a second violation within a period of one year by a fine of not to exceed \$100.00, or by imprisonment in the county jail for a period not exceeding 10 days, or by both such fine and imprisonment; for a third and each additional offense committed within one year by a fine of not exceeding \$500.00, or by imprisonment in the county jail for a period of not to exceed six months, or by both such fine and imprisonment. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 0919 § 1, 1993; SCC703 § 14, 1960].

10.04.090 Minimum penalty.

Except as provided in RCMC 10.04.100 and 10.04.110, in any case where a jail sentence is not imposed or where the jail sentence is less than two days, or if the jail sentence is suspended in whole or in part, a fine shall be imposed for a violation of this title in not less than the following amounts:

A. In any case, \$1.00;

B. When it is necessary to issue a notice to the violator, \$2.00;

C. If it is necessary to issue a warrant to bring the violator into court, \$10.00. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 0919 § 2, 1993; SCC 703 § 15, 1960].

10.04.100 Civil penalties, fines, fees, and charges for parking and related violations.

A. Purpose. It is the intention of the city council of Rancho Cordova to provide a procedure pursuant to the authority granted the city council in Sections 40200 and 40203.5 of the California Vehicle Code for the establishment of a schedule of parking penalties for parking and related violations, late payment penalties, administrative fees, and other related charges for parking and related violations under the State of California Vehicle Code, the Rancho Cordova Municipal Code, or under any federal statute or regulation.

B. Procedure for Establishment. Subject to any limitations imposed by state law, the city council shall by resolution establish penalties, fines, fees, and related charges for parking and related violations, late payment violations, administrative fees and any other charges related to the administration of the provisions of Section 40200 et seq. of the California Vehicle Code. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 0919 § 3, 1993].

10.04.110 Civil penalty provisions.

Any person violating or failing to comply with the provisions of RCMC 10.16.050(B), 10.24.010(A), 10.24.010(B), 10.24.010(C), 10.24.010(D), 10.24.010(E), 10.24.030(B), 10.24.040, 10.24.050, 10.24.060, 10.24.070(A), 10.24.070(B), 10.24.070(C), 10.24.070(D), 10.24.070(G), 10.24.070(H), 10.24.080, 10.24.090(D), 10.24.100, 10.24.110, 10.24.120, 10.24.130, 10.24.140, 10.24.160, 10.24.170(B), 10.24.175, 10.24.180, 10.32.050 or 10.32.060 shall be subject to civil penalties, fees, or charges, and procedures as set forth in the resolution adopted by the city council pursuant to RCMC 10.04.100. [Ord. 38-2007 § 1 (Exh. 1(G)); Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 0919 § 4, 1993].

ITEM 11.1.

Rancho Cordova Municipal Code
Chapter 10.08 DEFINITIONS

Chapter 10.08**DEFINITIONS**

Sections:

- 10.08.010 Words defined in chapter.
- 10.08.020 Words defined in Vehicle Code.
- 10.08.030 Alley.
- 10.08.050 Bus loading zone.
- 10.08.055 City council.
- 10.08.060 Commercial vehicle loading zone.
- 10.08.070 Director.
- 10.08.080 Holidays.
- 10.08.090 Official time standards.
- 10.08.100 Park.
- 10.08.110 Parkway.
- 10.08.120 Passenger loading zone.
- 10.08.130 Taxi stands.
- 10.08.140 Vehicle Code.

10.08.010 Words defined in chapter.

Whenever in this title the words or phrases hereinafter defined are used, they shall have the meanings respectively ascribed to them in this chapter unless the context indicates to the contrary. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 703 § 16, 1960].

10.08.020 Words defined in Vehicle Code.

Whenever any words or phrases used in this title are not defined herein, but are now defined in the Vehicle Code, such definitions as now existing are incorporated herein and shall be deemed to apply to such words and phrases as used in this title as though set forth here in full. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 703 § 17, 1960].

10.08.030 Alley.

"Alley" means any highway as herein defined, unnamed, and having a width of 20 feet or less. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 703 § 18, 1960].

10.08.050 Bus loading zone.

"Bus loading zone" means the space adjacent to the curb or edge of a roadway reserved for the exclusive use of buses during the loading or unloading of passengers. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 703 § 20, 1960].

10.08.055 City council.

"City Council" means the City Council of the City of Rancho Cordova. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 703 § 19, 1960. Formerly 10.08.040].

10.08.060 Commercial vehicle loading zone.

"Commercial vehicle loading zone" means that space adjacent to a curb reserved for the exclusive use of vehicles during the loading or unloading of passengers and materials marked and designated as hereinafter provided. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 703 § 21, 1960].

10.08.070 Director.

"Director" means the City of Rancho Cordova Public Works Director or his or her authorized representative. [Ord. 38-2007 § 1 (Exh. 1(G)); Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 962 § 1, 1967; SCC 703 § 22, 1960].

10.08.080 Highway.

"Highway" is a way or place of whatever nature, publicly maintained and open to the use of the public for purposes of vehicular travel. Highway includes street.

ITEM 11.1.

Rancho Cordova Municipal Code
Chapter 10.08 DEFINITIONS

ATTACHMENT 2 Exhibit A to the Ordinance

Page 5/52

10.08.090 Holidays.

For the purposes of this title, holidays shall be those days designated as legal holidays by the Government Code. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 703 § 23, 1960].

10.08.100 Official time standards.

Whenever certain hours are named herein they shall be standard time or daylight saving time as may be in current use in the City. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 703 § 24, 1960].

10.08.110 Park.

“Park” means to stop or allow to stand any vehicle, whether occupied or not, otherwise than in obedience to official traffic control devices or by direction of a police officer. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 703 § 25, 1960].

10.08.120 Parkway.

“Parkway” means those portions of a Highway other than a roadway or a sidewalk, whether improved or unimproved, primarily intended to serve as the dividing strip between opposing traffic lanes, or between sidewalks and curbs. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 703 § 26, 1960].

10.08.130 Passenger loading zone.

“Passenger loading zone” means that space adjacent to a curb reserved for the exclusive use of vehicles during loading and unloading of passengers marked and designated as hereinafter provided. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 703 § 27, 1960].

10.08.140 Taxi stands.

“Taxi stands” means that space adjacent to a curb reserved for the exclusive use of taxicab vehicles licensed to operate by transporting people for hire. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 703 § 28, 1960].

10.08.150 Vehicle Code.

“Vehicle Code” means the California Vehicle Code. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 703 § 29, 1960].

ITEM 11.1.

Rancho Cordova Municipal Code
Chapter 10.12 ENFORCEMENT

ATTACHMENT 2 Exhibit A to the Ordinance

Page 6/52

Chapter 10.12

ENFORCEMENT

Sections:

- 10.12.010 Persons riding bicycles or animals.
- 10.12.020 Persons directing traffic restricted.
- 10.12.030 Authority of flagmen to direct traffic.
- 10.12.040 Exemptions.
- 10.12.050 Signs required.
- 10.12.060 Obedience to official traffic control devices.

10.12.010 Persons riding bicycles or animals.

A. Every person riding a bicycle or riding or driving an animal upon a highway shall be granted all of the rights and shall be subject to all of the duties applicable to the driver of a vehicle by this title, except those provisions which by their very nature can have no application.

B. Notwithstanding the provisions of subsection (A) of this section, any person may ride a bicycle on a sidewalk which is designated by the director as a part of the city bike route system and which is identified for such use by appropriate signs giving notice thereof. A bicyclist using a sidewalk as authorized by this subsection shall yield the right-of-way to any pedestrian using the sidewalk. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 139 § 1, 1973; SCC 703 § 31, 1960].

10.12.020 Persons directing traffic restricted.

No persons other than traffic officers or persons authorized by law shall direct traffic by voice, hand or other signal, except that a person may operate, when and/or as herein provided, a pushbutton signal erected by the provisions of this title. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 703 § 31, 1960].

10.12.030 Authority of flagmen to direct traffic.

A person designated as a flagman by a contractor working on the city streets under a permit issued by the City or a City employee designated as a flagman by the director or his representative, during construction or repair of, or in, streets, may direct traffic by use of hand signals or warning flags if the operation of special highway construction equipment, trucks, concrete mixers, mobile cranes or other construction equipment might interfere with the safe movement of traffic. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 703 § 32, 1960].

10.12.040 Exemptions.

The provisions of this title regulating the parking and standing of vehicles shall not apply to any vehicle of the police or fire departments, any public or private ambulance or any public utility vehicle which is qualified as an authorized emergency vehicle, when such vehicle mentioned in this section operates in the manner specified in the Vehicle Code in response to emergency calls. The provisions of this title regulating parking or standing vehicles shall not apply to any vehicle belonging to the government or a public utility or its agent while necessarily in use on construction or repair work on or in the public right-of-way. The foregoing exemption shall not, however, protect the driver of any such vehicle from the consequences of his willful disregard of safety of others. [Ord. 38-2007 § 1 (Exh. 1(A)); Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 703 § 33, 1960].

10.12.050 Signs required.

The provisions of this title where signs giving notice of the provision are required shall not be effective until such signs are actually placed by the Director. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 703 § 34, 1960].

10.12.060 Obedience to official traffic control devices.

Every person driving a vehicle and every pedestrian shall comply with and obey any indication as set forth in the Vehicle Code presented by any official traffic control device upon any Highway placed under the authority of this title. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 703 § 35, 1960].

ITEM 11.1.

Rancho Cordova Municipal Code
Chapter 10.16 SIGNS AND SIGNALS

Chapter 10.16

SIGNS AND SIGNALS

Sections:

- 10.16.010 Authority to install.
- 10.16.020 Traffic signals.
- 10.16.030 Roadway markings.
- 10.16.040 Hours of operation.
- 10.16.050 Parking space markings.
- 10.16.060 Turning markers.
- 10.16.070 Restrictive turn signs.
- 10.16.080 Stop at through street or stop signs.
- 10.16.090 Yield signs.
- 10.16.100 Stop or yield signs removed.
- 10.16.110 Closing streets to vehicular traffic.
- 10.16.120 Temporary suspension of markings.
- 10.16.130 Temporary suspension of weight limits.
- 10.16.140 Obedience to traffic signs.
- 10.16.150 Removal of traffic controls.
- 10.16.160 Removal of unauthorized signs, signals and lights.
- 10.16.170 Regulation of speed by traffic signals.
- 10.16.180 Bicycles on sidewalks.

10.16.010 Authority to install.

The Director is authorized to place and maintain, or cause to be placed and maintained, official traffic control devices when they are required or authorized by state law or ordinances or resolutions of this City. No provisions of the Vehicle Code or this chapter for which signs or markings are required shall be enforced against an alleged violator unless appropriate signs or markings are in place giving notice of such provisions. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 703 § 36, 1960].

10.16.020 Traffic signals.

The Director is authorized to install and maintain official traffic signals at those intersections and at other places where conditions are such as to require that the flow of traffic be alternatively interrupted and released in order to prevent or relieve traffic congestion, or to protect life or property from exceptional hazard in accordance with engineering studies. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 703 § 37, 1960].

10.16.030 Roadway markings.

A. The Director is authorized to place and maintain distinctive roadway markings as described in the Vehicle Code on those Highways, or parts of Highways, where the volume of traffic or the vertical or other curvature of such the roadway renders it hazardous to drive on the left side of such markings or signs and markings.

B. The Director is authorized to mark centerlines and lane lines upon the surface of the roadway to indicate the course to be traveled by vehicles, and may place signs temporarily indicating lanes to be used by traffic moving in a particular direction, regardless of the centerline of the highway. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 703 § 38, 1960].

10.16.040 Hours of operation.

The Director is authorized to determine the hours in which any traffic control device shall be in operation or be in effect except in cases where such hours or days are specified by ordinance or resolution. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 703 § 39, 1960].

10.16.050 Parking space markings.

A. The Director is authorized to install and maintain parking space markings to indicate parking space adjacent to the curb where authorized parking is permitted.

ITEM 11.1.

Rancho Cordova Municipal Code
Chapter 10.16 SIGNS AND SIGNALS

ATTACHMENT 2 Exhibit A to the Ordinance

Page 8/52

B. When such parking space markings are placed in the Highway, subject to other and more restrictive limitations, no vehicle shall be stopped or left standing other than within a single space unless the size or shape of such vehicle makes compliance impossible. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 703 § 40, 1960].

10.16.060 Turning markers.

A. The Director is authorized to allocate and indicate more than one lane of traffic from which the driver of vehicles may make right- and/or left-hand turns, and the course to be traveled as so indicated may conform to or be other than as prescribed by statute or ordinance. The director shall place markers, buttons or signs within or adjacent to intersections, indicating the course to be traveled by vehicles turning at such intersections.

B. When authorized markers, buttons or other indications are so placed within or adjacent to an intersection indicating the course to be traveled by vehicles turning thereat, no driver of a vehicle shall disobey the directions of such indications. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 703 § 41, 1960].

10.16.070 Restrictive turn signs.

A. The Director is authorized to determine those intersections at which drivers of vehicles shall not make right, left or U turns and those intersections controlled by official traffic control signals where drivers of vehicles may make U turns. The making of such turns may be prohibited between certain hours of any day and permitted at other hours. The Director shall place proper signs at such intersections to indicate the restrictions in force. The signs shall plainly indicate the restrictions in force and the hours in which they are in force, or the signs may be removed when such turns are permitted.

B. The Director is authorized to determine those intersections at which drivers of vehicles shall not make a right or left turn against a stop or red signal, and shall erect proper signs giving notice of the prohibition.

C. The Director is authorized to establish special traffic islands or roadways at intersections where the driver of a vehicle is required to make a left or right turn. The Director shall place markers, buttons or signs within or adjacent to the roadway indicating the course to be traveled by vehicles turning at the intersection.

D. Whenever authorized signs are erected indicating that right, left or U turns are prohibited or are prohibited during certain hours, no driver of a vehicle shall disobey such signs. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 703 § 42, 1960].

10.16.080 Stop at through street or stop signs.

A. The Director is authorized to designate certain Highways to be through streets and certain intersections to be stop intersections and any railway grade crossing to be a stop intersection.

B. The Director shall erect and maintain stop signs as provided in the Vehicle Code, whenever he designates and describes any street or portion thereof as a through Highway, or any intersection at which vehicles are required to stop, at one or more entrances thereto, or any railroad grade crossing at which vehicles are required to stop. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 703 § 43, 1960].

10.16.090 Yield signs.

A. The director is authorized to designate any intersection to be controlled by yield right-of-way signs.

B. The Director shall erect and maintain yield right-of-way signs as described in the Vehicle Code at such intersections he designates to be controlled by yield right-of-way signs. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 703 § 44, 1960].

10.16.100 Stop or yield signs removed.

The Director is authorized to remove stop signs and yield signs on any Highway where the volume of traffic or other engineering study shows that the conditions which require such control no longer exist or where the signs are in conflict with this title notwithstanding any previous resolutions authorizing the signs. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 703 § 45, 1960].

10.16.110 Closing streets to vehicular traffic.

A. Whenever the Director finds that any portion of any Highway is no longer needed for vehicular traffic, either permanently or at certain times during the day, or as an emergency measure, he shall place or cause to be placed appropriate signs or barricades, or both, specifying that such portion of the Highway is closed to vehicular traffic at such times, or permanently, as the case may be, pursuant to the provisions of Paragraph (b) of Section 21101 of the Vehicle Code. All signs giving notice of such closing shall conform to provisions of the Vehicle Code.

B. A person shall not operate any vehicle on any portion of the Highway closed to traffic pursuant to this section.

C. The Director is hereby authorized to prohibit or restrict the use of any Highway or portion of any Highway by bicycles or other nonmotorized traffic or by any person operating a motor-driven cycle or motorcycle when that Highway or that portion of Highway has been designated as a riding or hiking trail by the City Council or the Director. The Director shall erect appropriate signs giving notice thereof upon the Highway or riding and hiking trail and approaches thereto. The Director shall determine the location of appropriate signs. It is unlawful for any persons to violate any prohibition or restriction which is established as provided in this subsection. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 931 § 1, 1966; SCC 703 § 46, 1960].

10.16.120 Temporary suspension of markings.

Whenever because of the construction, alteration, repair, or improvement of any Highway or temporary detours or because of other emergency compliance with any provision of this title, including a provision pursuant to any action of the City Council pursuant to this title, a traffic hazard will be created and the Director so finds, he shall either remove or cover up any sign or other traffic marking which informs persons of such provision. While such sign or other marking is removed or covered the effect of such provision is suspended. At the end of such emergency, unless otherwise determined by the City Council, the Director shall replace or uncover such sign or other markings. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 725 § 1, 1961; SCC 703 § 47, 1960].

10.16.130 Temporary suspension of weight limits.

If a weight limit is suspended pursuant to RCMC 10.16.120 and a different weight limit is necessary, the Director shall erect and maintain appropriate signs during the emergency. At the end of the emergency the Director shall remove such temporary signs and uncover and restore the original signs unless the City Council otherwise determines. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 703 § 48, 1960].

10.16.140 Obedience to traffic signs.

Every operator and pedestrian shall comply with and obey every instruction appearing on any traffic sign or other marking, which sign or marking has been erected or placed by authority of the City Council or Director. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 703 § 49, 1960].

10.16.150 Removal of traffic controls.

The Director is authorized to remove, relocate or discontinue the operation of any traffic control device or curb marking not specifically authorized by state law or ordinance, whenever engineering studies show that the conditions which warrant or require such control no longer exist or where such device is in conflict with the provisions of this title. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 703 § 50, 1960].

10.16.160 Removal of unauthorized signs, signals and lights.

The Director shall remove every unofficial sign, signal or device which purports to be or is an imitation of or resembles an official traffic sign or signal, or which attempts to direct the movement of traffic, or which hides from view any official traffic sign or signal, or which in any other respect violates the provisions of Sections 21465 and 21466 of the Vehicle Code. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 703 § 51, 1960].

10.16.170 Regulation of speed by traffic signals.

The Director is authorized to regulate the timing of traffic signals so as to permit the movement of traffic in an orderly and safe manner, at speeds or at variance from the speeds otherwise applicable within the City or at intersections, and may erect appropriate signs giving notice thereof. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 703 § 52, 1960].

ITEM 11.1.

Rancho Cordova Municipal Code
Chapter 10.16 SIGNS AND SIGNALS

ATTACHMENT 2 Exhibit A to the Ordinance

Page 10/52

10.16.180 Bicycles on sidewalks.

The director is authorized to designate sidewalks which may be used by bicyclists as a part of the city bike route system and shall identify such sidewalks with appropriate signs giving notice thereof. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 139 § 2, 1973].

Chapter 10.20**PEDESTRIANS AND CROSSWALKS**

Sections:

- 10.20.010 Crosswalks established.
- 10.20.020 Safety zones.
- 10.20.030 Pedestrians prohibited when.
- 10.20.040 Crossing at right angles.
- 10.20.050 Standing in roadway.

10.20.010 Crosswalks established.

A. The Director is authorized to determine the location of midblock crosswalks, maintain such crosswalks and designate them by appropriate devices or painted marks or signs upon the surface of the roadway.

B. The Director may maintain such other crosswalks and designate them by appropriate devices, painted marks or signs upon the surface of the roadway. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 703 § 53, 1960].

10.20.020 Safety zones.

The Director is authorized to install and maintain safety zones at all locations where there is particular danger to pedestrians and may locate and designate the same upon the surface of the roadway by appropriate devices, signs, or marks. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 703 § 54, 1960].

10.20.030 Pedestrians prohibited when.

A. The Director may determine when any crosswalk shall not be used by pedestrians and upon making such determination shall cause to be placed and maintained appropriate official traffic control devices. No person shall thereafter walk in any such crosswalk unless indicated otherwise.

B. The Director may determine when any part of a roadway between intersections shall not be crossed by pedestrians and upon making such determination shall cause to be placed and maintained appropriate official traffic control devices. No person shall thereafter cross any part of such roadway, unless indicated otherwise.

C. No person shall stand on any sidewalk in such a manner as to hinder or impede the movement of other pedestrian traffic. No person shall remain on any bridge or overcrossing or approach thereto which is reserved exclusively for pedestrians for a period longer than necessary to walk across the bridge or overcrossing. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 854 § 1, 1964; SCC 725 § 5, 1961; SCC 703 § 55, 1960].

10.20.040 Crossing at right angles.

No pedestrian shall cross a roadway at any place other than by a route at a right angle to the curb or by the shortest route to the opposite curb except in a marked crosswalk. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 703 § 56, 1960].

10.20.050 Standing in roadway.

No person shall stand in any roadway other than a safety zone or in a crosswalk if such action interferes with the lawful movement of traffic. This section shall not apply to any public officer, construction worker or employee of a public utility or its agent when necessarily upon a street in line of duty. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 703 § 57, 1960].

ITEM 11.1.

Rancho Cordova Municipal Code
Chapter 10.24 PARKING REGULATIONS

Chapter 10.24

PARKING REGULATIONS

Sections:

- 10.24.010 Signs and curb markings.
- 10.24.020 Application of regulations.
- 10.24.030 No parking zones.
- 10.24.040 Parking on narrow streets and at special places.
- 10.24.050 Emergency parking signs.
- 10.24.060 Alleys – Parkways.
- 10.24.070 Parking prohibited when.
- 10.24.075 Prohibition of parking commercial and recreational vehicles on public roadways.
- 10.24.080 One-way streets.
- 10.24.090 Loading zones.
- 10.24.100 Limited-time parking.
- 10.24.110 Continuing violations – Additional offenses.
- 10.24.120 Curb parking – Right-of-way.
- 10.24.130 Parking in intersections.
- 10.24.140 Angle parking.
- 10.24.150 Removal of illegally parked vehicles.
- 10.24.160 Removal of ignition key when parking.
- 10.24.170 Parking on city property.
- 10.24.175 Parking in city parking areas.
- 10.24.180 Parking on private property.

10.24.010 Signs and curb markings.

The Director is authorized, subject to the provisions and limitations of this title, to place and maintain and, when required herein, shall place the following curb markings or signs to indicate parking, standing or stopping regulations, and the curb markings or signs shall have the meanings as herein set forth.

A. Red curb marking means no stopping, standing or parking at any time of any day except as permitted by the Vehicle Code;

B. Yellow curb marking means no stopping, standing or parking between 7:00 a.m. and 6:00 p.m. of any day except holidays and Sundays for any purpose other than the loading or unloading of passengers or materials; provided, that the loading or unloading of passengers shall not consume more than one minute, nor the unloading of materials more than 20 minutes, and such loading or unloading shall be actively carried on during all of that time;

C. White curb marking means no stopping, standing or parking at any time of any day for any purpose other than loading or unloading of passengers and baggage, and shall not exceed five minutes;

D. Green curb marking means no stopping, standing or parking for a period of time longer than 12 or 24 minutes, as designated by signs, at any time between 7:00 a.m. and 6:00 p.m. of any day except holidays and Sundays;

E. Blue curb marking means parking limited exclusively to public agency-owned vehicles specifically used for transportation of physically handicapped persons and for vehicles of physically handicapped persons, which vehicle bears an appropriate identification identifying the vehicle as that of a physically handicapped person. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 400 § 1, 1979; SCC 970 § 1, 1968; SCC 703 § 58, 1960].

10.24.020 Application of regulations.

The provisions of this title imposing regulations on stopping or parking shall not relieve any person from the compliance with other or more restrictive provisions of the Vehicle Code or any City ordinances regulating the standing or parking of vehicles at specified places or at specified times. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 703 § 59, 1960].

ITEM 11.1.

Rancho Cordova Municipal Code
Chapter 10.24 PARKING REGULATIONS

ATTACHMENT 2 Exhibit A to the Ordinance

Page 13/52

10.24.030 No parking zones.

A. The Director is authorized to prohibit stopping, standing or parking on any Highway or may prohibit stopping, standing or parking during certain hours of the day on any Highway.

B. When signs authorized by the provisions of this section are in place, giving notice of the provisions thereof, no person shall stop, stand or park any vehicle contrary to the directions and provisions of such signs. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 703 § 60, 1960].

10.24.040 Parking on narrow streets and at special places.

A. The Director is authorized to place signs and marking indicating no parking upon any two-way roadway, when the width of the roadway does not exceed 30 feet.

B. The Director is authorized to sign or mark the following places and, when so signed or marked, no person shall stop, stand or park a vehicle in any of the following places:

1. At any place within 20 feet of a point on the curb immediately opposite a midblock end of a safety zone;
2. At any place within 20 feet of any crosswalk;
3. Within 20 feet of the approach to any traffic signal, boulevard stop sign, or official electric flashing device;
4. At any place where traffic and engineering studies have been made and the director determines that it is necessary in order to eliminate dangerous traffic hazards or to provide for the orderly movement of traffic.

C. When signs authorized by provisions of this section are in place, giving notice of the provisions thereof, no person shall stop, stand or park any vehicle contrary to the directions and provisions of such signs. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 703 § 61, 1960].

10.24.050 Emergency parking signs.

A. Whenever the Director shall determine that, in a special situation, traffic congestion is likely to result on any Highway or alley from holding public or private assemblages, gatherings or functions, street construction, maintenance or repair work, or for any other reason, he is authorized to order temporary signs to be erected or posted indicating that the operation, parking or standing of vehicles is prohibited on such streets and alleys. The signs shall remain in place only during the existence of the special situation, and the Director shall cause the signs to be moved promptly thereafter.

B. When signs authorized by provisions of this section are in place, giving notice of the provisions thereof, no person shall stop, stand or park any vehicle contrary to the directions and provisions of such signs. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 703 § 62, 1960].

10.24.060 Alleys – Parkways.

A. No person shall park any vehicle in any alley in the City except while actively engaged in loading or unloading passengers, freight or merchandise.

B. No person shall stop, stand or park a vehicle within any parkway. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 703 § 63, 1960].

10.24.070 Parking prohibited when.

A. No person shall park a vehicle upon any roadway for the principal purpose of displaying such vehicle for sale.

B. No person who owns or has custody or control of any vehicle shall park or store such vehicle upon any Highway or alley for more than a consecutive period of 72 hours, or move and repark such vehicle on any Highway within 300 feet of the original parking site, unless such vehicle is maintained in an operable condition and driven within the 72 consecutive hours mentioned above.

C. In the event the Highway includes two or more separate roadways and traffic is restricted to one direction upon each roadway, no person shall stop, stand or park a vehicle upon the left-hand side of such one-way roadways.

ITEM 11.1.

Rancho Cordova Municipal Code
Chapter 10.24 PARKING REGULATIONS

ATTACHMENT 2 Exhibit A to the Ordinance

Page 14/52

D. It is unlawful for any person to have, erect, place, stand or park, wholly or partly within the right-of-way of any City road or Highway, any vehicle, motor vehicle, trailer, semitrailer, wagon, pushcart, stand, structure, or building for the purpose of selling the same or of selling, vending, displaying for sale, or offering for sale, therefrom or therein, any goods, wares, or merchandise, fruit, vegetables, produce, or any other article or thing of value.

E. Any such vehicle, motor vehicle, trailer, semitrailer, wagon, pushcart, stand, structure, or building so had, erected, placed, stood or parked for any such purpose or purposes is hereby declared to be a public nuisance and the removal thereof forthwith from within the right-of-way of any such road or highway by the Director, his engineers or employees is hereby authorized.

F. This title does not prohibit a seller from taking orders or delivering any commodity from any vehicle from that City road or Highway immediately adjacent to the premises of the purchaser.

G. It is unlawful for any person to park, stop or abandon any vehicle within 1,000 feet of any authorized emergency vehicle when such authorized emergency vehicle is actively engaged at the scene of any bombing, act of sabotage, accident, explosion, flood, riot, earthquake, fire or any emergency.

H. No person shall park any motor truck (excepting therefrom any truck commonly known as and referred to as a "pickup truck"), trailer other than a camping trailer or boat trailer, semitrailer, truck tractor or commercial vehicle for more than one hour on any Highway in a residential district or move and repark such vehicle on any Highway in a residential district within 300 feet of the original parking site within any 24-hour period except while loading or unloading property or in connection with and in the aid of the performance of a service to or on a property adjacent to the block in which such vehicle is parked and only for such time in addition to one hour that is reasonably necessary to complete such loading, unloading or service.

I. No person shall park any motor home, trailer coach, travel trailer, truck camper, camping trailer or boat trailer for more than 72 hours on any Highway in a residential district or move and repark such vehicle on any Highway in a residential district within 300 feet of the original parking site within any 72-hour period. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1118 § 1, 1998; SCC 1045 § 1, 1996; SCC 383 § 1, 1979; SCC 838 § 1, 1964; SCC 825 § 2, 1963; SCC 746 § 1, 1961; SCC 703 § 64, 1960].

10.24.075 Prohibition of parking commercial and recreational vehicles on public roadways.

A. No person who owns or has custody or control of any commercial or recreational vehicle shall park or store such vehicle on any public street, Highway or right-of-way within the city limits of the City of Rancho Cordova that is not within a designated heavy industrial zone (M-2 classification), or other areas specifically posted to permit parking or unless otherwise authorized by RCMC 10.24.070(H) or (I).

B. "Commercial or recreational vehicle" includes, but is not limited to, all motorized and nonmotorized tractors, trailers, semi-trailers, vans, trucks, open bed or flat bed pickups, mobile equipment, machinery, motor homes, campers, or other vehicles which meet one or more of the following criteria:

1. Vehicle or load height exceeds seven feet; or
2. Vehicle or load width exceeds seven and one-half feet, as measured from the widest portion of the vehicle or load, but not including mirrors; or
3. Vehicle or load length exceeds 20 feet (in combination with any attached trailers); or
4. Manufacturer's gross vehicle weight rating exceeds 10,000 pounds; or
5. Any nonmotorized vehicle regardless of its height, width, length or weight when it has been detached from a motor vehicle that is capable of towing such vehicle.

C. This section shall not prohibit the parking of commercial and recreational vehicles if they are at the time engaged in any of the following activities:

1. Loading or unloading of persons and/or property; or

ITEM 11.1.**Exhibit A to the Ordinance**

Rancho Cordova Municipal Code
Chapter 10.24 PARKING REGULATIONS

Page 15/52

2. Parked in connection with or in the aid of the immediate performance of a service to or on a property in the immediate proximity in which such vehicle is parked; or
3. Parked or left standing to allow the operator respite in the immediate proximity in which such vehicle is parked for a period of not to exceed 30 minutes; or
4. Parked or left standing as a result of a mechanical breakdown so as to allow for the performance of emergency repairs on the vehicle, or while waiting for a tow operator for a period not to exceed two hours; or
5. Parked or left standing as allowed by a permit issued by the city pursuant to established procedures; or
6. Emergency vehicles of any political subdivision of the state of California or of a public utility, while the driver of any such vehicle is engaged in the necessary performance of public emergency duties; or
7. Parking of motor homes, trailer coaches, recreational trailers, truck campers, camping trailers, or boat trailers designed for personal use for less than 72 hours in a residential district.

D. The traffic engineer shall place appropriate signs on all streets, roads or highways, as the traffic engineer may determine will best serve to give notice of this section, indicating the affected residential and commercial streets, roads or highways where commercial vehicle parking is prohibited.

E. Any person violating any of the provisions of this section is guilty of an infraction and upon conviction thereof shall be punished by:

1. A fine not exceeding \$100.00 for a first violation;
2. A fine not exceeding \$200.00 for a second violation within one year;
3. A fine not exceeding \$500.00 for each additional violation within one year. [Ord. 12-2006 § 1].

10.24.080 One-way streets.*

Subject to other and more restrictive limitations, a vehicle may be stopped or parked parallel to and within 18 inches of the left-hand curb, facing in the direction of the traffic movement upon any one-way street, unless signs are in place prohibiting such stopping or standing. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 703 § 65, 1960].

* Code reviser's note: See also Chapter 10.44 RCMC.

10.24.090 Loading zones.

A. The Director is authorized to establish bus zones, opposite red curb space, for the loading and unloading of buses, common carriers of passengers and to determine the location and length thereof.

B. The Director is authorized to establish loading zones.

C. The Director is authorized to establish taxi stands.

D. No person shall park and leave standing any vehicle, whether attended or unattended, in any loading zone for a period of time longer than is permitted for such loading zone except as otherwise provided in this title or in a taxi stand except the operator of the taxi. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 703 § 66, 1960].

10.24.100 Limited-time parking.

A. The Director is authorized to restrict or prohibit parking in excess of 12 minutes, 24 minutes, one hour or two hours, between 7:00 a.m. and 6:00 p.m. of any day on any Highway.

B. When signs have been posted to give notice of such restriction or prohibition, no person shall park any vehicle and leave the same parked, whether attended or unattended, for a period of time longer than set out on the signs. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 725 § 2, 1961; SCC 703 § 67, 1960].

10.24.110 Continuing violations – Additional offenses.

Every person violating the provisions of RCMC 10.24.090 is guilty of a separate and further violation for each period of time that the vehicle is left so parked, equal to the maximum legal parking time for the particular time zone or parking space as designated in RCMC 10.24.090 or by ordinance adopted setting the maximum legal time. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 703 § 68, 1960].

10.24.120 Curb parking – Right-of-way.

For the purpose of this section, a curb parking space shall be an area open for lawful parking alongside or adjacent to a curb, which area is not of sufficient length to permit two or more vehicles to freely move for parking therein at the same time. Any person seeking to park his vehicle in a curb space, whose vehicle arrives at the parking space prior to any vehicle other than his, and who proceeds beyond the space a distance not to exceed 10 feet, measured at the rear bumper, for the purpose of backing his vehicle therein, shall have the right-of-way over any person driving, or attempting to drive, any other vehicle directly into such curb parking space, or who, in any manner, obstructs such curb parking space; and the driver of such other vehicle shall yield the right-of-way to the driver first arrived at the parking space. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 703 § 69, 1960].

10.24.130 Parking in intersections.

A person may park a vehicle adjacent to the curb within an intersection if the Director marks the roadway with appropriate signs, markers or buttons as described in RCMC 10.16.050. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 703 § 70, 1960].

10.24.140 Angle parking.

At no time shall any person park a vehicle on a Highway at an angle to the roadway except to comply with the directions of a traffic officer. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 703 § 71, 1960].

10.24.150 Removal of illegally parked vehicles.

If any person parks a vehicle contrary to the provisions of RCMC 10.24.030 through 10.24.070, 10.24.100 or 10.24.120, the vehicle is determined to be an obstruction to the normal flow of traffic as defined in Section 22651(b) of the Vehicle Code and may be removed from the Highway as provided in Chapter 10 of the Vehicle Code. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 37 § 1, 1971; SCC 703 § 72, 1960].

10.24.160 Removal of ignition key when parking.

Every person who parks a motor vehicle upon any highway shall first lock the ignition, remove the key therefrom and take such key with him unless a licensed operator remains in such motor vehicle, in which case such licensed operator, before leaving the vehicle, shall first lock the ignition, remove the key therefrom, and take the key with him. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 703 § 73, 1960].

10.24.170 Parking on City property.

A. Whenever the Director determines that parking or standing of vehicles on City property is prohibited, limited or restricted, the Director shall have the power and authority to order signs to be erected or posted indicating that the parking of vehicles is thus prohibited, limited or restricted.

B. When signs authorized by the provisions of this section are in place, giving notice thereof, no person shall park or stand a vehicle contrary to the directions of the signs, and any vehicle parked in violation of the signs may be towed to the public storage garage at the expense of the owner of the vehicle as provided in Division 11, Chapter 10 of the Vehicle Code. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 240 § 2, 1975; SCC 703 § 74, 1960].

10.24.175 Parking in City parking areas.

A. Notwithstanding any other provision in this code, whenever the Director determines that parking or standing of vehicles in City parking areas under his jurisdiction is prohibited, limited or restricted, the Director shall have the power and authority to order signs to be erected or posted indicating that the parking of vehicles is thus prohibited, limited or restricted.

B. When signs authorized by the provisions of this section are in place, giving notice thereof, no person shall park or stand a vehicle contrary to the directions of the signs, and any vehicle parked in violation of the signs may be towed to the public storage garage at the expense of the owner of the vehicle as provided in Division 11, Chapter 10 of the Vehicle Code, and/or the Director, his or her designees, or a peace officer may issue a citation for illegal parking.

ITEM 11.1.**Exhibit A to the Ordinance**

Rancho Cordova Municipal Code
Chapter 10.24 PARKING REGULATIONS

Page 17/52

The Director, his designee or a peace officer shall record on the citation the location the offense was committed, the nature of the violation, the state vehicle license number of the vehicle, the make and year of the vehicle and the time and date of such violation. He shall then issue in writing a citation for illegal parking in the same form and subject to the same procedure provided for by the laws of the state applicable to the traffic violations within the City. [Ord. 38-2007 § 1 (Exh. 1(G)); Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4].

10.24.180 Parking on private property.

It is unlawful for any person to drive upon or across, to leave standing or cause to be left standing any vehicle upon any privately owned property within the City without the implied or express consent of the owner or person in lawful possession of the property. [Ord. 38-2007 § 1 (Exh. 1(A)); Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 703 § 75, 1960].

ITEM 11.1.

Rancho Cordova Municipal Code
Chapter 10.25 PREFERENTIAL RESIDENTIAL
PERMIT PARKING PROGRAM

Chapter 10.25**PREFERENTIAL RESIDENTIAL PERMIT PARKING PROGRAM**

Sections:

- 10.25.005 Title.
- 10.25.010 Purpose.
- 10.25.020 Definitions.
- 10.25.030 Designation of residential permit parking areas.
- 10.25.040 Designation criteria.
- 10.25.050 Designation process.
- 10.25.060 Recommendation of the public works director.
- 10.25.070 Issuance of permits.
- 10.25.080 Visitor permits.
- 10.25.090 Posting of residential permit parking area.
- 10.25.100 Display of permit.
- 10.25.110 Permit parking exemption.
- 10.25.120 Permit term – Application and renewal.
- 10.25.130 Permit fees.
- 10.25.140 Penalty provisions.
- 10.25.150 Applicability to parking control vehicles.
- 10.25.160 Annexation of residential streets to residential permit parking areas.
- 10.25.170 Modifications of restrictions.
- 10.25.180 Deletion of residential streets from residential permit parking areas.

10.25.005 Title.

This chapter shall be known and cited as the “preferential residential permit parking program.” [Ord. 12-2015 § 2].

10.25.010 Purpose.

The purpose of this chapter is to establish a preferential residential permit parking program within the City to assist residents in securing parking in residential areas regularly adversely affected by nonresident parked vehicles. [Ord. 12-2015 § 2].

10.25.020 Definitions.

For the purposes of this chapter, the following definitions shall apply, unless the context clearly indicates otherwise:

“Dwelling unit” means a house, apartment or other residence with an assigned address as used by the U.S. Postal Service or as listed in the county directory.

“Lease” means that a person pays rent or other remuneration for use of a parcel of real property as his or her residence or place of business.

“Motor vehicle” includes an automobile, truck, motorcycle, or other motor-driven form of transportation not in excess of 10,000 pounds gross weight.

“Parking restrictions” means the days, times, and hour limitations imposed on motor vehicles parked in a residential permit parking area pursuant to this chapter.

“Public Works Director” means the Public Works Director of the City of Rancho Cordova with the powers and duties as provided in this title.

“Resident” means a person who dwells in the residential area on a permanent basis.

“Resident permit” means a permit issued by the City of Rancho Cordova for use on a resident vehicle while parked in a residential permit parking area.

ITEM 11.1.

Rancho Cordova Municipal Code
Chapter 10.25 PREFERENTIAL RESIDENTIAL
PERMIT PARKING PROGRAM

“Resident vehicle” means a motor vehicle owned or under the control of a resident and regularly parked in the residential area in which the resident resides.

“Residential area” means a contiguous or nearly contiguous area where residents dwell and which contains public streets and highways.

“Residential permit parking area” means a residential area designated as herein provided wherein motor vehicles displaying a valid permit as described herein shall be exempt from the parking restrictions or prohibitions established pursuant to this chapter. [Ord. 12-2015 § 2].

10.25.030 Designation of residential permit parking areas.

The City Council may, in its discretion, designate by resolution any residential area as a residential permit parking area in which motor vehicles displaying a valid parking permit may stand or be parked without limitation. Said resolution shall also state the applicable parking restrictions and the fees to be charged upon permit issuance. [Ord. 12-2015 § 2].

10.25.040 Designation criteria.

A. A residential area shall be deemed eligible for consideration as a residential permit parking area if the residential area is adversely affected by nonresident parked vehicles for any extended period during the day or night, on weekends, or during holidays.

B. In determining whether a residential area may be designated as a residential permit parking area, pursuant to RCMC 10.25.050 and 10.25.060, the Public Works Director and the City Council shall take into account factors which include, but are not limited to, the following:

1. The extent of the desire and need of the residents for residential permit parking;
2. The extent to which on-street parking is occupied by motor vehicles during the period proposed for parking restrictions;
3. The extent to which vehicles parking in the area during the period proposed for parking restrictions are commuter vehicles rather than resident vehicles. [Ord. 12-2015 § 2].

10.25.050 Designation process.

A. Persons desiring a residential permit parking program in a residential area shall consult with the Public Works Director to tentatively establish the boundaries of the area proposed for designation.

B. Upon receipt of a petition from a group of neighborhood residents or appropriate neighborhood association indicating that at least 60 percent of the residents are in favor of permit parking in the residential area proposed for designation, the Public Works Director shall evaluate the proposal to determine the appropriate residential permit parking restrictions for the area.

C. Within 30 days of the completion of the Public Works Director’s evaluation to determine appropriate residential permit parking restrictions for the area, the Public Works Director shall notice, as herein provided, a public hearing or hearings on the subject of the proposed residential permit parking area. Said hearing or hearings shall be conducted for the purpose of ascertaining boundaries for the proposed residential permit parking area as well as the appropriate restrictions on parking.

D. Notice of the public hearing or hearings provided for herein shall be mailed generally in the neighborhood, and to those institutions generating a significant volume of nonresident parking in the neighborhood. The notice shall clearly state the purpose of the hearing, the location and boundaries tentatively considered for the proposed residential permit parking area and, if applicable, the approximate permit fee to be charged. During such hearing or hearings, any interested person shall be entitled to appear and be heard.

E. Within 30 days after completion of the public hearing(s) the Public Works Director shall mail out notices to the residents of the proposed residential permit parking area. Said notices shall provide information on the proposed location and boundaries of the area and the proposed residential permit parking restrictions therein. Residents of the

ITEM 11.1.

Rancho Cordova Municipal Code
Chapter 10.25 PREFERENTIAL RESIDENTIAL
PERMIT PARKING PROGRAM

Page 20/52

proposed residential permit parking area may return the notices indicating their support or opposition to the area. [Ord. 12-2015 § 2].

10.25.060 Recommendation of the Public Works Director.

A. Following the designation process described in RCMC 10.25.050, the Public Works Director shall issue a written recommendation to the City Council whether to designate the residential area under consideration as a residential permit parking area within 60 days after the close of public hearings pursuant to RCMC 10.25.050(D). Such recommendation shall be based upon the record of the hearing or hearings, the evaluation performed, the petition submitted, and the returned notices received from the residents indicating support for or opposition to the program.

B. The recommendation of the Public Works Director shall set forth the significant subjects and concerns raised at the public hearing or hearings conducted, the proposed boundaries of the residential permit parking area, the proposed parking restrictions, and the support for the program shown by the returned notices from the residents.

C. If the City Council desires, it will adopt a resolution establishing the program for the area including the boundaries, parking restrictions, fees, if any, and any other applicable provisions.

D. The designation process and designation criteria set forth in this chapter shall also be utilized by the Public Works Director in determining whether to recommend removal of designation as a residential permit parking area from a particular residential area. [Ord. 12-2015 § 2].

10.25.070 Issuance of permits.

A. Parking permits shall be issued by the Public Works Director. Each such permit shall state or reflect the particular residential permit parking area, the license number of the motor vehicle for which it is issued, and any additional information required by the Public Works Director to enforce the provisions of this chapter. No more than one parking permit shall be issued to each motor vehicle for which application is made. The requirements governing the manner in which persons shall qualify for parking permits in each residential permit parking area shall be as established by this chapter.

B. Parking permits may be issued for motor vehicles only upon application of the following persons:

1. A resident of the residential permit parking area who owns a motor vehicle registered with the California Department of Motor Vehicles at the address where the resident lives;
2. A resident of the residential permit parking area who has a leased or possesses a company-owned vehicle which is regularly parked in the area;
3. A person who owns or leases commercial property located in the residential permit parking area and actively engages in business activity within a residential permit parking area. However, no more than one parking permit may be issued for each motor vehicle registered to the business establishment at the address in the designated area;
4. An owner of residential property that is located within the residential permit parking area. [Ord. 12-2015 § 2].

10.25.080 Visitor permits.

The Public Works Director is authorized, upon application, to issue visitor permits to residents and owners or lessees of commercial property located within a residential permit parking area for use by bona fide visitors therein. Such a visitor permit shall have all the rights and privileges of a regular permit, except as provided in RCMC 10.25.130 and 10.25.140. The requirements governing the manner in which persons shall qualify for visitor permits in each residential permit parking area shall be established by this chapter. [Ord. 12-2015 § 2].

10.25.090 Posting of residential permit parking area.

Upon the adoption of the City Council of a resolution designating a residential permit parking area, the Public Works Director shall cause appropriate signs and markings to be erected in the area, indicating prominently thereon the parking and restrictions, prohibitions, and conditions under which permit parking shall be exempt. [Ord. 12-2015 § 2].

ITEM 11.1.

Rancho Cordova Municipal Code
Chapter 10.25 PREFERENTIAL RESIDENTIAL
PERMIT PARKING PROGRAM

Page 21/52

10.25.100 Display of permit.

Residential parking permits shall be affixed to the left rear bumper of the resident's vehicle, hung from an inside rear view mirror or lying flat and clearly visible on the dashboard of the vehicle to which it is assigned.

Visitor parking permit shall be hung from an inside rear view mirror or lying flat and clearly visible on the dashboard of the visitor's vehicle.

Failure to display a current, valid permit shall be prima facie evidence that the citation is valid. [Ord. 12-2015 § 2].

10.25.110 Permit parking exemption.

A resident motor vehicle or nonresident motor vehicle on which is displayed a valid parking permit as provided for herein shall be permitted to park in the residential permit parking area for which the permit has been issued without being limited by parking restrictions established pursuant to this chapter.

Said motor vehicle shall not be exempt, however, from other parking regulations or prohibitions established pursuant to other relevant portions of the Rancho Cordova Municipal Code or Vehicle Code. All other motor vehicles parked within a residential permit parking area shall be subject to the parking restrictions adopted as provided in this chapter as well as the penalties provided for herein.

A residential parking permit shall not guarantee or reserve to the holder thereof an on-street parking space within the designated residential permit parking area. [Ord. 12-2015 § 2].

10.25.120 Permit term – Application and renewal.

Except as provided otherwise herein, each parking permit issued shall be valid for one year or such other period of time as designated by the Public Works Director from the date of issuance. Permits may be renewed annually or for some other period of time as designated by the Public Works Director upon reapplication in the manner required by the Public Works Director. Each application or reapplication for a parking permit shall contain information sufficient to identify the applicant, his or her residence address or address of real property owned or leased within residential permit parking area, the license number of the motor vehicle for which application is made, and such other information that may be deemed relevant by the Public Works Director. [Ord. 12-2015 § 2].

10.25.130 Permit fees.

The fee, if any, for eligible residents within the residential parking permit area for a residential parking permit or a visitor permit shall be established by resolution of the City Council. [Ord. 12-2015 § 2].

10.25.140 Penalty provisions.

A. It is a violation of this chapter, unless expressly provided to the contrary herein, for any person to park a motor vehicle contrary to the parking restrictions established pursuant hereto. Said violation shall be subject to civil penalty as specified in the resolution by the City Council pursuant to RCMC 10.24.020.

B. It is unlawful and a violation of this chapter for a person to falsely represent himself or herself as eligible for a parking permit or to furnish false information in order to obtain a permit. Said violation shall be punishable by a fine not to exceed \$500.00 or by imprisonment for a period not exceeding six months, or both.

C. It is a violation of this chapter, unless expressly provided to the contrary herein, for a person holding a valid parking permit issued pursuant to this chapter, to permit the use or display of such permit on a motor vehicle other than that for which the permit is issued. Such conduct shall constitute a violation of this chapter both by the person holding the valid parking permit and the person who so uses or displays the permit on a motor vehicle other than that for which it is issued. Said violation shall be subject to civil penalty as specified in the resolution adopted by the City Council pursuant to RCMC 10.24.020.

D. It is a violation of this chapter to use, or allow to be used, a visitor permit for a nonresident commuter who desires to park in the residential parking permit area. Said use of a visitor permit for commuter parking shall constitute a violation of this chapter both by the person to whom the visitor permit was issued and by the registered owner of the vehicle upon which the visitor permit is displayed. Said violation shall be subject to civil penalty as specified in the resolution adopted by the City Council pursuant to RCMC 10.24.020.

ITEM 11.1.**Exhibit A to the Ordinance**

Rancho Cordova Municipal Code
Chapter 10.25 PREFERENTIAL RESIDENTIAL
PERMIT PARKING PROGRAM

Page 22/52

E. It is unlawful and a violation of this chapter for a person to copy, produce or otherwise bring into existence a facsimile or counterfeit parking permit in order to evade parking restrictions applicable in a residential permit parking area. It is also a violation to sell, transfer, exchange or assign any residential, visitor or temporary permit. Upon conviction thereof, the person shall be punishable by a fine not exceeding \$500.00 or be imprisoned for a period not exceeding six months, or both. [Ord. 12-2015 § 2].

10.25.150 Applicability to parking control vehicles.

The provisions of this chapter shall not be construed to prohibit the stopping, standing or parking of parking control vehicles while such vehicles are being used in parking control enforcement; provided, however, that this section shall not supersede provisions of this title which expressly refer to or regulate parking control vehicles.

As used in this section the term “parking control vehicles” means any vehicle used by an authorized official of the City during the enforcement of parking and registration regulations pursuant to the chapters of this code and the California Vehicle Code. [Ord. 12-2015 § 2].

10.25.160 Annexation of residential streets to residential permit parking areas.

Whenever the City Council finds that residential streets adjacent to a residential permit parking area have all-day, on-street parking congestion, then upon recommendation by the Public Works Director, such residential streets may be added by resolution to said residential permit parking area. A petition of 60 percent or more of the residents of said streets with affirmative responses seeking permit parking shall be required prior to implementation of residential permit parking restrictions. [Ord. 12-2015 § 2].

10.25.170 Modifications of restrictions.

On-street parking restrictions within a residential permit parking area may be changed by resolution of the City Council based on recommendation by the Public Works Director. [Ord. 12-2015 § 2].

10.25.180 Deletion of residential streets from residential permit parking areas.

A. The City Council may initiate a proceeding to delete a street from a designated residential permit parking area by adopting a resolution of intention to delete.

B. The resolution shall include:

1. A declaration of intention by the City Council to delete;
2. A description of the street or streets to be deleted; and
3. The date, time and place of a public hearing to consider the proposed deletion.

C. At least 10 days before the hearing, notice of the hearing shall be published in a newspaper of general circulation, posted not more than 200 feet apart along the street or streets proposed for deletion, and mailed to all persons who testified before the City Council at public hearings in which the establishment of the residential parking permit area was considered.

D. At the hearing, the City Council shall take into account the factors specified in RCMC 10.25.040(B). The City Council may adopt a resolution deleting the street or streets described in the resolution of intention. [Ord. 12-2015 § 2].

Chapter 10.30**HUMAN HABITATION OF VEHICLES**

Sections:

- 10.30.010 Purpose.
- 10.30.020 Definitions.
- 10.30.030 Use of vehicles for human habitation prohibited on public property.
- 10.30.040 Use of vehicles for human habitation prohibited on private property – Exception.
- 10.30.050 Penalty.

10.30.010 Purpose.

This chapter is enacted for the purpose of addressing issues of blight, crime, security, disorder and health and sanitation, including the disposal of noxious and harmful matter on city streets and parking areas open to the public. These conditions are principally caused by ongoing, repeated habitation of motor homes, recreational vehicles and other vehicles modified or used for human habitation, as defined in RCMC 10.30.020, without authorized connection to utility services, periodically resulting in the creation of an encampment-like situation. These conditions occur primarily in private commercial parking areas and on public streets within the City, but can also occur in other areas of the City including, but not limited to, private residential lots. [Ord. 13-2004 § 1].

10.30.020 Definitions.

For purposes of this chapter, the following definitions will apply:

“Camper” means a structure designed to be mounted upon a motor vehicle and to provide facilities for human habitation or camping purposes. “Camper” shall include those campers defined as slide-in campers or truck campers under the California Health and Safety Code.

“House car” means a motor vehicle originally designed or permanently or temporarily altered and equipped for human habitation, or to which a camper has been permanently or temporarily attached.

“Human habitation” shall mean the use of a vehicle for dwelling. Evidence of human habitation shall include activities such as sleeping, setting up housekeeping or cooking, and/or any other activity where it reasonably appears, in light of all the circumstances, that a person or persons is using the vehicle as a living accommodation. The use of a vehicle for six or more consecutive hours for eating, resting, recreating and/or sleeping shall per se constitute “human habitation” for purposes of this chapter.

“Recreational vehicle” shall mean a motor home, travel trailer, trailer coach, truck camper, camping trailer or park trailer, as those vehicles are defined in Sections 18010 and 18009.3 of the California Health and Safety Code or other applicable sections of the California Health and Safety Code or California Vehicle Code, and which are designed for human habitation for recreational, emergency, or other occupancy.

“Vehicle” shall mean any device by which any person or property may be propelled, moved, or drawn upon a highway including, but not limited to, a recreational vehicle or house car. [Ord. 13-2004 § 1].

10.30.030 Use of vehicles for human habitation prohibited on public property.

It is unlawful for any person or persons to use a vehicle for human habitation on or in any public street, right-of-way, alleyway, parking area or any other public property, except in a designated public campground, recreational park, or licensed mobile home park. [Ord. 13-2004 § 1].

10.30.040 Use of vehicles for human habitation prohibited on private property – Exception.

A. It is unlawful for any person or persons to use a vehicle for human habitation on any private property within the city limits of Rancho Cordova except for a lawfully operated mobile home trailer park, or other licensed private camping facility.

ITEM 11.1.

Rancho Cordova Municipal Code
Chapter 10.30 HUMAN HABITATION OF VEHICLES

ATTACHMENT 2 Exhibit A to the Ordinance

Page 24/52

B. Notwithstanding subsection (A) of this section, a person shall not be prohibited from occupying, for sleeping purposes only, a recreational vehicle or house car on private residential property within the City limits provided all of the following criteria are satisfied:

1. The person is a bona fide guest of a resident of the City;
2. The person has the written consent of the resident; and
3. The location and use of the recreational vehicle or house car for sleeping purposes is not otherwise in violation of the Rancho Cordova zoning code or other applicable law.

The use of a recreational vehicle or house car under authority of this subsection (B) shall be limited to no more than five days and/or nights, either consecutive or nonconsecutive, within any 90-day period. [Ord. 13-2004 § 1].

10.30.050 Penalty.

A. A violation of this chapter shall be deemed an infraction for a first violation; second and subsequent violations of the same section within a 12-month period may be prosecuted as an infraction or misdemeanor.

B. Any person convicted of an infraction for violating this chapter may be punished by:

1. A fine of not more than \$100.00 for a first violation;
2. A fine of not more than \$200.00 for a second violation of the same section within a 12-month period;
3. A fine of not more than \$500.00 for a third (or subsequent) violation of the same section by the same person within a 12-month period.

C. Any person convicted of a misdemeanor for violating this chapter may be punished by a fine of not more than \$1,000 or by imprisonment in jail for a period of not more than six months or by both fine and imprisonment. [Ord. 13-2004 § 1].

Chapter 10.32**MISCELLANEOUS DRIVING RULES**

Sections:

- 10.32.010 Prohibited acts.
- 10.32.020 Parade permit required.
- 10.32.030 Bus stop in front of driveway.
- 10.32.040 Molesting of traffic-counting devices prohibited.
- 10.32.050 Washing vehicles on highway.
- 10.32.060 Repairing vehicles on highways.
- 10.32.070 Railway gates.
- 10.32.080 Trains not to block crossings.

10.32.010 Prohibited acts.

No person shall drive any vehicle or animal, or do any act, in violation of the following:

A. Drive through vehicles comprising a funeral procession while they are in motion and when the vehicles in such a procession are specifically designated;

B. No person riding any bicycle, motorcycle, coaster, roller skates, or any toys or toy vehicles shall attach the same or himself to any moving vehicle upon any roadway and no person driving any vehicle shall permit the same to be done;

C. Drive within or over any sidewalk area or any parkway except at a driveway;

D. Drive over or across any new pavement or freshly painted marking when any street barrier, sign or marking is in place warning persons not to drive over or across the same, or when a sign is in place stating that the street, or any portion thereof, is closed;

E. Drive or operate a vehicle contrary to the directions or provisions of any barrier or sign erected pursuant to the provisions of any ordinance of the City or by any other utility, or by any department of the City or by any public person pursuant to law or contract with the City and no unauthorized person shall move or alter the position of any such barrier or sign;

F. Drive a vehicle onto or from any freeway except at such entrances and exits as are established by public authority;

G. Drive a vehicle into an intersection or a marked crosswalk unless there is sufficient space on the other side of the intersection or crosswalk to accommodate the vehicle he is operating without obstructing the passage of other vehicles or pedestrians in such intersection or crosswalks, notwithstanding any official traffic control device or signal indication to proceed;

H. No tire on any vehicle upon any City street or highway shall have on its periphery any block, stud, flange, cleat, ridge, bead, or any other protuberance of metal or wood which projects beyond the tread of the traction surface of the tire. This subsection does not apply to the following:

1. Tire chains of reasonable size used to prevent skidding when upon wet surfaces or when upon ice or snow.
2. Pneumatic tires which have embedded therein wire not to exceed 0.075 inches in diameter and which are so constructed that under no conditions will the percentage of metal in contact with the roadway exceed five percent of the total tire area in contact with the roadway, except that during the first 1,000 miles of use or operation of any such tire, the metal in contact with the roadway may exceed five percent of the tire area in contact with the roadway, but shall in no event exceed 20 percent of such area.
3. Vehicles operated upon unimproved roadways when necessary in the construction or repair of highways.

ITEM 11.1.

Rancho Cordova Municipal Code
Chapter 10.32 MISCELLANEOUS DRIVING RULES

ATTACHMENT 2 Exhibit A to the Ordinance

Page 26/52

4. Traction engines or tractors when operated under the conditions of a permit first obtained from the Rancho Cordova Department of Public Works. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 972 § 1, 1968; SCC 703 § 76, 1960].

10.32.020 Parade permit required.

No person shall operate a vehicle, or join in, or be a member of any procession, parade or assemblage on any public highway without a permit first having been issued by the Director. No permit shall be valid on an arterial or through highway during the hours of 4:00 p.m. to 6:00 p.m. or during the hours of darkness or between December 10th and December 26th in any year. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 703 § 77, 1960].

10.32.030 Bus stop in front of driveway.

A bus engaged as a common carrier may stop to load or unload passengers in front of a driveway. At no time shall the bus so stop for a period longer than is necessary to load or unload passengers. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 703 § 78, 1960].

10.32.040 Molesting of traffic-counting devices prohibited.

Unless authorized by the Director, a person shall not move, molest, tamper with, or damage in any way any traffic-counting device which has been located within a highway or adjacent thereto by authority of the Director. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 703 § 79, 1960].

10.32.050 Washing vehicles on highway.

A person shall not dust, wipe, wash or otherwise clean, use, or employ any method of dusting, wiping, washing or otherwise cleaning any vehicle or portion thereof while on any highway unless the vehicle is owned by or under the direct control or supervision, for purposes other than such wiping, washing, cleaning, or dusting, of the person doing any of the acts herein enumerated. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 703 § 80, 1960].

10.32.060 Repairing vehicles on highways.

A person shall not repair, or make any repairs, or add or install any part or accessory to or on any vehicle while the same is upon any public highway or alley.

The provisions of this section do not prohibit the operator of any vehicle which is disabled while upon any public highway or alley to such extent that it is impossible to avoid stopping from making or causing to be made the repairs necessary to enable the vehicle to be removed from the public highway or alley. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 703 § 81, 1960].

10.32.070 Railway gates.

No person shall drive any vehicle around or under any crossing gate or barrier at a railroad grade crossing while the gate or barrier is closed or is being opened or closed. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 703 § 82, 1960].

10.32.080 Trains not to block crossings.

It is unlawful for any person to cause or permit any railway train or railway cars, or similar vehicle on rails, to operate or to be operated in such a manner as to prevent the use of any highway for the purpose of travel for a period of time longer than 10 minutes, except that this provision does not apply to railway trains, cars or similar vehicles on rails while blocking or obstructing a crossing because of an accident which requires the operator of a train, car or similar vehicle on rails to stop at or near the scene of the accident. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 972 § 1, 1968; SCC 703 § 83, 1960].

ITEM 11.1.

Rancho Cordova Municipal Code
Chapter 10.36 EMERGENCY VEHICLES

ATTACHMENT 2 Exhibit A to the Ordinance

Page 27/52

Chapter 10.36

EMERGENCY VEHICLES

Sections:

- 10.36.010 Definitions.
- 10.36.040 Approaching scene of emergency.
- 10.36.050 Parking near scene of emergency.
- 10.36.060 Assembling near scene of emergency.
- 10.36.070 Exemptions.
- 10.36.080 Penalty for violation.

10.36.010 Definitions.

As used in this chapter, the following words and phrases have the meanings herein set forth:

“Authorized emergency vehicle” means all authorized emergency vehicles as defined in Division 1 of the Vehicle Code.

“Private road or driveway” means a private road or driveway as defined in Section 490 of the Vehicle Code.

“Public highway” means any highway, road, street, way or place open to the use of the public for purposes of vehicular travel.

“Vehicle” means a device in, upon or by which any person or property is or may be propelled, moved or drawn upon a public highway, including a bicycle or such other vehicle of propulsion moved by human power. [Ord. 38-2007 § 1 (Exh. 1(G)); Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 389 § 1, 1951].

10.36.040 Approaching scene of emergency.

It is unlawful for any person to operate any vehicle upon the public highways or any private road or driveway so as to approach within 1,000 feet of any authorized emergency vehicle when such authorized emergency vehicle is engaged in extinguishing fire or when the authorized emergency vehicle is actively engaged at the scene of any bombing, act of sabotage, accident, explosion, flood, riot, earthquake or any emergency. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 389 § 4, 1951].

10.36.050 Parking near scene of emergency.

It is unlawful for any person to park, stop or abandon any vehicle within 1,000 feet of any authorized emergency vehicle when the authorized emergency vehicle is actively engaged at the scene of any bombing, act of sabotage, accident, explosion, flood, riot, earthquake or any emergency. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 389 § 5, 1951].

10.36.060 Assembling near scene of emergency.

It is unlawful for any person or persons to gather, collect, assemble or congregate within 1,000 feet of the scene of any fire, bombing, act of sabotage, accident, explosion, flood, riot, earthquake or any emergency when any authorized emergency vehicle is actively engaged thereat. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 389 § 6, 1951].

10.36.070 Exemptions.

The provisions of this chapter do not apply to the following persons:

A. All authorized emergency vehicles, as defined herein, and persons operating the same;

B. Any person or persons lawfully ordered to do otherwise by any public officer or fireman. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 389 § 7, 1951].

ITEM 11.1.

Rancho Cordova Municipal Code
Chapter 10.36 EMERGENCY VEHICLES

ATTACHMENT 2 Exhibit A to the Ordinance

Page 28/52

10.36.080 Penalty for violation.

Any person who violates any provisions of this chapter is guilty of a misdemeanor and upon conviction thereof shall be punished by fine of not exceeding \$300.00 or by imprisonment in the county jail, not exceeding three months, or by both such fine or imprisonment. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 389 § 8, 1951].

Chapter 10.40**TRUCK ROUTES**

Sections:

- 10.40.010 Establishing weight limits.
- 10.40.020 Exceptions.
- 10.40.030 Designation.

10.40.010 Establishing weight limits.

The Director is authorized to designate certain highways or parts thereof upon which the operation of commercial vehicles shall be prohibited as follows:

A. On a highway that is unimproved as the word “unimproved” is used in Section 35706 of the Vehicle Code and the nature of the pavement or surface is such that it will be injured if vehicles of over a certain gross weight are permitted to operate thereon; the director shall erect signs specifying the weight which the Director finds should be prohibited;

B. Whenever the Director finds that the use of any street, road, or highway located in the City of Rancho Cordova by any commercial vehicle exceeding a gross weight of 14,000 pounds would not be in the best public interest or would be unsafe, and such street, road, or highway may be limited as to use in accordance with Section 35701 of the Vehicle Code, the Director shall erect appropriate signs;

C. Whenever any structure of a bridge on a highway on which no weight limit has been imposed is such that it is unsafe for the vehicles over a certain weight to use the bridge, and whenever the Director finds that the structure of a bridge on a highway on which a weight limit has been imposed is such that the use of vehicles over a certain weight which is less than the weight limit on such highway would be unsafe, the Director shall erect appropriate weight limit signs at both entrances to such bridges as provided in this title;

D. Wherever the Director finds that the use of any highway by a commercial vehicle exceeding a gross weight of three tons would not be in the best public interest or would be unsafe or would create undue hazards to local traffic, the Director may erect appropriate signs prohibiting commercial vehicles as provided in Section 21100 of the Vehicle Code;

E. The Director may issue a permit for the operation of vehicles on City highways that are in excess of the maximum load or size as specified in the Vehicle Code. The permit shall specify the description of the vehicle and shall be subject to such conditions as are deemed advisable in accordance with prevailing traffic conditions on the highway to be used;

F. When signs are in place giving notice of any of the provisions of this section, no person shall disobey the directions or provisions posted on the sign. [Ord. 38-2007 § 1 (Exh. 1(A), (G)); Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 703 § 84, 1960].

10.40.020 Exceptions.

Nothing in this chapter shall prohibit the operator of any vehicle exceeding the maximum gross weight of three tons coming from a truck route having ingress and egress by direct route to and from restricted streets, when necessary for the purpose of making pickups or deliveries of goods, wares and merchandise from or to any building or structure located on such restricted streets, or for the purpose of delivering materials to be used in the actual and bona fide repair, alteration, remodeling or construction of any building or structure upon such restricted streets for which a building permit has been previously obtained. The provisions of this chapter do not apply to a passenger bus under the jurisdiction of the public utilities commission, or owned by a bus company licensed by the City, or to any vehicle owned by a public utility while necessarily in use in the construction, installation or repair of any public utility or any vehicle owned by the City while necessarily in use in the construction, installation or repair of a City utility or street. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 703 § 85, 1960].

ITEM 11.1.

Rancho Cordova Municipal Code
Chapter 10.40 TRUCK ROUTES

ATTACHMENT 2 Exhibit A to the Ordinance

Page 30/52

10.40.030 Designation.

The Director is authorized to designate any highway by appropriate signs as a truck route for the movement of vehicles exceeding a maximum gross weight limit of three tons, where in his opinion such designation is required. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 703 § 86, 1960].

ITEM 11.1.

Rancho Cordova Municipal Code
Chapter 10.41 INTERSTATE TRUCK TERMINALS
AND ACCESS ROUTES

Page 31/52

Chapter 10.41**INTERSTATE TRUCK TERMINALS AND ACCESS ROUTES**

Sections:

- 10.41.010 Authority and application.
- 10.41.020 Fees and costs.
- 10.41.030 Reconstruction.
- 10.41.040 Revocation of route.
- 10.41.050 Prohibition.

10.41.010 Authority and application.

The Director is authorized to designate certain trucking terminals as interstate truck terminals and certain City highways or parts thereof as terminal access routes for interstate trucks, in accordance with Section 35401.5 of the Vehicle Code, as follows:

A. As used in this chapter, “interstate truck” shall mean a combination of vehicles as described in Section 35401.5 of the Vehicle Code and not exceeding the lengths set forth therein, and “terminal” shall have the meaning specified in Section 35401.5 of the Vehicle Code.

B. Any interested person desiring an access route to an interstate truck terminal facility from the federally designated highway system shall submit to the Director an application, on a form as provided by the Director, together with such information as may be required by the Director and appropriate fees.

C. The Director will cause an investigation to be made to ascertain whether or not the proposed terminal facility meets the requirements for an interstate truck terminal. Upon his approval of that designation, he will then determine the capability of the route requested and alternate routes, whether requested or not. Determination of route capability will include, without limitation, a review of adequate turning radius and lane widths of ramps, intersections and highways and general traffic conditions such as sight distance, speed and traffic volumes. No access off a federally designated highway system will be approved without the approval of the State of California Department of Transportation.

D. Should the requested route pass through the City of Rancho Cordova to a terminal located in another jurisdiction, the applicant shall submit proof of compliance with that jurisdiction’s application process. Coordination of the approval of the route through the City will be the responsibility of the entity which controls the terminal’s land use. [Ord. 38-2007 § 1 (Exh. 1(A)); Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 620 § 1, 1985].

10.41.020 Fees and costs.

A. The applicant shall pay a nonrefundable application fee, as established by the City Council by resolution, sufficient to pay the cost of the review of the interstate truck terminal designation and the review of the proposed and alternate routes.

B. Upon the approval of the terminal designation and route by the City, the applicant shall deposit with the City sufficient funds as estimated by the Director to pay for the purchase and installation of terminal trailblazer signs. Trailblazer signs shall be required at every decision point in the City on the route to the terminal and at intermediate points not closer than one-half mile apart as determined by the Director. Upon completion of the installation of the signs, the actual cost shall be computed and any difference between the actual and the estimated cost shall be billed or refunded to the applicant, whichever the case may be. Any excess due to the City shall be due and payable 30 days after billing and thereafter shall bear interest at the maximum rate permitted by law. No interstate truck terminal or access route may be used for such purpose until such signs as may be required are in place. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 620 § 1, 1985].

10.41.030 Reconstruction.

A. If all feasible routes to a requested interstate truck terminal are found unsatisfactory by the Director, the applicant may request reconstruction to correct the deficiencies identified by the Director. All costs of engineering, construction and inspection will be the responsibility of the applicant. Except when the reconstruction of

ITEM 11.1.

Rancho Cordova Municipal Code
Chapter 10.41 INTERSTATE TRUCK TERMINALS
AND ACCESS ROUTES

Page 32/52

deficiencies is within the jurisdiction of the state of California, the actual construction will be the responsibility of the applicant. When the work is within the jurisdiction of the state of California, it will be under the direction of the state of California.

B. If at any time within five years from the date of completion of the reconstruction by the applicant, should any applicant seek approval of an interstate truck terminal which would use the route upon which such reconstruction was accomplished, any such applicant's fee may be required by the Director to include that applicant's proportionate share of the reconstruction, as determined by the Director, which fee shall be disbursed by the City of Rancho Cordova to the applicant who paid for the reconstruction as well as to any applicant who contributed to the cost of reconstruction under this section. Nothing herein shall require the payment of a proportionate fee if the applicant doing the work failed to file with the director a report documenting the actual cost of the reconstruction work, subject to the approval of the Director. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 620 § 1, 1985].

10.41.040 Revocation of route.

The Director may revoke any approved interstate truck terminal or access route if the terminal or route becomes hazardous for vehicular traffic. Such a hazard includes, but is not limited to, the inability of interstate trucks to negotiate the route or said vehicles causing unsafe driving conditions for other vehicular traffic or pedestrians. If the route designation is revoked within three years after establishment, the City will reimburse the applicant for his actual costs of signing and reconstruction. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 620 § 1, 1985].

10.41.050 Prohibition.

Except as expressly permitted by law, no person shall drive an interstate truck upon any City highway not designated for such purpose. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 620 § 1, 1985].

ITEM 11.1.

Rancho Cordova Municipal Code
Chapter 10.44 ONE-WAY STREETS

Chapter 10.44

ONE-WAY STREETS

Sections:

10.44.010 Signs to be placed.

10.44.020 Violation prohibited.

10.44.010 Signs to be placed.

The director shall place and maintain appropriate signs giving notice of the one-way highway system, and no such regulations shall be effective until the signs are in place. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 703 § 88, 1960].

10.44.020 Violation prohibited.

No person shall operate a vehicle in violation of the signs designating one-way streets as herein provided. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 703 § 89, 1960].

ITEM 11.1.

Rancho Cordova Municipal Code
Chapter 10.48 SPEED ZONES

Chapter 10.48

SPEED ZONES

Sections:

10.48.010 Speed zones.

10.48.010 Speed zones.

A. The City Council has determined, on the basis of engineering and traffic surveys, that the speed permitted by the Vehicle Code upon certain highways is not in conformance with the safe and efficient operation of vehicles thereon. The prima facie speed limits on such highways or parts of such highways shall be as specified by ordinance when signs are erected giving notice of such limits.

B. All speed zones shall continue in effect as established by SCC Ordinance No. 703, as adopted and amended prior to the adoption of this code. All provisions of SCC Ordinance No. 703 and amendments thereto relating to speed zones shall continue in effect notwithstanding the adoption of this code. The speed zone provisions of SCC Ordinance No. 703 which continue in effect as provided in this section shall be subject to revision by ordinance from time to time pursuant to the Vehicle Code in the same manner as prior to the adoption of this code. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 703 § 90, 1960].

ITEM 11.1.

Rancho Cordova Municipal Code
Chapter 10.50 REDUCED SPEED LIMITS ON SPECIFIC
STREETS

Chapter 10.50

REDUCED SPEED LIMITS ON SPECIFIC STREETS

Sections:

- 10.50.010 Determination and declaration of prima facie speed limits.
- 10.50.020 Prima facie speed limits declared.

10.50.010 Determination and declaration of prima facie speed limits.

The City Council approves and adopts the engineering and traffic surveys dated November 9, 2020, prepared by the City, for the streets and portions thereof set forth therein, copies of which are on file and available for public inspection in the offices of the City Clerk. The city council finds and determines that the surveys were conducted in accordance with the Vehicle Code and methods of conducting engineering and traffic surveys prescribed in the California Department of Transportation and that the survey justifies the speed limits recommended for the streets and portions of streets therein described. The City Council declares these speed limits as prima facie speed limits for the streets or portions thereof, which limits shall be effective when appropriate signs giving notice thereof are erected upon the streets or portions thereof. [Ord. 20-2020 § 2; Ord. 1-2018 § 2; Ord. 13-2015 § 2; Ord. 3-2004 § 1].

10.50.020 Prima facie speed limits declared.

The following prima facie speed limits are established based on prevailing speeds and according to traffic and engineering studies.

A. Baroque Drive:

- 1. Between Zinfandel Drive and Zinfandel Drive, 35 mph;

B. Bear Hollow Drive:

- 1. Between Zinfandel Drive and North Mather Boulevard, 35 mph;

C. Business Park Drive:

- 1. Between Horn Road and Bradshaw Road, 35 mph;

D. Capital Center Drive:

- 1. Between White Rock Road and International Drive, 35 mph;

E. Chase Drive:

- 1. Between Coloma Road and Hagan Park, 25 mph;

F. Chrysanthy Boulevard:

- 1. Between Sunrise Boulevard and eastern terminus of street, 35 mph;

G. Coloma Road:

- 1. Between Folsom Boulevard and Sunrise Boulevard, 40 mph;

H. Data Drive:

- 1. Between International Drive and White Rock Road, 35 mph;

I. Disk Drive:

- 1. Between Data Drive and Prospect Park Drive, 35 mph;

ITEM 11.1.

Rancho Cordova Municipal Code
Chapter 10.50 REDUCED SPEED LIMITS ON SPECIFIC
STREETS

J. Douglas Road:

1. Between Sunrise Boulevard and Rancho Cordova Parkway, 55 mph;
2. Between Rancho Cordova Parkway and Americanos Boulevard, 50 mph;

K. Explorer Drive:

1. Between Lincoln Village Drive to Lincoln Village Drive, 25 mph;

L. Femoyer Street:

1. Between Mather Boulevard and International Drive, 40 mph;

M. Fitzgerald Road:

1. Between White Rock Road and Recycle Road, 35 mph;

N. Folsom Boulevard:

1. Between Horn Road and Routier Road, 45 mph;
2. Between Routier Road and Cordova Lane, 40 mph;
3. Between Cordova Lane and Sunrise Boulevard, 45 mph;
4. Between Sunrise Boulevard and Hazel Avenue, 45 mph;

O. Georgetown Drive:

1. Between Coloma Road and McGregor Drive, 25 mph;

P. Gold Camp Drive:

1. Between Sun Center Drive and Prospect Park Drive, 35 mph;

Q. Gold Canal Drive:

1. Between Sun Center Drive and White Rock Road, 35 mph;

R. Gold Center Drive:

1. Between Zinfandel Drive and Prospect Park Drive, 30 mph;
2. Between Prospect Park Drive (west) and Prospect Park Drive (east), 35 mph;

S. Horn Road:

1. Between Folsom Boulevard and Routier Road, 35 mph;

T. International Drive:

1. Between Mather Field Road and Sunrise Boulevard, 45 mph;

U. Kiefer Boulevard:

1. Between Sunrise Boulevard and Rancho Cordova Parkway, 45 mph;

V. Kilgore Road:

ITEM 11.1.

Rancho Cordova Municipal Code
Chapter 10.50 REDUCED SPEED LIMITS ON SPECIFIC
STREETS

1. Between Folsom Boulevard and White Rock Road, 35 mph;
2. Between White Rock Road and Baroque Way, 40 mph;

W. Lincoln Village:

1. Between Bradshaw Road and Draco Drive, 35 mph;
2. Between Draco Drive and Routier Road, 25 mph;

X. Luyung Drive:

1. Between White Rock Road and Mechanical Drive, 35 mph;

Y. Mather Field Road:

1. Between Peter A McCuen Boulevard and Folsom Boulevard, 45 mph;

Z. McGregor Drive:

1. Between Folsom Boulevard and Coloma Road, 25 mph;

AA. Mills Park Drive:

1. Between Routier Road and Mather Field Road, 35 mph;
2. Between Mather Field Road and White Rock Road, 25 mph;

BB. Mills Station Road:

1. Between Peter A McCuen Boulevard and Folsom Boulevard, 45 mph;
2. Between Mather Field Road and White Rock Road, 25 mph;

CC. Monier Circle:

1. Between Sunrise Boulevard and Sunrise Boulevard, 30 mph;

DD. Old Placerville Road:

1. Between Systems Parkway and Rockingham Drive, 45 mph;

EE. Olson Drive:

1. Between Mills Park Drive and Zinfandel Drive, 25 mph;
2. Between Zinfandel Drive and Folsom Boulevard, 35 mph;

FF. Paseo Drive:

1. Between Folsom Boulevard and Las Casas Way, 25 mph;

GG. Peter A McCuen Boulevard:

1. Mather Boulevard and Femoyer Street, 30 mph;

HH. Prospect Park Drive:

1. Between White Rock Road and White Rock Road, 35 mph;

ITEM 11.1.

Rancho Cordova Municipal Code
Chapter 10.50 REDUCED SPEED LIMITS ON SPECIFIC
STREETS

2. Between White Rock Road and Baroque Way, 35 mph;

II. Quality Drive:

1. Between International Drive and White Rock Road, 35 mph;

JJ. Rancho Cordova Parkway:

1. Between Kiefer Boulevard and Douglas Road, 45 mph;

KK. Recycle Road:

1. Between Sunrise Boulevard and Elks Circle, 30 mph;

LL. Reserve Drive:

1. Between Data Drive and International Drive, 35 mph;

MM. Rockingham Drive:

1. Between Mather Field Road and S. White Rock Road, 25 mph;

2. Between Mather Field Road and Old Placerville Road, 35 mph;

NN. Routier Road:

1. Between Old Placerville Road and Folsom Boulevard, 40 mph;

OO. S. White Rock Road:

1. Between International Drive and White Rock Road, 25 mph;

PP. Sun Center Drive:

1. Between Prospect Park Drive and Sunrise Boulevard, 35 mph;

QQ. Sunrise Boulevard:

1. Between Kiefer Boulevard and Herodian Drive, 50 mph;

2. Between Herodian Drive and White Rock Road, 45 mph;

3. Between White Rock Road and Folsom Boulevard, 45 mph;

4. Between Folsom Boulevard and Coloma Road, 45 mph;

5. Between Coloma Road and city limits, southbound, 45 mph;

RR. Systems Parkway:

1. Between Routier Road and Old Placerville Road, 35 mph;

SS. Trade Center Drive:

1. Between Sun Center Road and Mercantile Road, 30 mph;

TT. Trinity River Drive:

1. Between Coloma Road and Sunrise Boulevard, 30 mph;

ITEM 11.1.

Rancho Cordova Municipal Code

Chapter 10.50 REDUCED SPEED LIMITS ON SPECIFIC
STREETS

UU. Vanguard Drive:

1. Between Explorer Drive and Routier Road, 25 mph;

VV. White Rock Road:

1. Between Mills Station Road and Mills Park Drive, 25 mph;
2. Between S. White Rock Road and Zinfandel Drive, 40 mph;

3. Between Zinfandel Drive and Sunrise Boulevard, 45 mph; WW. Zinfandel Drive:

1. Between Sunrise Boulevard and Folsom Boulevard, 30 mph;
2. Between Folsom Boulevard and White Rock Road, 35 mph;
3. Between White Rock Road and International Drive, 40 mph;
4. Between International Drive and city limits, 45 mph. [Ord. 20-2020 § 3; Ord. 1-2018 § 3; Ord. 13-2015 § 3; Ord. 3-2004 § 2].

ITEM 11.1.

Rancho Cordova Municipal Code
Chapter 10.58 OFF-ROAD VEHICLES

Chapter 10.58

OFF-ROAD VEHICLES

Sections:

- 10.58.010 Permit required.
- 10.58.020 Motor vehicle – Definition.
- 10.58.030 Exemption – Commercially operated facilities.
- 10.58.040 Exemption – Public facilities.
- 10.58.050 Exemption – Sanctioned events.
- 10.58.060 Exemption – Parking areas.
- 10.58.070 Exemptions – Miscellaneous.
- 10.58.080 Operation by permit.
- 10.58.090 Application for permit.
- 10.58.100 Permits – Grounds for denial.
- 10.58.120 Permit conditions.
- 10.58.130 Copies of permit – Possession required.
- 10.58.140 Revocation of permit.
- 10.58.150 Fees – Expiration and renewal.
- 10.58.160 Appeal.
- 10.58.170 Public nuisance prohibited.

10.58.010 Permit required.

No person shall operate or cause to be operated a motor vehicle except upon the streets, highways and thoroughfares specifically established and provided for the operation of such vehicles except when authorized by a permit issued pursuant to this chapter. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 253 § 1 (part), 1975].

10.58.020 Motor vehicle – Definition.

As used in this chapter, “motor vehicle” means any self-propelled device in or upon which any person or property may be moved, excepting a device moved by human power or used exclusively upon stationary rails or tracks. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 253 § 1 (part), 1975].

10.58.030 Exemption – Commercially operated facilities.

This chapter does not apply to any area commercially operated for the purpose of providing facilities wherein motor vehicles can be operated for recreational purposes, if said facilities are duly licensed and permitted under the applicable laws pertaining thereto. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 253 § 1 (part), 1975].

10.58.040 Exemption – Public facilities.

This chapter does not apply to any area which is specifically established by the City or other governmental body or agency for the purpose of allowing motor vehicles to be operated thereon for recreational purposes. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 253 § 1 (part), 1975].

10.58.050 Exemption – Sanctioned events.

This chapter does not apply to any organized racing or competitive event upon a closed course which is conducted under the auspices of a recognized sanctioning body under permit issued by the City. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 253 § 1 (part), 1975].

10.58.060 Exemption – Parking areas.

This chapter does not apply to any area, either publicly or privately owned, designated for the parking or storage of motor vehicles, when the operation of a vehicle on such area is solely for the purposes of ingress thereto and egress therefrom. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 253 § 1 (part), 1975].

10.58.070 Exemptions – Miscellaneous.

This chapter does not apply to any motor vehicle which is:

- A. An implement of husbandry;

ITEM 11.1.

Rancho Cordova Municipal Code
Chapter 10.58 OFF-ROAD VEHICLES

- B. A wheelchair;
- C. A golf cart, when used on a golf course;
- D. Used for any purpose relating to the conduct of a business where said business is conducted;
- E. Owned by the City or other governmental body or agency, and is operated by an employee of the City or other governmental body or agency who is acting within the scope of his employment;
- F. Operated by or under contract with a utility, whether privately or publicly owned;
- G. Used in connection with construction activities for the purposes for which it was designed. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 253 § 1 (part), 1975].

10.58.080 Operation by permit.

Any person possessing a valid permit issued pursuant to this chapter may operate a motor vehicle other than upon the streets, highways and thoroughfares specifically established and provided therefor, provided such operation is in conformance with the terms and conditions of such permit. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 253 § 1 (part), 1975].

10.58.090 Application for permit.

The owner or lessee of any real property within the City, or the agent of either, may apply for a permit to operate one or more motor vehicles on said property when the operation of such vehicles would otherwise be in violation of RCMC 10.58.010 by filing an application with the chief of police. [Ord. 38-2007 § 1 (Exh. 1(A)); Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 253 § 1 (part), 1975].

10.58.100 Permits – Grounds for denial.

Upon receipt of the application for permit, the chief of police shall grant or deny the permit and shall notify the applicant by mail of such action. A permit may be denied when it appears to the satisfaction of the chief of police that the issuance of the permit would:

- A. Create a condition annoying to adjacent residents;
- B. Create law enforcement problems;
- C. Endanger the health, safety or welfare of persons in the area. [Ord. 38-2007 § 1 (Exh. 1(A)); Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 253 § 1 (part), 1975].

10.58.120 Permit conditions.

A permit may be issued subject to conditions regulating one or more of the following:

- A. Hours of operation of motor vehicles;
- B. Maximum number of motor vehicles which may be operated at any one time;
- C. Type of motor vehicles which may be operated;
- D. Any other reasonable condition required under the circumstances. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 253 § 1 (part), 1975].

10.58.130 Copies of permit – Possession required.

A. When a permit is issued, the chief of police shall issue in connection therewith a number of copies of such permit to the applicant, who shall give a copy of such permit to each person operating a motor vehicle on the premises for which the permit is issued.

B. The maximum number of copies of the permit given the applicant shall not exceed the maximum number of motor vehicles which may be operated on the premises at any one time, if such number has been determined pursuant to RCMC 10.58.120.

ITEM 11.1.

Rancho Cordova Municipal Code
Chapter 10.58 OFF-ROAD VEHICLES

ATTACHMENT 2 Exhibit A to the Ordinance

Page 42/52

C. No person shall operate a motor vehicle on the premises for which the permit is issued unless he has in his immediate possession a copy of such permit and shall display the same upon demand to any duly authorized law enforcement officer. [Ord. 38-2007 § 1 (Exh. 1(A)); Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 253 § 1 (part), 1975].

10.58.140 Revocation of permit.

A permit issued pursuant to this chapter may be revoked when it appears to the satisfaction of the chief of police that one or more of the following conditions exist:

A. The person to whom the permit was issued has failed to abide by the conditions of such permit;

B. A person operating a motor vehicle by permission of the person to whom the permit was issued has failed to abide by the conditions of such permit;

C. False or misleading statements were made by the applicant in securing the permit;

D. Circumstances surrounding the premises for which the permit was issued have changed and the continued operation of motor vehicles on the premises would violate one or more provisions of RCMC 10.58.100. [Ord. 38-2007 § 1 (Exh. 1(A)); Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 253 § 1 (part), 1975].

10.58.150 Fees – Expiration and renewal.

A. The fee for an initial permit shall be set by resolution of the City Council. The permit shall be nontransferable and shall expire one year after the date of issuance.

B. A permit may be renewed from year to year upon payment of a fee set by resolution of the City Council; provided, however, that the renewal may be granted, conditioned or denied in accordance with the provisions of RCMC 10.58.100 and 10.58.120. [Ord. 38-2007 § 1 (Exh. 1(G)); Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4].

10.58.160 Appeal.

A. Any applicant for a permit or a permit holder aggrieved by the action of the chief of police pursuant to this chapter may, within 10 days of being notified of such action, appeal the same to the City Council by filing a notice of appeal with the City Clerk.

B. The clerk shall calendar a hearing on the appeal and notify the person filing the appeal of the date, time and place of such hearing.

C. The City Council shall hear such testimony from the concerned parties as may be necessary and shall take such action with regard to the action of the chief of police as it may deem proper. [Ord. 38-2007 § 1 (Exh. 1(A)); Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 253 § 1 (part), 1975].

10.58.170 Public nuisance prohibited.

Nothing in this chapter is intended to authorize the maintenance of a public nuisance. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 253 § 1 (part), 1975].

ITEM 11.1.

Rancho Cordova Municipal Code
Chapter 10.62 TRANSIT AND SCHOOL DISTRICT
LOADING ZONES

Page 43/52

Chapter 10.62

TRANSIT AND SCHOOL DISTRICT LOADING ZONES

Sections:

10.62.010 Purpose.

10.62.020 Use of transit loading zones.

10.62.010 Purpose.

Section 22500.5 of the California Vehicle Code authorizes the adoption of a local ordinance to permit an agreement between a transit system operating buses engaged as common carriers and a public school district to permit school buses owned by, or operated for, the said school district to load or unload passengers in spaces designated for the loading or unloading of passengers of the transit system buses. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 569 § 1, 1983].

10.62.020 Use of transit loading zones.

Upon agreement between Regional Transit or other transit system authorized according to law to operate as a common carrier within the City of Rancho Cordova and a public school district, school buses owned by or operated under contract for such public school district may stop for the loading or unloading of passengers alongside any or all curb spaces designated for the loading or unloading of passengers of the transit system buses as provided in Section 22500.5 of the Vehicle Code. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 569 § 1, 1983].

ITEM 11.1.

Rancho Cordova Municipal Code
Chapter 10.64 TRIP REDUCTION PROGRAMS

Page 44/52

Chapter 10.64

TRIP REDUCTION PROGRAMS

Sections:

- 10.64.010 Findings.
- 10.64.020 Purpose.
- 10.64.030 Definitions.
- 10.64.040 Permit required.
- 10.64.050 Exceptions.
- 10.64.060 Authority to issue permit.
- 10.64.070 Permit fee.
- 10.64.080 Notification of requirements.
- 10.64.090 Application filing.
- 10.64.100 Application contents.
- 10.64.110 Investigation.
- 10.64.120 Issuance of permit.
- 10.64.130 Term of permit.
- 10.64.140 Trip reduction requirements.
- 10.64.150 Compliance schedule.
- 10.64.160 Appeals.
- 10.64.170 Failure to obtain permit.
- 10.64.180 Violations.

10.64.010 Findings.

The City Council of the City of Rancho Cordova hereby finds and determines that:

- A. The City of Rancho Cordova is projected to experience a significant increase in employment and population growth over the next 20 years, which will result in a projected increase of existing peak hour traffic volumes.
- B. Home-to-work employee commuting generates a significant level of vehicle trips, thereby contributing to traffic congestion, air pollution, and energy consumption problems.
- C. The conventional response to relieving traffic congestion by expanding the capacity of the roadway system is no longer appropriate as the sole solution due to increasing construction and maintenance costs and decreasing revenues for such expenditures.
- D. Ridesharing, transit, and bicycle usage among employees for home-to-work trips are simple and inexpensive alternative means of reducing peak-hour, single-occupant motor vehicle trips. A reduction in such trips can be expected to result in a reduction in traffic congestion, air pollution, and energy consumption impacts related to employment in the City.
- E. While employers have traditionally provided parking facilities to accommodate employee vehicle trips, such employers should also be required to provide programs and incentives to encourage and accommodate ridesharing, transit, bicycle and pedestrian commuting by employees. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 567 § 1, 1983].

10.64.020 Purpose.

The purpose of this chapter is to establish requirements and procedures whereby major employers located in City of Rancho Cordova will develop and implement programs designed to reduce the number of employee vehicle commute trips as part of a broad City of Rancho Cordova program to achieve the following objectives:

- A. Reduce peak-hour traffic circulation and congestion by reducing the number of single-occupant motor vehicle trips associated with home-to-work commuting.

ITEM 11.1.

Rancho Cordova Municipal Code
Chapter 10.64 TRIP REDUCTION PROGRAMS

ATTACHMENT 2 Exhibit A to the Ordinance

Page 45/52

B. Reduce or delay the need for major transportation facility improvements by making more efficient use of existing facilities.

C. Reduce future air pollution concentrations and strive towards meeting federal ambient air pollution standards by reducing the number of single-occupant motor vehicle trips associated with home-to-work commuting.

D. Reduce the consumption of energy for transportation uses and thereby contribute to the national policy to increase energy self-sufficiency. [Ord. 38-2007 § 1 (Exh. 1(A)); Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 567 § 1, 1983].

10.64.030 Definitions.

Unless the context indicates otherwise, the following definitions shall govern the meaning of those terms used in this chapter:

“Common business location” means a single building, group of buildings, or group of work stations at a single site or contiguous sites.

“Commuter matching service” means any system, whether by computer, manual, or mapping methods, which matches commuters residing in one common area, working in another common area, and having approximately the same work starting and stopping times.

“Director” means the director of the public works department.

“Employee transportation coordinator” means an employee, tenant, property manager, property owner, or other appropriate person who has been designated to perform various duties related to meeting the transportation needs of employees of a firm, common work location, or other geographic employment area.

“Person” means a sole proprietor, partnership, corporation, unincorporated association, cooperative, joint venture, agency, department, district or other individual or entity, either public or private, carrying on an enterprise or conducting any other activity, whether or not for profit.

“Preferential parking” means a program of selecting, assigning or designating vehicle parking spaces in which priority in the selection, assignment, or designation is given to specific classes of vehicles such that vehicles in that class may be parked in locations considered by the vehicle operator to be the best or most desirable location.

“Regular employee” means any employee who works for a business, firm, agency, or other person for three or more days per week and four or more hours per day. [Ord. 15-2022 § 4 (Exh. A); revised during 2008 codification; Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 0748 § 1, 1988; SCC 567 § 1, 1983].

10.64.040 Permit required.

Except as provided in RCMC 10.64.050, no person shall employ 100 or more persons at a common business location within the City of Rancho Cordova without first applying for and obtaining a trip reduction permit. Said permit must be obtained within 180 days of notification, as described in RCMC 10.64.080.

When a particular person has more than one common business location within the City of Rancho Cordova, each location employing 100 or more persons, that person may apply for and, subject to satisfactorily meeting the requirements of RCMC 10.64.140, may be granted a single trip reduction permit applicable to all business locations described in the approved permit. [Ord. 38-2007 § 1 (Exh. 1(A)); Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 567 § 1, 1983].

10.64.050 Exceptions.

Notwithstanding any other provisions of this chapter, the following uses and activities shall be specifically exempt from the provisions of this chapter:

A. Persons who employ fewer than 100 persons in the City of Rancho Cordova.

B. Temporary construction activities, including activities performed by engineers, architects, contractors, subcontractors, and construction workers, when such activities are related to the construction, development, or other improvement of real property.

C. Emergency activities in which persons are employed to render aid or other services in the event of an emergency or natural disaster.

D. Other temporary activities which employ persons for a period of less than 90 days. [Ord. 38-2007 § 1 (Exh. 1(A)); Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 567 § 1, 1983].

10.64.060 Authority to issue permit.

The Director shall be authorized to issue a trip reduction permit based on satisfactory compliance with the requirements of RCMC 10.64.140. The Director shall be authorized to establish reasonable administrative procedures to implement the provisions of this chapter. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 0748 § 2, 1988; SCC 567 § 1, 1983].

10.64.070 Permit fee.

The City Council may, by resolution, and from time to time, prescribe fees for the issuance and renewal of trip reduction permits. Such fees shall be for the sole purpose of defraying costs incurred in the administration of this chapter.

All fees for the issuance and renewal of permits shall be paid at the time of and with the filing of the application with the Director. No application shall be deemed valid or complete until all prescribed fees have been paid. Unless otherwise prescribed, fees shall not be refundable in whole or in part whether or not the permit is issued or approval granted. Nor shall any such fee be refundable in whole or in part if a permittee ceases operating under the permit in advance of expiration of the term thereof. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 567 § 1, 1983].

10.64.080 Notification of requirements.

The Director shall notify, in writing, all persons required by this chapter to obtain a trip reduction permit. Such notification shall be made in a timely manner based on the compliance schedule contained in RCMC 10.64.150 and shall contain at least the following information:

A. A statement that the recipient is required by this chapter to obtain a trip reduction permit.

B. A description of the requirements which the applicant must satisfy to obtain the permit.

C. A description of the procedures to apply for and obtain the permit. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 567 § 1, 1983].

10.64.090 Application filing.

All applications for a trip reduction permit shall be filed with the environmental management department. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 0748 § 3, 1988; SCC 567 § 1, 1983].

10.64.100 Application contents.

The application for a trip reduction permit shall be filed on a form and contain such information as prescribed by the Director. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 567 § 1, 1983].

10.64.110 Investigation.

The Director shall examine the application to determine whether the applicant complies with the requirements contained in RCMC 10.64.140. Inspection of the business location shall be conducted as necessary to determine compliance with said requirements. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 567 § 1, 1983].

10.64.120 Issuance of permit.

The Director shall act upon the application not later than 30 days after the date it is validly filed, unless the applicant has filed a written request with the Director to extend the time in order that the applicant may submit additional information prior to action by the Director.

ITEM 11.1.

Rancho Cordova Municipal Code
Chapter 10.64 TRIP REDUCTION PROGRAMS

ATTACHMENT 2 Exhibit A to the Ordinance

Page 47/52

The Director shall issue the permit unless (s)he finds, in writing, that the requirements contained in RCMC 10.64.140 have not been met. The Director shall notify the applicant, in writing, of his/her decision to issue or not issue the permit. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 567 § 1, 1983].

10.64.130 Term of permit.

Except as provided herein, all trip reduction permits shall be valid for a period of one year from the date of issuance by the Director. The Director may issue a trip reduction permit which is valid for three years to any person who has continuously maintained a valid trip reduction permit for a period of two years or more. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 567 § 1, 1983].

10.64.140 Trip reduction requirements.

The granting of a trip reduction permit shall be based on satisfactory compliance with the following requirements:

A. Provide all employees on an annual basis, and all new employees upon hiring, with written information on alternative commute modes, including carpooling, vanpooling, public transit, bicycling, and walking to work. Such material shall include information on the benefits of these alternate modes and details regarding their availability to employees in commuting to the work site.

B. Provide all employees on an annual basis, and all new employees upon hiring, with commuter matching services. This service may be provided by the employer or any agency, firm, consultant, or other person.

C. Provide all employees with the services of an on-site employee transportation coordinator.

D. Provide and administer a program of preferential parking for carpool and vanpool vehicles at each work location. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 567 § 1, 1983].

10.64.150 Compliance schedule.

The requirements of this chapter shall be implemented according to the following schedule:

A. Any person who files an application with the City of Rancho Cordova for a new general business license on or after January 1, 1984, shall be required to comply with the provisions of this chapter.

B. Any person who, on or after January 1, 1985, employs 500 or more persons at a common business location shall be required to comply with the provisions of this chapter.

C. Any person who, on or after January 1, 1986, employs 250 or more persons at a common business location shall be required to comply with the provisions of this chapter.

D. Any person who, on or after January 1, 1987, employs 100 or more persons at a common business location shall be required to comply with the provisions of this chapter. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 623 § 1, 1985; SCC 567 § 1, 1983].

10.64.160 Appeals.

Any person may appeal the decision of the Director regarding the issuance of a trip reduction permit to the Rancho Cordova City Council. Such appeal must be made in writing no later than 30 days from the date of written notification by the Director of his/her decision to issue or not to issue the permit pursuant to RCMC 10.64.120. Procedures, hearings, and final action by the City Council shall be as provided in RCMC Title 23, Zoning Code. [Revised during 2008 codification; Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 567 § 1, 1983].

10.64.170 Failure to obtain permit.

Any person who, after proper notification as required herein, fails to apply for a trip reduction permit, and any person who, after making application for a trip reduction permit, employs 100 or more persons without obtaining a trip reduction permit, as required in RCMC 10.64.040, shall be in violation of this chapter. The Director shall notify any such person, in writing, that he/she is in violation of this chapter. The Director shall also notify the City Attorney and request that appropriate legal action be initiated. [Revised during 2008 codification; Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 567 § 1, 1983].

ITEM 11.1.

Rancho Cordova Municipal Code
Chapter 10.64 TRIP REDUCTION PROGRAMS

ATTACHMENT 2 Exhibit A to the Ordinance

Page 48/52

10.64.180 Violations.

Violation of any of the provisions of this chapter constitutes a misdemeanor. Any person, firm, or corporation, whether as principal, agent, employee, or otherwise, who violates this chapter or fails to comply with any of its requirements shall, upon conviction thereof, be fined not more than \$500.00 or imprisoned for not more than six months in the county jail, or both. Each day such violation continues shall be considered a separate offense. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 567 § 1, 1983].

ITEM 11.1.

Rancho Cordova Municipal Code
Chapter 10.66 REGULATION OF CRUISING

ATTACHMENT 2 Exhibit A to the Ordinance

Page 49/52

Chapter 10.66

REGULATION OF CRUISING

Sections:

- 10.66.010 Cruising prohibited.
- 10.66.020 Cruising defined.
- 10.66.030 Congested traffic defined.
- 10.66.040 Green light cycle defined.
- 10.66.050 Traffic-control point defined.
- 10.66.060 Warning against cruising.
- 10.66.070 Violation of this chapter.
- 10.66.080 Posting of no-cruising zones.

10.66.010 Cruising prohibited.

No person shall engage in the activity known as “cruising,” as defined in this chapter, on the public streets or highways of the City of Rancho Cordova in any area which has been posted as a no-cruising zone. [Ord. 38-2007 § 1 (Exh. 1(A)); Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 706 § 1, 1987].

10.66.020 Cruising defined.

For purposes of this chapter, “cruising” shall be defined as the repetitive driving of any motor vehicle past a traffic-control point in congested traffic at or near the traffic-control point. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 706 § 1, 1987].

10.66.030 Congested traffic defined.

For the purposes of this chapter, “congested traffic” means traffic on any public street or highway which is delayed to the point that:

A. Motor vehicles cannot move through a 100-yard approach corridor to an intersection controlled by a traffic light within two complete green light cycles where the delay in forward movement is due to the position of other motor vehicles; or

B. Motor vehicles cannot move through a 100-yard approach corridor to an intersection controlled by a traffic light within a five-minute period of time where the delay in forward movement is due to the position of other motor vehicles; or

C. Motor vehicles cannot readily move forward on portions of public streets or highways between intersections because traffic speed has slowed to less than five miles per hour, and the delay in movement is due to the position of other motor vehicles.

The determination that a street or highway is congested shall be made by the ranking peace officer on duty in the affected area. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 706 § 1, 1987].

10.66.040 Green light cycle defined.

For purposes of this chapter, a “green light cycle” shall mean the period commencing upon the switching of a red light to a green light through to the return of a red light. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 706 § 1, 1987].

10.66.050 Traffic-control point defined.

For purposes of this chapter, “traffic-control point” shall mean a location along a public street or highway utilized by a peace officer on duty in the affected area as an observation point in order to monitor traffic conditions for potential violations of this chapter. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 706 § 1, 1987].

ITEM 11.1.**Exhibit A to the Ordinance**

Rancho Cordova Municipal Code
Chapter 10.66 REGULATION OF CRUISING

Page 50/52

10.66.060 Warning against cruising.

A peace officer may issue a written notice to any person driving any motor vehicle passing a traffic-control point that any subsequent passage past that traffic-control point within the next succeeding four hours shall be a violation of this chapter. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 706 § 1, 1987].

10.66.070 Violation of this chapter.

Any person who, after having received a written notice as described in RCMC 10.66.060, subsequently drives past the same traffic-control point within a four-hour period shall be in violation of this chapter.

The minimum penalty for a first conviction of cruising is a \$100.00 fine; for a second conviction within one year, a \$200.00 fine; for a third or subsequent conviction within one year, a \$250.00 fine. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 706 § 1, 1987].

10.66.080 Posting of no-cruising zones.

A. This chapter will be enforced in any area which has been posted as a no-cruising zone.

B. No-cruising signs shall be posted at the beginning and end of any public street or highway which is a no-cruising zone. The signs shall reference Section 21100(k) of the California Vehicle Code and this chapter. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 706 § 1, 1987].

ITEM 11.1.

Rancho Cordova Municipal Code
Chapter 10.70 STREET RACING

Chapter 10.70

STREET RACING

Sections:

- 10.70.010 Definitions.
- 10.70.020 Violation.
- 10.70.030 Relevant circumstances to prove a violation.
- 10.70.040 Nonapplicability.
- 10.70.050 Penalty for violation.

10.70.010 Definitions.

For purposes of this chapter, the following definitions shall apply:

“Preparations” for any street race or reckless driving exhibition include, but are not limited to, any of the following acts done for the purpose of the street race or reckless driving exhibition:

1. One or more motor vehicles or persons have arrived at a predetermined location;
2. One or more persons have gathered on, or adjacent to, a public street or highway, or gathered in an off-street parking facility;
3. One or more persons have impeded the free public use of a public street or highway or offstreet parking facility by acts, words or physical barriers;
4. One or more vehicles have lined up with engines running;
5. One or more drivers is revving his or her engine or spinning his or her tires; and/or
6. A person is acting as a race starter.

“Present” means a person is within 200 feet of the site of a street race or reckless driving exhibition, or within 200 feet of the site of the preparations for either of these activities.

“Reckless driving exhibition” means any exhibition of reckless driving described in Section 23103 of the California Vehicle Code.

“Spectator” means a person who is present at a street race or reckless driving exhibition, or the site of the preparations for either of these activities, for the purpose of viewing, observing, watching or witnessing either of these activities without regard to the means by which the person arrived.

“Street race” means any motor vehicle speed contest or motor vehicle exhibition of speed defined or described in Section 23109 of the California Vehicle Code. [Ord. 17-2005 § 1].

10.70.020 Violation.

A. It shall be unlawful for any person to be a spectator at a street race or reckless driving exhibition conducted on a public street or highway or offstreet parking facility.

B. It shall be unlawful for any person to be a spectator at the location of preparations for a street race or reckless driving exhibition conducted on a public street or highway or off-street parking facility.

C. Nothing in this section prohibits law enforcement officers or their agents who are acting in the course of their official duties from being spectators at a street race or reckless driving exhibition or spectators at the location of preparations for either of these activities. [Ord. 17-2005 § 1].

10.70.030 Relevant circumstances to prove a violation.

To prove a violation of this chapter, admissible evidence may include, but is not limited to, any of the following:

ITEM 11.1.

Rancho Cordova Municipal Code
Chapter 10.70 STREET RACING

ATTACHMENT 2 Exhibit A to the Ordinance

Page 52/52

- A. The time of day;
- B. The nature and description of the scene;
- C. The number of people gathered at the scene;
- D. The location of the person charged in relation to any person or group present at the scene;
- E. The number and description of motor vehicles at the scene;
- F. Whether vehicles gathered at the scene are engaged in vehicular stunts and maneuvers; and/or
- G. Whether the individual charged has previously participated in or aided and abetted in a street race. [Ord. 17-2005 § 1].

10.70.040 Nonapplicability.

This chapter does not prohibit members of law enforcement, the medical profession or any other legitimate service provider from being present at a street race or a reckless driving exhibition while in the course of their official duties. [Ord. 17-2005 § 1].

10.70.050 Penalty for violation.

A violation of this chapter shall constitute a misdemeanor. The penalty for a first violation is a \$500.00 fine or imprisonment not to exceed six months, or both. The penalty for each additional violation within one year is a \$1,000 fine or imprisonment not to exceed six months, or both. [Ord. 17-2005 § 1].

5374240.1

ITEM 11.1.

Rancho Cordova Municipal Code
Title 12 STREETS AND SIDEWALKS

ATTACHMENT 2 Exhibit A to the Ordinance

Page 1/53

Title 12

STREETS AND SIDEWALKS

Chapters:

- 12.01** **Definitions**
- 12.03** **Street Improvements**
- 12.08** **Construction in Streets**
- 12.09** **Street Trench Fee**
- 12.12** **Obstruction of Corners**
- 12.16** **House Numbers on Curbs**
- 12.20** **Underground Utility Districts**
- 12.24** **Street Numbering System**

ITEM 11.1.

Rancho Cordova Municipal Code
Chapter 12.01 DEFINITIONS

ATTACHMENT 2 Exhibit A to the Ordinance

Page 2/53

Chapter 12.01

DEFINITIONS

Sections:

- 12.01.010 Generally.
- 12.01.020 Arterial.
- 12.01.030 City.
- 12.01.040 Department.
- 12.01.050 Director.
- 12.01.060 Expressway.
- 12.01.070 Freeway.
- 12.01.080 Frontage road.
- 12.01.090 Major addition.
- 12.01.100 Street, city.
- 12.01.110 Street improvement.
- 12.01.120 Thoroughfare.

12.01.010 Generally.

All words used in the singular include the plural, and the plural the singular; each gender includes the other and any tense includes the other tenses unless the context requires otherwise. “Shall” is mandatory and “may” is permissive. The word “includes” shall not limit a term to the specific examples, but is intended to extend its meaning to all other instances or circumstances of like kind or character. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 192 § 4 (part), 1975].

12.01.020 Arterial.

“Arterial” means a highway as shown on the general plan of the City constructed consistent with City Standards for street design. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 225 § 1, 1975; SCC 192 § 4 (part), 1975].

12.01.030 City.

“City” means the city of Rancho Cordova. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 192 § 4 (part), 1975].

12.01.040 Department.

“Department” means the Department of Public Works of the City. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 192 § 4 (part), 1975].

12.01.050 Director.

“Director” means the Director of the Department of Public Works or his designated representative. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 192 § 4 (part), 1975].

12.01.060 Expressway.

“Expressway” means a highway in respect to which the owners of abutting lands have no right or easement of access to or from their abutting lands or in respect to which such owners have only limited or restricted right or easement of access. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 192 § (part), 1975].

12.01.070 Freeway.

“Freeway” means a highway as established pursuant to Section 23.5 of the Streets and Highways Code. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 192 § (part), 1975].

12.01.080 Frontage road.

“Frontage road” means a street which is approximately parallel to and adjacent to a major thoroughfare, expressway, freeway, or other important traffic facility to which access is limited and which provides access to abutting properties and separation from through and fast traffic. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 192 § 4 (part), 1975].

ITEM 11.1.

Rancho Cordova Municipal Code
Chapter 12.01 DEFINITIONS

ATTACHMENT 2 Exhibit A to the Ordinance

Page 3/53

12.01.090 Major addition.

“Major addition” includes any of the following: (A) any addition to a residential building or a structure when said addition exceeds 50 percent of the floor area of the existing building; (B) any addition to a commercial or industrial building or structure when said addition exceeds 10 percent of the floor area of the existing building or where any remodeling within such a building or structure will, in the opinion of the Director, result in increased traffic upon the public streets; or (C) where remodeling is undertaken to convert a structure from a residential use to any commercial or industrial use. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1049 § 1, 1996; SCC 311 § 1, 1977; SCC 192 § 4 (part), 1975].

12.01.100 Street, city.

A street, highway, thoroughfare, road, avenue, boulevard, alley, lane, court, circle, drive or way shall not be a City street until and unless said street has been accepted into a street or road system maintained by the City. Streets and roads in public parks, public airports, public schools and similar public grounds shall not be construed to be City streets for the purpose of this chapter. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 192 § 4 (part), 1975].

12.01.110 Street improvement.

“Street improvement” refers to such street work and utilities to be installed or agreed to be installed by a developer on land to be used for public or private streets, highways, ways and easements as are necessary for the general use of the property owners and local neighborhood traffic and drainage needs as condition precedent to the approval and acceptance of the project.

“Street improvement” also refers to such other specific improvements or type of improvements, the installation of which, either by the developer, by public agencies, by private utilities, by any other entity approved by the local agency or by a combination thereof, is necessary or convenient to ensure conformity to or implementation of the general plan of the City. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 192 § 4 (part), 1975].

12.01.120 Thoroughfare.

“Thoroughfare” means a highway as shown on the general plan of the City which has a normal right-of-way width of 110 feet. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 192 § 4 (part), 1975].

ITEM 11.1.

Rancho Cordova Municipal Code
Chapter 12.03 STREET IMPROVEMENTS

Chapter 12.03

STREET IMPROVEMENTS

Sections:

- 12.03.010 Definitions.
- 12.03.020 Requirements.
- 12.03.030 Building permits.
- 12.03.040 Appeals.
- 12.03.050 Time deferments.
- 12.03.060 Notice to install.
- 12.03.070 Security for frontage improvements.
- 12.03.080 Frontage improvement security.
- 12.03.090 Release of improvement security.
- 12.03.095 Calling of security.
- 12.03.110 Filing of plans.
- 12.03.210 Fee structure.
- 12.03.220 Payment.
- 12.03.230 Interest.

12.03.010 Definitions.

“Administrator” means the Public Works Director.

“Chief” means the chief of the building and safety department.

“Commercial property” means all property which is not residential.

“Residential property” means single-family residences and duplexes.

“Street improvement” includes, but is not limited to, streets, curbs, gutters, sidewalks, sanitary sewer facilities, storm drain facilities, water supply facilities, street lighting, and landscaping. [Ord. 38-2007 § 1 (Exh. 1(A), (H)); Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1049 § 3, 1996; SCC 0939 § 1, 1993; SCC 192 § 5 (part), 1975; SCC 504 § 1, 1982].

12.03.020 Requirements.

A. Street improvements shall be required in conjunction with any construction, grading, or related work, including the construction of structures, buildings, or major additions thereto, on property located adjacent to any City street or on property utilizing any City street for ingress and egress, except that such improvements shall be deferred as described in RCMC 12.03.050 for residential property unless:

1. Street improvements are, in the opinion of the Administrator, necessary for public safety; or
2. Street improvements would complete the extension of improvements already existing on either side of the subject property.

B. The design, location and specifications of necessary street improvements shall conform to the City of Rancho Cordova improvement standards and standard construction specifications, as adopted by the City Council, and as amended from time to time. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1049 § 3, 1996; SCC 192 § 5 (part), 1975; SCC 504 § 2, 1982].

12.03.030 Building permits.

No building permit for any structure or building or major addition to a building or structure shall be issued until a site plan has been approved by the Administrator which shows all street improvements. [Ord. 38-2007 § 1 (Exh. 1(H)); Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1049 § 3, 1996; SCC 0731 § 1, 1988; SCC 192 § 5 (part), 1975].

ITEM 11.1.

Rancho Cordova Municipal Code
Chapter 12.03 STREET IMPROVEMENTS

ATTACHMENT 2 Exhibit A to the Ordinance

Page 5/53

12.03.040 Appeals.

A. The applicant or any interested person adversely affected by any action relating to the provisions of this title may appeal the action by submitting a written notice of appeal with the City Manager within 15 days of the date of the decision. The City Manager or his or her designee shall conduct an informal hearing on the appeal within 15 days of receipt of the notice of appeal.

B. The applicant or any interested person may appeal the decision of the City Manager by filing a notice of appeal with the City Council within 15 days of the date of the decision. Any such notice shall be in writing, signed by the appellant under penalty of perjury. The notice shall include the following information:

1. A complete description of the factual basis for the appeal;
2. The legal basis for the appeal; and
3. The remedy sought by the appellant.

If the appeal is not filed within such time or manner, the right to a review of the action against which complaint is made shall be deemed to have been waived.

C. Not later than 30 days following the date of filing an appeal, the City Council shall conduct a hearing to determine whether street improvements are required. Notice of the date set for hearing shall be mailed to the parties at least 10 calendar days prior to the hearing date.

D. At the hearing, the City Council may hear any oral or documentary evidence that the appellant may offer in addition to the information in the notice of appeal, together with any oral or written information that may be submitted by City representatives in support of the determination that is the subject of the appeal. [Ord. 38-2007 § 1 (Exh. 1(H)); Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4].

12.03.050 Time deferments.

A. The Administrator may defer the requirement of concurrent construction of improvements for commercial properties, or may accept a cash payment in an amount determined by the Administrator in lieu of improvements, if the Administrator determines that the character of the surrounding neighborhood and the present development thereof does not require the immediate installation and construction of the improvements required by this chapter, as of the time of the construction of the building or structures authorized by the building permit.

B. The Administrator may defer the requirement of concurrent construction of improvements for residential properties if the Administrator determines that immediate installation and construction of the improvements required by this chapter are not required due to the following:

1. A street design has not been defined for the street on which the subject property is situated;
2. Improvements are installed on less than 50 percent of the public street frontage within a one-quarter mile radius of the proposed new structure(s) or major addition(s); or
3. The cost to install street improvements (including but not limited to grading improvements, landscaping and public utility relocation) would be equal to or greater than 20 percent of the fair market value of the proposed new structure(s) or major addition(s). The property owner has the burden of proof as to the cost of installation.

C. For both commercial and residential properties, the deferral shall not be effective until such time as the owner of the property enters into a deferred improvement agreement with the City. The Administrator shall be authorized to execute the agreement on behalf of the City and shall be the agent of the City to perform all acts required of the City respecting the agreement, or its performance, completion or release. The agreement shall be in a form approved by the City Attorney and shall provide all of the following:

1. That the owner install the improvements at his or her own cost;

ITEM 11.1.

Rancho Cordova Municipal Code
Chapter 12.03 STREET IMPROVEMENTS

ATTACHMENT 2 Exhibit A to the Ordinance

Page 6/53

2. That installation shall occur at such time as the Administrator determines at his or her sole discretion that the character of the surrounding neighborhood and the development thereof require the installation of the improvements;

3. That if the City is required to install the improvements, all costs thereof shall be borne by the owner, shall be paid immediately and shall be a lien upon the property; except that, in cases of undue hardship as determined by the Administrator, the Administrator shall accept a promissory note and deed of trust in lieu of immediate payment; and

4. Such other provisions as in the opinion of the Administrator and City Attorney are administratively necessary or convenient to carry out the purpose and intent of this chapter. [Revised during 2008 codification; Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1049 § 3, 1996; SCC 0796 § 1, 1990].

12.03.060 Notice to install.

When the Administrator determines pursuant to RCMC 12.03.050 that the installation of the improvements is required, he or she shall give 30 days' notice in writing to the owner or his or her successor in interest to install the required improvements. When the Administrator requires the installation of the improvements, the owner or his or her successor in interest shall comply with the provisions of this chapter relating to the approval of improvement plans for the required improvements. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1049 § 3, 1996].

12.03.070 Security for frontage improvements.

This chapter applies to frontage improvements which are required on the approved plans and which are not covered by the Subdivision Map Act (Division 2, Title 7 of the Government Code) and RCMC Title 22. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1049 § 3, 1996].

12.03.080 Frontage improvement security.

A security in the amount of 100 percent of the total estimated costs of the frontage improvements will be required for all projects to guarantee and warranty that the frontage improvements are completed in a timely manner and in accordance with the approved plans and the City's improvement standards. The security shall guarantee and warranty the work for one year following its completion and acceptance against defective work, labor or materials. The estimate of frontage improvement costs will be approved by the Administrator. The security shall be implemented by means of a frontage improvement agreement between the owner and the City. This agreement shall be executed in behalf of the City by the Administrator. The security shall be in the form of a performance bond or other security acceptable to the Administrator. The security and agreement shall be provided to the City prior to improvement plan approval. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1049 § 3, 1996].

12.03.090 Release of improvement security.

The security furnished by the owner shall be released by the administrator upon satisfactory completion of the frontage improvement work. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1049 § 3, 1996].

12.03.095 Calling of security.

In the event that the frontage improvements are not completed in a timely manner, or if the facilities are occupied before the improvements are complete, or if the project is suspended, or if the facilities are left in a condition that is detrimental to the public health and safety, the city may take action to complete the project or to collect unpaid fees and costs by calling the security. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1049 § 3, 1996].

12.03.110 Filing of plans.

Plans for all required improvements, as well as for all additional improvements to be installed in, over or under any existing or proposed right-of-way, easement or parcel, shall be filed with the Administrator for review.

A. Plans shall be subject to approval by the Administrator prior to the issuance of a building permit for subdivisions and developments not requiring submission of a final subdivision map in accordance with the provisions of RCMC Title 22.

B. The construction of all such improvements as may be approved by the Administrator are subject to his or her inspection to assure compliance with City requirements. The Administrator shall have full jurisdiction over the

ITEM 11.1.

Rancho Cordova Municipal Code
Chapter 12.03 STREET IMPROVEMENTS

Page 7/53

inspection of all such construction. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1049 § 3, 1996; SCC 192 § 5 (part), 1975].

12.03.210 Fee structure.

A fee shall be paid to the City for plan checking, inspection, material testing services and other services performed, or authorized to be performed, by the Administrator. The fee for all on-site and off-site improvement plans shall be the direct cost incurred by the City based on the hourly rate of personnel. This hourly rate shall include all overhead costs. The fee shall include a processing fee equal to one hour's time of appropriate personnel involved, as well as one-year follow-up inspection fee equal to five hours' time of the appropriate personnel involved, rounded to the nearest dollar. [Ord. 38-2007 § 1 (Exh. 1(H)); Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1147 § 1, 1999; SCC 1049 § 3, 1996; SCC 0792 § 2, 1990; SCC 361 § 1, 1978; SCC 192 § 5 (part), 1975; SCC 464 § 1, 1981].

12.03.220 Payment.

A minimum deposit of \$750.00 shall be paid by the applicant upon submittal of the improvement plans. The balance of the fees charged under RCMC 12.03.210 shall be paid prior to final acceptance of the construction by the Administrator. In the event the actual total charges do not exceed the minimum deposit amount, the City shall reimburse the payer the difference between the deposit amount and the actual total charges. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1049 § 3, 1996; SCC 0827 § 1, 1991; SCC 0792 § 3, 1990; SCC 361 § 2, 1978; SCC 329 § 1, 1978; SCC 192 § 5 (part), 1975; SCC 464 § 2, 1981].

12.03.230 Interest.

Interest of one and one-half percent per accounting period (28-day cycle) compounded each accounting period shall be added to the unpaid balance due to any account payable under RCMC 12.03.220 for any unpaid balance on the account which was not paid within 28 days of the date it was billed. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1049 § 3, 1996; SCC 0792 § 4, 1990; SCC 329 § 2, 1978].

ITEM 11.1.

Rancho Cordova Municipal Code
Chapter 12.08 CONSTRUCTION IN STREETS

Chapter 12.08

CONSTRUCTION IN STREETS

Sections:

12.08.005	Title.
12.08.010	Definitions.
12.08.020	Permit required.
12.08.030	Permit fees.
12.08.040	Filing of plan.
12.08.050	Compliance with permits.
12.08.060	Refilling upon completion.
12.08.070	Deposit.
12.08.080	Waiver of deposit.
12.08.090	General deposit.
12.08.100	Refusal to refill excavation.
12.08.110	Exemptions.
12.08.120	Permit nontransferable.
12.08.130	Emergency excavation.
12.08.140	City liability.
12.08.150	Abatement proceedings.
12.08.160	Penalty and cost of enforcement.

12.08.005 Title.

This chapter shall be known as the construction in streets ordinance. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1101 § 2, 1998].

12.08.010 Definitions.

For purposes of this chapter, “obstruction” shall be defined as any activity or structure, temporary or permanent, encroaching into the road right-of-way excepting utility poles or pole lines placed upon the unimproved portion of the highway.

For purposes of this chapter, “person” includes any individual, firm, partnership, association, corporation, public district or other political subdivision.

For purposes of this chapter, “Road Commissioner” means the Public Works Director. [Ord. 38-2007 § 1 (Exh. 1(H)); Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1101 § 2, 1998; SCC 421 § 1, 1952].

12.08.020 Permit required.

It is unlawful for any person to lay, construct or maintain any pipes, drain, or conduit across, along or on any street, road or highway in the City, or to make any excavation or cut or obstruction therein for such purposes without first obtaining a permit from the Road Commissioner to do so in the manner herein provided. Every applicant shall state in detail the following information:

A. The location, dimension, purpose, extent and nature thereof;

B. The time during which it is estimated that the excavation or obstruction will exist;

C. Such other information as may be required by the Road Commissioner. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1101 § 2, 1998; SCC 421 § 2, 1952].

12.08.030 Permit fees.

A minimum processing fee of \$75.00 or such other amount as may be established by resolution of the City Council shall be paid for permits prior to permit issuance, except where a continuous billing account has been established. Additional costs incurred by the Rancho Cordova Public Works Department for processing and inspection shall be billed to the permittee on a time and material basis, based upon the prevailing Public Works Department rates in

ITEM 11.1.

Rancho Cordova Municipal Code
Chapter 12.08 CONSTRUCTION IN STREETS

ATTACHMENT 2 Exhibit A to the Ordinance

Page 9/53

effect at the time of permit processing. [Ord. 38-2007 § 1 (Exh. 1(H)); Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1101 § 2, 1998; SCC 421 § 3, 1952].

12.08.040 Filing of plan.

Every applicant for a permit hereunder shall file with the application a plan showing the street or highway in which the proposed excavation will be made, together with the approximate locations and dimensions of the proposed excavations or obstructions. When excavations are made for service connections or for the repair of trouble in conduits or other pipes, or for culverts or drainage pipes under driveways, the Road Commissioner may waive the filing of a plan. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1101 § 2, 1998; SCC 421 § 4, 1952].

12.08.050 Compliance with permits.

Any act done under the authority of a written permit issued pursuant to the provisions of this chapter shall be done in accordance with the terms and conditions of such permit. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1101 § 2, 1998; SCC 421 § 5, 1952].

12.08.060 Refilling upon completion.

Immediately upon completion of the work necessitating the excavation or obstruction permitted by the permit issued hereunder, the permittee shall, at his or her own cost and expense, promptly and in a workmanlike manner refill the excavation or remove the obstruction. All excavations shall be refilled in a manner consistent with then-applicable City standard specifications and the specific terms and conditions contained in the permit. Upon completion of the refilling of the excavation, the Road Commissioner shall require the permittee to resurface that portion of the street or highway damaged by the permittee's excavation or obstruction. The resurfacing shall be done in accordance with the standard specifications prescribed by the City Council for the repair and resurfacing of City streets. [Ord. 38-2007 § 1 (Exh. 1(H)); Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1101 § 2, 1998; SCC 421 § 6, 1952].

12.08.070 Deposit.

Except as hereinafter provided, the Road Commissioner shall require the applicant to deposit a sum of money sufficient in the opinion of the Road Commissioner to cover the total cost of refilling any excavation and proper restoration of the highway as required hereunder. If the work of refilling the excavation is in accordance with the requirements of RCMC 12.08.060 and the restoration of the highway is completed in accordance with the standards herein prescribed, the deposit shall be returned to the permittee at the expiration of 180 days from the completion of work. If during such time the refilled excavation settles, or if the resurfacing or restoration of the highway disintegrates or develops ruts or holes, the Road Commissioner shall require the permittee to repair or resurface the highway to eliminate all ruts and holes therein. If the permittee fails or refuses to do such work, the Road Commissioner shall do the work required, and pay the cost thereof out of the deposit. If the deposit is insufficient for this purpose the deficiency shall be charged to the permittee. If the permittee fails or refuses to pay such a deficiency upon demand, the City may recover the same by an action in any court of competent jurisdiction. Until the deficiency is paid in full no new permits shall be issued to such permittee. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1101 § 2, 1998; SCC 421 § 7, 1952].

12.08.080 Waiver of deposit.

The Road Commissioner may waive a special deposit whenever in his or her opinion the proposed excavation or obstruction is of a minor nature or other suitable security is provided. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1101 § 2, 1998; SCC 421 § 8, 1952].

12.08.090 General deposit.

In lieu of making a special deposit required by RCMC 12.08.070, the applicant may make and maintain with the Road Commissioner a general deposit in an amount estimated by the Road Commissioner to be sufficient to pay for the cost of any expected repairs occasioned by any excavation or obstruction authorized by any permit issued hereunder to the applicant, but not to exceed \$25,000. The general deposit shall be held and used for the same purposes as the special deposit required herein. The deposit shall be a corporate surety bond or other corporate bond acceptable to the road commissioner, cash, certified check or cashier's check payable to the City; provided, however, the maintenance of a general deposit does not relieve an applicant from making application for every proposed excavation or obstruction, but more than one proposed excavation or obstruction may be included in one application. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1101 § 2, 1998; SCC 421 § 9, 1952].

12.08.100 Refusal to refill excavation.

If the permittee fails or refuses to refill any excavation as required by RCMC 12.08.060 or remove any obstruction which he or she has placed upon the highway or fails and refuses to restore or resurface that portion of the surface of the highway damaged by him or her in accordance with the standards herein prescribed, the Road Commissioner may do such refilling and resurfacing and pay the cost thereof out of the deposit made by the permittee. The deposit shall also be used to maintain the work for a period of 180 days after completion thereof. If the amount of the deposit is not sufficient to cover the cost of the work and the maintenance thereof, the deficiency shall be charged to the permittee. If the permittee fails or refuses to pay the deficiency upon demand, the City may recover the same by an action in any court of competent jurisdiction. Until the deficiency is paid in full no new permits shall be issued to such permittee. In lieu of such deductions the Road Commissioner may bill such person for the amount owed by him or her to the City. If such amount is not paid within 15 days of the rendition of the bill, the Road Commissioner may deduct the amount from the general deposit as herein provided. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1101 § 2, 1998; SCC 421 § 10, 1952].

12.08.110 Exemptions.

No deposit shall be required of any public district, public utility, or political subdivision (as provided in Section 1468 of the California Streets and Highways Code) which is authorized by law to establish or maintain works or facilities in, under or over any public highway, nor shall the application of any such governmental unit be denied except as hereinafter provided. Every such applicant shall be entitled as a matter of right to a permit but shall otherwise be subject to the provisions of this chapter. The Road Commissioner shall have the right to deny a permit to such applicant where the applicant has failed to comply with the provisions of this chapter relating to the refilling of excavations, removing or relocating obstructions or the resurfacing or restoration of any highway, and the maintenance thereof, under any previous permit. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1101 § 2, 1998; SCC 421 § 11, 1952].

12.08.120 Permit nontransferable.

All permits issued hereunder shall be nontransferable and the work authorized by the permit must commence within 30 days of issuance thereof, and must be completed within the time estimated in the application. The Road Commissioner may grant a reasonable extension when the work has been unavoidably delayed without fault of the permittee. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1101 § 2, 1998; SCC 421 § 12, 1952].

12.08.130 Emergency excavation.

Nothing herein contained shall prohibit any person from making such excavation as may be necessary for the preservation of life or property when such necessity arises if the person making the excavation promptly notifies the Road Commissioner of any such action. Any person making such excavation shall refill the excavation in accordance with the standards prescribed by this chapter that would be applicable if a permit was received. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1101 § 2, 1998; SCC 421 § 13, 1952].

12.08.140 City liability.

The issuance of a permit hereunder shall not be construed as imposing any liability upon the City or upon any of its officers or employees by reason of damage or injury to persons or property resulting from any excavation or obstruction authorized by the permit. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1101 § 2, 1998].

12.08.150 Abatement proceedings.

Any activity contrary to the provisions of this chapter or contrary to an encroachment permit or the terms or conditions imposed therein is unlawful and a public nuisance, and the Road Commissioner is authorized to commence in the name of the city actions or proceedings for the abatement and removal and enjoining thereof in the manner provided by law, and shall take such other steps and shall apply to such court or courts as may have jurisdiction to grant such relief as will abate and remove such operation and restrain and enjoin any person, firm or corporation from so operating. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1101 § 2, 1998].

12.08.160 Penalty and cost of enforcement.

A. Any person violating the provisions of this chapter or any encroachment permit issued pursuant to this chapter is guilty of a misdemeanor.

ITEM 11.1.

Rancho Cordova Municipal Code
Chapter 12.08 CONSTRUCTION IN STREETS

ATTACHMENT 2 Exhibit A to the Ordinance

Page 11/53

B. In addition to any other remedies available at law, any person violating the provisions of this chapter or any encroachment permit issued pursuant to this chapter shall be liable to the City for all expenses and damages caused by any such violation.

C. 1. In addition to any other remedies provided by this chapter or state law, there are hereby imposed the following administrative civil penalties for each violation of this chapter or the terms and conditions of any encroachment permit issued pursuant to this chapter:

a. Any person initiating work within the public road right-of-way without obtaining an encroachment permit shall be subject to and responsible for a fine in the amount of \$2,500 for a first violation, \$5,000 for a second violation, or \$10,000 for a third or subsequent violation.

b. Any person in possession of a valid encroachment permit that initiates work within the public road right-of-way, but fails to provide notification for inspection as required by the permit, shall be subject to and responsible for a fine in the amount of \$1,000 for a first violation, \$2,500 for a second violation, or \$5,000 for a third or subsequent violation.

2. Whenever the Road Commissioner determines that an encroachment violates the provisions of this chapter, or the terms and conditions of any encroachment permit issued pursuant to this chapter, the road commissioner shall give written notice of such violation to the alleged violator. The notice shall include the following information:

a. The street address, legal description or other description sufficient to identify the affected property.

b. The penalty imposed as a result of such violation.

c. A statement that the party affected may file a written request for hearing with the Road Commissioner if it objects to imposition of the penalty.

d. A statement that the penalty imposed shall be enforced if the party fails to file a timely written request for a hearing.

3. Notice of any administrative civil penalty shall be served either personally or by mailing a copy of such notice by certified mail, postage prepaid, return receipt requested, to the alleged violator. Service shall be effective for all purposes upon receipt if personally served, or within five days of mailing as herein provided. Proof of service of the notice shall be certified at the time of service by a written declaration under penalty of perjury executed by the person effecting service, declaring the time, date, and manner in which service was made. The declaration, together with any receipt card returned in acknowledgment of receipt by certified mail, shall be affixed to the copy of the notice retained by the Road Commissioner. The failure of a party to receive such notice shall not affect in any manner the validity of any proceedings taken pursuant to this chapter.

4. a. A written request for a hearing must be received by the Road Commissioner within seven days of the effective date of service of the notice. The Road Commissioner shall set a time and date for the hearing and notify the party requesting the hearing in writing of the time, date and place of the hearing. The hearing shall be before a hearing officer designated by the Road Commissioner.

b. The hearing shall be held at the earliest administratively convenient date, taking into consideration the availability of counsel and witnesses. Notice of the date set for hearing shall be mailed to the parties at least 10 calendar days prior to the hearing date. The alleged violator shall be entitled to appear personally, produce evidence, and be represented by counsel. At the hearing, the county shall have the burden of going forward first with evidence in support of the allegations contained in the order imposing penalties and shall have the burden of establishing the facts by a preponderance of the evidence. The hearing officer may administer oaths and take official notice of facts as authorized by law.

c. Oral evidence shall be taken only on oath or affirmation.

d. Each party shall have the following rights: to call and examine witnesses; to introduce exhibits; to cross-examine opposing witnesses on any matter relevant to the issues even though that matter was not

ITEM 11.1.

Rancho Cordova Municipal Code
Chapter 12.08 CONSTRUCTION IN STREETS

ATTACHMENT 2 Exhibit A to the Ordinance

Page 12/53

covered in the direct examination; to impeach any witness regardless of which party first called him or her to testify; and to rebut the evidence against it.

e. The hearing need not be conducted according to technical rules relating to evidence and witnesses. Any relevant evidence shall be admitted if it is the sort of evidence on which responsible persons are accustomed to rely in the conduct of serious affairs, regardless of the existence of any common law or statutory rule which might make improper the admission of such evidence over objection in civil actions. Hearsay evidence may be used for the purpose of supplementing or explaining other evidence but shall not be sufficient in itself to support a finding unless it would be admissible over objection in civil actions. The rules of privilege shall be effective to the extent that they are otherwise required by statute to be recognized at the hearing, and irrelevant and unduly repetitious evidence shall be excluded.

f. The order of the hearing officer shall be in writing resolving the essential issues raised and confirming, amending or rejecting the administrative civil penalty imposed by the Road Commissioner. Procedures concerning notice and service thereof shall be as provided herein.

5. The manner of contesting the final order of the hearing officer concerning any administrative civil penalty is governed by Section 53069.4 of the Government Code, or any successor provision thereto. A copy of the notice of appeal authorized by Section 53069.4 of the Government Code shall be served upon the City Clerk.

D. Each party violating any provision of this chapter or any encroachment permit issued pursuant to this chapter shall be guilty of a separate offense for each and every day on which any such violation is committed, continued, or permitted by any such person.

E. In addition to any penalty, sanction, fine or imprisonment, any person violating the provisions of this chapter or any encroachment permit issued pursuant to this chapter shall be required to pay any and all expenses of enforcement, including those costs necessary to inspect, remove and/or correct the violation. In addition to all remedies herein contained, the City may pursue all reasonable and legal means in collecting those sums authorized and due. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1101 § 2, 1998].

ITEM 11.1.

Rancho Cordova Municipal Code
Chapter 12.09 STREET TRENCH FEE

Chapter 12.09

STREET TRENCH FEE

Sections:

- 12.09.010 Title.
- 12.09.020 Definitions.
- 12.09.030 Trench restoration fee.
- 12.09.040 Establishment of fund.
- 12.09.050 Relocation of utilities required by city.
- 12.09.060 Permit violations.
- 12.09.070 Pavement condition index ratings.
- 12.09.080 Pavement life performance warranty.
- 12.09.090 Repair of sunken pavement over excavation.
- 12.09.100 Publicly bid city plans, field changes and blanket permits.
- 12.09.110 Coordination of excavations.
- 12.09.120 Moratorium.
- 12.09.130 Excavation within moratorium period.
- 12.09.140 Joint excavation.
- 12.09.150 Nontransferability of pavement life warranty.
- 12.09.160 Appeal.
- 12.09.170 Severability.

12.09.010 Title.

This chapter shall be known as the street trench fee ordinance. [Ord. 17-2006 § 1; Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4].

12.09.020 Definitions.

For purposes of this chapter, the following definitions apply:

“Applicant” shall mean any owner who has submitted an application for a permit to excavate.

“Chapter” shall mean Chapter 12.09 RCMC.

“City” shall mean the City of Rancho Cordova.

“City street” shall mean any public highway, road, street, avenue, alley, lane, drive, way, place, court or trail which has been accepted, or is hereafter accepted, by the City of Rancho Cordova into the city road system pursuant to Section 1806 of the California Streets and Highways Code.

“Department” shall mean the Public Works Department.

“Director” shall mean the Public Works Director or his or her designee.

“Excavation” shall mean any opening in the paved surface or subsurface of the public right-of-way.

“Facility” or “facilities” shall mean any and all cables, cabinets, ducts, conduits, converters, equipment, drains, handholds, manholes, pipes, pipelines, splice boxes, surface location markers, tunnels, utilities, vaults, wells, and other appurtenances or tangible things that are located or are proposed to be located in the public right-of-way.

“Owner” shall mean any person, including any agency, department, or subdivision of the City, who owns any facility or facilities that are or are proposed to be installed or maintained in the public right-of-way.

“Permit” or “permit to excavate” shall mean a permit to perform an excavation as it has been approved or may be amended or renewed by the Department.

ITEM 11.1.

Rancho Cordova Municipal Code
Chapter 12.09 STREET TRENCH FEE

ATTACHMENT 2 Exhibit A to the Ordinance

Page 14/53

“Person” shall mean any natural person, corporation, partnership, or any governmental agency, department, or subdivision of the county, or the state of California, or the United States of America.

“Public right-of-way” shall mean the paved area across, along, beneath, in, on, over, under, upon, and within the City streets, as they now exist or hereafter will exist and which are or will be under the permitting jurisdiction of the Public Works Department.

“Resurfacing” shall mean any repaving, overlay, seal or reconstruction which constructs a new pavement surface of greater than one inch thickness over the entire width of the street, excluding crack seals, not including micropaving, Class 1 to 3 slurry seals, cape seals, and chip seals.

“Trench influence area” shall mean an area three feet adjacent to the trench where the excavation occurs for trenches with four feet or greater of cover over the utility facility from the paved surface, and one and one-half feet adjacent to the trench where the excavation occurs for trenches with less than four feet of cover over the utility facility from the paved surface. [Ord. 17-2006 § 1; Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4].

12.09.030 Trench restoration fee.

At the time any permit is issued, improvement plan approved, or work performed that causes an excavation of a paved city street, the applicant shall pay a trench restoration fee in addition to the fee required by the encroachment permit or other administrative fees. The fee shall be in the amount set forth on the trench cut fee schedule established by resolution of the City Council. A trench restoration fee shall not be required for the following excavations:

A. In a City street that the City has scheduled for resurfacing either during the fiscal year (July 1st through June 30th) when the excavation permit is issued or during the immediately following fiscal year;

B. In a City street where the pavement condition index (PCI), as defined by the City’s pavement management system, is less than 25 on the date the excavation permit is issued;

C. For work performed by and for the City Public Works Department;

D. For potholing to verify utility depth or location;

E. Where work will include resurfacing of all or a significant portion of the City street where the excavation is made; provided, that the Director approves the resurfacing;

F. Made for a utility relocation required by the City to accommodate a proper governmental use of a City street;

G. For owners possessing a valid pavement life performance warranty agreement with the City as set forth in RCMC 12.09.080;

H. Trenchless excavations greater than three feet in depth of cover over the utility facility not requiring a significant surface incision greater than industry bore pit standards may be excluded at the discretion of the Director. [Ord. 6-2010 § 7; Ord. 17-2006 § 1; Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4].

12.09.040 Establishment of fund.

All monies paid to the City pursuant to RCMC 12.09.030 shall be deposited in a special fund or funds and shall be expended only for the resurfacing, maintenance, administration, and protection of City streets where excavation has occurred after the effective date of adoption of the ordinance codified in this chapter. [Ord. 17-2006 § 1; Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4].

12.09.050 Relocation of utilities required by City.

No fee or requirement authorized or imposed pursuant to this chapter shall be construed to affect or alter in any way any obligation of public and private utilities with facilities installed in any City street to relocate the facilities at no cost to the City, in the event that relocation is required by the City to accommodate a proper governmental use of the City street. [Ord. 17-2006 § 1; Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4].

ITEM 11.1.

Rancho Cordova Municipal Code
Chapter 12.09 STREET TRENCH FEE

ATTACHMENT 2 Exhibit A to the Ordinance

Page 15/53

12.09.060 Permit violations.

No person who has violated any provision of this chapter shall be issued an excavation permit, nor shall any contractor or agent apply for or be issued an excavation permit on such person's behalf, until the outstanding violation is corrected or a plan for correction is approved by the director. The foregoing requirement is in addition to any penalty or remedy for violation that may be imposed or sought by the City at law or equity. [Ord. 17-2006 § 1; Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4].

12.09.070 Pavement condition index ratings.

The City shall perform periodic pavement condition surveys of all City streets and determine the pavement condition index (PCI) rating for each street. A PCI rating shall be assigned to discrete blocks of a street. The PCI report shall be made available for public review at the permit counter. [Ord. 17-2006 § 1; Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4].

12.09.080 Pavement life performance warranty.

In lieu of paying a trench restoration fee required by RCMC 12.09.030, an owner who has a valid franchise agreement with the City or is statutorily exempt from franchise requirements shall provide a written pavement life performance warranty in a form acceptable to the City. The warranty shall provide that in the event that subsurface material or pavement over or within the trench influence area becomes depressed, broken, or otherwise fails at any time after the excavation has been completed until such time as the street surface is completely resurfaced with a structural overlay, the owner who performed the trench cut shall repair or restore such condition pursuant to the procedure set forth in RCMC 12.09.090. In the event that an owner who has a valid franchise agreement with the City or is statutorily exempt from franchise requirements fails or refuses to provide a written pavement life performance warranty, such owner shall pay the trench restoration fee set forth in the fee schedule adopted by resolution of City Council. [Ord. 6-2010 § 8; Ord. 17-2006 § 1; Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4].

12.09.090 Repair of sunken pavement over excavation.

If the subsurface material or pavement over or within the trench influence area becomes depressed or broken at any time within two years after the excavation has been completed and accepted and before resurfacing of the City street, where the owner has paid a trench restoration fee pursuant to RCMC 12.09.030, or at any time prior to such time as the street surface is completely resurfaced with a structural overlay, where the owner has provided a pavement life performance warranty pursuant to RCMC 12.09.080, the owner shall, upon written notice from the director, immediately inspect the depressed or broken area to ascertain the cause of the failure. The owner shall make repairs to the installation or backfill and have the pavement restored in the manner and within the time period specified by the Director. Additional inspection permit fees may be imposed as appropriate. A trench restoration fee shall not be charged for work performed under this section. If the pavement is not restored as specified by the Director, unless delayed by conditions beyond the owner's control, the Director may cause the work to be done after giving the owner 24 hours' final notice. The cost thereof, including any inspection costs and administrative overhead incurred by the City, shall be assessed against the owner. The owner shall remain responsible for any future repairs of that portion of pavement over the excavation that was repaired by the City for a period of two years, where the owner has paid a trench restoration fee pursuant to RCMC 12.09.030, or at any time prior to such time as the street surface is completely resurfaced with a structural overlay, where the owner has provided a pavement life performance warranty pursuant to RCMC 12.09.080. [Ord. 17-2006 § 1; Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4].

12.09.100 Publicly bid city plans, field changes and blanket permits.

Publicly bid city plans, field changes that alter the square footage of the trench surface area and blanket permits issued by the Director to any owner to make excavations for utility service connections, for the location of trouble in utility conduits or pipes and for making repairs thereto, or for emergency purposes shall be subject to all fees and requirements of this chapter. The owner shall report the amount of excavation to the permit counter and pay the required fees. Failure to report the excavation and pay the required fees shall be considered a permit violation pursuant to RCMC 12.09.060. [Ord. 17-2006 § 1; Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4].

12.09.110 Coordination of excavations.

Any owner installing facilities providing water, sewer, storm water drainage, gas, electric, communication, video or other utility services in city streets shall participate in the American Public Works Association ("APWA") Utility Committee and prepare a utility master plan, in a format specified by the APWA Utility Committee, that shows all of the owner's planned major utility work in city streets for the upcoming year. Prior to applying for an excavation

ITEM 11.1.

Rancho Cordova Municipal Code
Chapter 12.09 STREET TRENCH FEE

ATTACHMENT 2 Exhibit A to the Ordinance

Page 16/53

permit, any owner planning to excavate in City streets shall coordinate, to the extent practicable, with other owners to minimize damage to, and avoid undue disruption and interference with, the public use of City streets. [Ord. 17-2006 § 1; Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4].

12.09.120 Moratorium.

Excavation in newly renovated City streets is prohibited for five years after filing of a notice of completion or acceptance of a new street or structural overlay of an entire street except as follows:

- A. Emergency which endangers life or property.
- B. Repair or modification to prevent interruption of essential utility service.
- C. Relocation work that is mandated by City, county, state or federal legislation.
- D. Service for buildings where no other reasonable means of providing service exists, as determined by the Director.
- E. In a City street that the City has scheduled for resurfacing either during the fiscal year (July 1st through June 30th) when the excavation permit is issued or during the immediately following fiscal year and the work takes place prior to the resurfacing.
- F. For potholing to verify utility depth or location.
- G. Trenchless excavations greater than three feet in depth of cover over the utility facility not requiring a significant surface incision greater than industry bore pit standards may be allowed at the discretion of the Director.
- H. Other situations deemed by the Director to be in the best interest of the general public. [Ord. 17-2006 § 1; Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4].

12.09.130 Excavation within moratorium period.

Where a permit is issued to excavate during the five-year period after filing of a notice of completion or acceptance of a new street or structural overlay of an entire street, payment of the trench restoration fee in the fee schedule adopted by resolution of the City Council will be required regardless of whether the owner has executed a pavement life performance warranty. [Ord. 6-2010 § 9; Ord. 17-2006 § 1; Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4].

12.09.140 Joint excavation.

Whenever applicants propose major work in the same block, the department shall condition permits for such work in a manner that maximizes coordination and minimizes the total period of construction. Such work may be conditioned to require the applicants to participate in a single excavation and pay their pro rata share of the work. Applicants may seek a waiver of the joint excavation requirements with respect to a particular excavation. Within 30 calendar days of receipt of a written request for a waiver, the Director shall render a decision upon such a request, taking into account the impact of the proposed excavation on the neighborhood, the applicant's need to provide services to a property or area, facilitating the deployment of new technology as directed pursuant to official City policy, and the public health, safety, welfare, and convenience. [Ord. 17-2006 § 1; Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4].

12.09.150 Nontransferability of pavement life warranty.

Pavement life warranty agreements are not transferable or assignable. [Ord. 17-2006 § 1; Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4].

12.09.160 Appeal.

A person directly and adversely affected by a decision made by the Director pursuant to the provisions of this chapter may appeal the Director's decision by filing a written notice of appeal with the City Manager no later than 10 working days after receiving notice of the Director's decision. The notice of appeal shall set forth the name, mailing address, and telephone number of the person appealing. The notice of appeal shall include or attach a statement describing the action being appealed, setting forth the grounds for the appeal, and describing the action requested of the City Manager. The scope of the appeal shall be limited to the grounds specified in the notice of appeal. No later than 30 days after the filing of a timely notice of appeal, the City Manager shall render a decision on the appeal. The City Manager's decision may affirm, reverse or modify the decision appealed. A copy of the City

ITEM 11.1.

Rancho Cordova Municipal Code
Chapter 12.09 STREET TRENCH FEE

ATTACHMENT 2 Exhibit A to the Ordinance

Page 17/53

Manager's decision shall be provided to the person appealing at the address shown on the notice of appeal. The City Manager's decision shall be final. [Ord. 17-2006 § 1; Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4].

12.09.170 Severability.

Should any part of this chapter be declared invalid by a court of competent jurisdiction, the remaining provisions of this chapter shall remain in force and effect. [Ord. 17-2006 § 1; Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4].

ITEM 11.1.

Rancho Cordova Municipal Code
Chapter 12.12 OBSTRUCTION OF CORNERS

Chapter 12.12

OBSTRUCTION OF CORNERS

Sections:

- 12.12.010 Obstructions at public street intersections and intersection elbows.
- 12.12.020 Obstructions at private driveways and public streets.
- 12.12.030 Street right-of-way line defined.
- 12.12.040 Exceptions.
- 12.12.050 Enforcement.
- 12.12.060 Scope.

12.12.010 Obstructions at public street intersections and intersection elbows.

It is unlawful to install, set out or maintain or to allow the installation, setting out or maintenance on property at any corner formed by intersecting streets or intersection elbows within the City of Rancho Cordova any sign, hedge, shrubbery, natural growth, fence or other obstruction to the view, higher than two feet, six inches above either the nearest pavement surface or the nearest traveled roadway (where there is no pavement) within that triangular area between the street right-of-way lines and a diagonal line joining points on the street right-of-way lines 20 feet from the point of their intersection or, in the case of rounded corners, the triangular area between the tangents to the curve and a diagonal line joining points on the tangent 20 feet from the point of their intersection. In the case of intersection elbows, 40-foot lengths instead of 20-foot lengths are applicable. The tangents referred to are those at the beginning and at the end of the curve at the corner. [Ord. 38-2007 § 1 (Exh. 1(A)); Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 0777 § 1, 1989, SCC 399 § 1, 1979; SCC 785 § 1, 1962].

12.12.020 Obstructions at private driveways and public streets.

It is unlawful to set out, install or maintain, or to allow the setting out, installation, or maintenance of any sign, hedge, structure, natural growth, fence, or other obstruction to the view higher than two feet, six inches above the nearest pavement surface (or traveled area where no pavement exists) on property adjacent to any private road or driveway intersecting a public street, within a triangular area formed by the edge of the driveway, the street right-of-way line, and a line connecting two points, one of which is on the right-of-way line 10 feet from the edge of the driveway, and the other of which is on the edge of the driveway 10 feet back of the right-of-way line measured perpendicular to the right-of-way line in a direction away from the street. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 399 § 2, 1979; SCC 1045 § 1, 1969; SCC 785 § 2, 1962].

12.12.030 Street right-of-way line defined.

Where the street right-of-way line is nearer to the centerline of the street than any existing sidewalk, the street right-of-way line shall be assumed to be coincidental with the back edge of the sidewalk for determining the triangular area for which this chapter controls obstructions to visibility. Where there is no sidewalk but the street right-of-way line is nearer to the centerline of the highway than any existing curb and gutter, the street right-of-way line shall be assumed to be coincidental with the back edge of the curb and gutter for determining the triangular area for which this chapter controls obstructions to visibility. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 785 § 3, 1962].

12.12.040 Exceptions.

The foregoing provisions shall not apply to the following:

- A. Permanent buildings;
- B. Public utility poles;
- C. Trees trimmed to the trunk so as to provide a clear open space between pavement grade and a plane six feet higher, pavement grade being defined as either:
 - 1. The nearest pavement surface; or
 - 2. The nearest traveled roadway (where there is no pavement);

ITEM 11.1.

Rancho Cordova Municipal Code
Chapter 12.12 OBSTRUCTION OF CORNERS

- D. Saplings;
- E. Fences of a type which in no way obstruct vision;
- F. Supporting members of appurtenances to permanent buildings existing on October 31, 1962;
- G. Official signs or signals;
- H. Places where the contour of the ground is such that there can be no cross-visibility at the intersection;
- I. Signs mounted so as to provide a clear, open space (except for supporting members) of 10 feet or more above the ground and whose supports do not constitute an obstruction as defined in RCMC 12.12.020;
- J. Fences as may be required by the Federal Housing Administration or other home mortgage lending agency within subdivision corner lots as defined in RCMC Title 22, which have rear yards contiguous to a highway designated by the Department of Public Works as a major highway with 100 feet of right-of-way, or designated by the Department of Public Works as a major arterial with 80 feet of right-of-way or a frontage road;
- K. Any passenger motor vehicle not to exceed six feet in height parked either temporarily or on display for sale on property zoned other than residential single-family, residential multiple-family or on other residential property. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 811 § 1 (part), 1963; SCC 785 § 4, 1962].

12.12.050 Enforcement.

A. This chapter shall be enforced by the Department of Public Works of the City. The Director of the Department of Public Works or his authorized representative may investigate violations of this chapter, give such notices as may be required to carry out this chapter, and perform such other duties in connection with the enforcement of this chapter as may be appropriate.

B. Remedies. Any obstruction maintained in violation of this chapter may be deemed a public nuisance, and upon failure to abate the same within 15 days after posting upon the premises of a notice to abate the nuisance signed by the public works director, or his authorized representative, and after sending a copy of the notice to abate by registered mail addressed to the owner of record, as shown on the most recent assessment roll of the County of Sacramento, to the address as shown on the assessment roll, the director, or his authorized representative, may enter upon the premises and remove or eliminate the obstruction. In such event, the cost to the City of the abatement of the nuisance shall be a lien upon the premises. The cost of such abatement shall, in addition, be a personal obligation against the owner of the premises upon which the nuisance was maintained, recoverable by the City in an action before any court of competent jurisdiction. [Ord. 38-2007 § 1 (Exh. 1(H)); Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 0777 § 2, 1989; SCC 785 § 5, 1962].

12.12.060 Scope.

No obstruction to cross-visibility shall be deemed to be excepted from the application of this chapter because of its being in existence at the time of the adoption hereof, unless expressly exempted by the terms of RCMC 12.12.040. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 785 § 7, 1962].

Chapter 12.16**HOUSE NUMBERS ON CURBS**

Sections:

- 12.16.010 Permit required.
- 12.16.020 Other requirements.
- 12.16.030 Applications.
- 12.16.040 Prior approval required.
- 12.16.050 Standards.
- 12.16.060 Liability.
- 12.16.070 Conditions.
- 12.16.080 Employee list.
- 12.16.090 Cancellation.
- 12.16.100 Appeal.
- 12.16.110 Penalty.

12.16.010 Permit required.

It is unlawful for any person to paint or cause to be painted any house numbers on street curbs within the City of Rancho Cordova without a valid permit issued as provided in this chapter. As used in this section, the words “paint” or “cause to be painted” include any means by which house numbers are affixed or applied to a street curb, including but not limited to paint of any kind applied in any manner and decals of any type which are designed to adhere to a street curb. As used in this chapter, “person” means any natural person, firm, association, joint venture, joint stock company, partnership, club, company, corporation, business trust, or organization of any kind. [Revised during 2008 codification; Ord. 38-2007 § 1 (Exh. 1(A)); Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 174 § 1 (part), 1974].

12.16.020 Other requirements.

No permit shall be issued to any person intending to charge a fee or solicit contributions until he has obtained either a business license or a charitable solicitations permit, or both, in accordance with the requirements of this code, depending upon whether a business license or charitable solicitations permit, or both, are required. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 174 § 1 (part), 1974].

12.16.030 Applications.

To obtain a permit pursuant to the requirements of this chapter, an application shall be filed with the Department of Public Works containing the following information:

- A. The location or area in which the applicant intends to paint house numbers on curbs;
- B. The specific days on which the applicant intends to paint curbs;
- C. Such other relevant information as is determined to be necessary by the Department of Public Works. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 174 § 1 (part), 1974].

12.16.040 Prior approval required.

Prior to painting house numbers, the permit holder shall obtain the written consent of an adult occupant of the abutting property. The form used for obtaining consent shall also specify the exact fee or donation which is expected to be paid. The silence of the occupant or the failure or omission of any occupant to complete or sign the form or to in any other manner indicate consent or refusal to have house numbers painted on the curb shall not constitute consent or in any way be relied on by the permit holder as indicating consent. No person other than an adult occupant who has consented in writing shall have any responsibility for payment of the fee or donation. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 174 § 1 (part), 1974].

12.16.050 Standards.

The Department of Public Works shall establish standards which shall govern the appearance of house numbers on curbs and the manner in which they may be applied, including but not limited to standards relating to the size, color and location of the numbers and the materials used to apply the numbers. The standards shall be provided in writing

ITEM 11.1.

Rancho Cordova Municipal Code
Chapter 12.16 HOUSE NUMBERS ON CURBS

ATTACHMENT 2 Exhibit A to the Ordinance

Page 21/53

to every person to whom a permit is issued and the permit holder shall sign a copy of the standards which includes a statement indicating that the permit holder has read and understands the standards and will follow them in applying curb numbers. The signed copy shall be retained in the department's files relating to the applicant. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 174 § 1 (part), 1974].

12.16.060 Liability.

The issuance of a permit hereunder shall not be construed as imposing any responsibility or liability on the City or any of its officers or employees for claims for property damage or personal injury in any way arising out of, or relating to, the house number painting activities of the permit holder. It is unlawful for the permit holder to in any way represent or imply to anyone that the permit holder is a representative, or is acting for or on behalf of, the City or any other public agency in offering to paint house numbers on curbs. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 174 § 1 (part), 1974].

12.16.070 Conditions.

The issuance of a permit pursuant to this chapter shall be conditioned on compliance by the applicant with all of the provisions of this chapter and shall be subject to any special conditions which the Department of Public Works determines to be necessary for the purpose of protecting the condition and use of City rights-of-way and the public improvements located thereon and the health, safety and general welfare of the property owners abutting on the rights-of-way on which the applicant intends to paint house numbers. Such special conditions may include, but are not limited to, limits on the hours during which the permit holder may solicit orders and the hours during which the house number painting activity may take place and a permit expiration date which shall be not later than the sixtieth day following the date on which the permit is issued. It is unlawful for the permit holder or any employee or representative of the permit holder to solicit orders or engage in house number painting activities in violation of any such special conditions. Special conditions applicable to a permit shall be specified in writing on the permit or in a written attachment thereto. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 174 § 1 (part), 1974].

12.16.080 Employee list.

Before issuance of any permit, the applicant shall file with the Department of Public Works a list of the names and addresses of all persons who will be in the employ of, or act as representatives of, the permit holder for the purpose of carrying on the activities authorized by the permit. The permit holder shall notify the Department of Public Works in writing of any additions to the list within 72 hours following the addition of any new employee or representative. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 174 § 1 (part), 1974].

12.16.090 Cancellation.

A permit may be cancelled by the Department of Public Works if it is determined that the permit holder, his employees or his representatives have violated any of the requirements of this chapter or have engaged in any other conduct or activity on the basis of which it is determined that the permit should be cancelled for the protection of the public health, safety or general welfare. Notice of cancellation shall be in writing and shall specify the reasons for cancellation. The cancellation shall be effective immediately upon personal delivery to the permit holder or his authorized representative. If reasonable efforts to effect personal delivery are unsuccessful, cancellation shall be effective upon the mailing of the required notice to the permit holder's address as specified in his application. Such mailed notice shall be effective, notwithstanding any change in the permit holder's address, unless the permit holder has notified the Department of Public Works in writing of any such change of address. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 174 § 1 (part), 1974].

12.16.100 Appeal.

The cancellation of a permit as provided in RCMC 12.16.090 shall be final on the expiration of 10 days following the effective date of the revocation unless the permit holder files a written notice of appeal with the Department of Public Works within the 10-day period. The Department of Public Works shall set a time at the earliest administratively convenient date for an appeal conference which shall be attended by the Director of Public Works or his designee at which the permit holder shall be afforded an opportunity to discuss the reasons for the cancellation. The permit holder shall be afforded an opportunity to present information on his behalf in writing or oral form. Not later than the fifth day following the conclusion of such conference, the Department of Public Works shall notify the permit holder of its decision, which shall either be that the cancellation is permanent or modified in some appropriate manner. The decision of the Department of Public Works shall be final. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 174 § 1 (part), 1974].

ITEM 11.1.

Rancho Cordova Municipal Code
Chapter 12.16 HOUSE NUMBERS ON CURBS

ATTACHMENT 2 Exhibit A to the Ordinance

Page 22/53

12.16.110 Penalty.

Violation of any requirement or prohibition in this chapter is a misdemeanor and is punishable as provided in RCMC 1.01.190. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 174 § 1 (part), 1974].

Chapter 12.20**UNDERGROUND UTILITY DISTRICTS**

Sections:

- 12.20.010 Definitions.
- 12.20.020 Public hearing by city council.
- 12.20.030 City council may designate underground utility districts by resolution.
- 12.20.040 Unlawful acts.
- 12.20.050 Exception, emergency or unusual circumstances.
- 12.20.060 Other exceptions.
- 12.20.070 Notice to property owners and utility companies.
- 12.20.080 Responsibility of utility companies.
- 12.20.090 Responsibility of property owners.
- 12.20.100 Responsibility of city.
- 12.20.110 Extension of time.

12.20.010 Definitions.

Whenever in this chapter the words or phrases hereinafter in this section defined are used, they shall have the respective meanings assigned to them in the following definitions:

“City Council” shall mean the City Council of the City of Rancho Cordova;

“Clerk” shall mean the duly appointed and acting clerk of the City;

“Director of Public Works” shall mean the duly appointed and acting director of public works of the City;

“Person” shall mean and include individuals, firms, corporations, partnerships, and their agents and employees;

“Poles, overhead wires and associated overhead structures” shall mean poles, towers, supports, wires, conductors, guys, stubs, platforms, crossarms, transformers, insulators, cutouts, switches, communication circuits, appliances, attachments and appurtenances located aboveground within a district and used or useful in supplying electric, communication or similar or associated service;

“Underground Utility District” or “District” shall mean that area in the City within which poles, overhead wires, and associated overhead structures are prohibited as such area is described in a resolution adopted pursuant to the provisions of RCMC 12.02.030;

“Utility” shall include all persons or entities supplying electric, communication or similar or associated service by means of electrical materials or devices. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 542 § 1, 1983].

12.20.020 Public hearing by city council.

The City Council may from time to time call public hearings to ascertain whether the public necessity, health, safety or welfare requires the removal of poles, overhead wires and associated overhead structures within designated areas of the City and the underground installation of wires and facilities for supplying electric, communication, or similar or associated service. The Clerk shall notify all affected property owners as shown on the last equalized assessment roll and utilities concerned by mail of the time and place of such hearings at least 10 days prior to the date thereof. Each such hearing shall be open to the public and may be continued from time to time. At each such hearing all persons interested shall be given an opportunity to be heard. The decision of the City Council shall be final and conclusive. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 542 § 1, 1983].

12.20.030 City council may designate underground utility districts by resolution.

If, after any such public hearing, the City Council finds that the public necessity, health, safety or welfare requires such removal and such underground installation within a designated area, the City Council shall, by resolution, declare such designated area an Underground Utility District and order such removal and underground installation. Such resolution shall include a description of the area comprising such District and shall fix the time within which

ITEM 11.1.

Rancho Cordova Municipal Code
Chapter 12.20 UNDERGROUND UTILITY DISTRICTS

ATTACHMENT 2 Exhibit A to the Ordinance

Page 24/53

such removal and underground installation shall be accomplished and within which affected property owners must be ready to receive underground service. A reasonable time shall be allowed for such removal and underground installation, having due regard for the availability of labor, materials and equipment necessary for such removal and for the installation of such underground facilities as may be occasioned thereby. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 542 § 1, 1983].

12.20.040 Unlawful acts.

Whenever the City Council creates an Underground Utility District and orders the removal of poles, overhead wires and associated overhead structures therein as provided in RCMC 12.20.030, it shall be unlawful for any person or utility to erect, construct, place, keep, maintain, continue, employ or operate poles, overhead wires and associated overhead structures in the district after the date when said overhead facilities are required to be removed by such resolution, except as said overhead facilities may be required to furnish service to an owner or occupant of property prior to the performance by such owner or occupant of the underground work necessary for such owner or occupant to continue to receive utility service as provided in RCMC 12.20.090, and for such reasonable time required to remove said facilities after said work has been performed, and except as otherwise provided in this chapter. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 542 § 1, 1983].

12.20.050 Exception, emergency or unusual circumstances.

Notwithstanding the provisions of this chapter, overhead facilities may be installed and maintained for a period, not to exceed 90 days, without authority of the City Council in order to provide emergency service. The City Council may grant special permission, on such terms as the City Council may deem appropriate, in cases of unusual circumstances, without discrimination as to any person or utility, to erect, construct, install, maintain, use or operate poles, overhead wires and associated overhead structures. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 542 § 1, 1983].

12.20.060 Other exceptions.

This chapter and any resolution adopted pursuant to RCMC 12.20.030 shall, unless otherwise provided in such resolution, not apply to the following types of facilities:

- A. Any City facilities or equipment installed under the supervision and to the satisfaction of the Director of Public Works;
- B. Poles or electroliers used exclusively for street lighting;
- C. Overhead wires (exclusive of supporting structures) crossing any portion of a District within which overhead wires have been prohibited, or connecting to buildings on the perimeter of a District, when such wires originate in an area from which poles, overhead wires and associated overhead structures are not prohibited;
- D. Poles, overhead wires and associated overhead structures used for the transmission of electric energy at nominal voltages in excess of 34,500 volts;
- E. Overhead wires attached to the exterior surface of a building by means of a bracket or other fixture and extending from one location on the building to another location on the same building or to an adjacent building without crossing any public street;
- F. Antennas, associated equipment and supporting structures used by a utility for furnishing communication services;
- G. Equipment appurtenant to underground facilities, such as surface-mounted transformers, pedestal-mounted terminal boxes and meter cabinets, switching cubicles, and concealed ducts;
- H. Temporary poles, overhead wires and associated overhead structures used or to be used in conjunction with construction projects. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 542 § 1, 1983].

12.20.070 Notice to property owners and utility companies.

Within 10 days after the effective date of a resolution adopted pursuant to RCMC 12.20.030, the Clerk shall notify all affected utilities and all persons owning real property within the District created by said resolution of the

ITEM 11.1.

Rancho Cordova Municipal Code
Chapter 12.20 UNDERGROUND UTILITY DISTRICTS

ATTACHMENT 2 Exhibit A to the Ordinance

Page 25/53

adoption thereof. Said Clerk shall further notify such affected property owners of the necessity that, if they or any person occupying such property desire to continue to receive electric, communication, or similar or associated service, they or such occupant shall provide all necessary facility changes on their premises and rights-of-way so as to receive such service from the lines of the supplying utility or utilities at a new location, subject to applicable rules, regulations and tariffs of the respective utility or utilities.

Notification by the Clerk shall be made by mailing a copy of the resolution adopted pursuant to RCMC 12.20.030, together with a copy of this chapter, to affected property owners as such are shown on the last equalized assessment roll and to the affected utilities. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 542 § 1, 1983].

12.20.080 Responsibility of utility companies.

If underground construction is necessary to provide utility service within a District created by any resolution adopted pursuant to RCMC 12.20.030, the supplying utility shall furnish that portion of the conduits, conductors and associated equipment required to be furnished by it under its applicable rules, regulations and tariffs. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 542 § 1, 1983].

12.20.090 Responsibility of property owners.

Every person owning, operating, leasing, occupying or renting a building or structure within a District shall perform construction and provide that portion of the service connection on his property between the facilities referred to in RCMC 12.20.080 and the termination facility on or within said building or structure being served, all in accordance with applicable rules, regulations and tariffs of the respective utility or utilities. If any property owner, after due notice, refuses to comply within a reasonable time to effect the removal or preparation in accordance with the applicable rules of the utility involved, the City may cause the work to be done and assess the costs of the work against the property, and the assessment shall become a lien against the property. The assessment may be collected at the same time and in the same manner as ordinary county ad valorem taxes are collected, and shall be subject to the same penalties and the same procedure and sale in case of delinquency as provided for these taxes. All laws applicable to the levy, collection, and enforcement of county ad valorem taxes shall be applicable to the assessment. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 0886 § 1, 1992; SCC 542 § 1, 1983].

12.20.100 Responsibility of City.

The City shall remove, at its own expense, all City-owned equipment from all poles required to be removed hereunder in ample time to enable the owner or user of such poles to remove the same within the time specified in the resolution enacted pursuant to RCMC 12.20.030. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 542 § 1, 1983].

12.20.110 Extension of time.

In the event that any act required by this chapter or by a resolution adopted pursuant to RCMC 12.20.030 cannot be performed within the time provided on account of shortage of materials, war, restraint by public authorities, strikes, labor disturbances, civil disobedience, or any other circumstances beyond the control of the actor, then the time within which such act will be accomplished shall be extended for a period equivalent to the time of such limitation. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 542 § 1, 1983].

ITEM 11.1.

Rancho Cordova Municipal Code
Chapter 12.24 STREET NUMBERING SYSTEM

Chapter 12.24

STREET NUMBERING SYSTEM

Sections:

- 12.24.010 Purpose.
- 12.24.020 Designating authority.
- 12.24.030 Names.
- 12.24.040 Numbering.
- 12.24.050 Specifications.
- 12.24.060 Application.
- 12.24.070 Penalty.

12.24.010 Purpose.

It is hereby found that the public interest, safety, welfare and convenience require the establishment of a numbering system of street addresses under a uniform plan within the City of Rancho Cordova. For the accomplishment of this objective, there is hereby established a uniform numbering system in order to promote more effective law enforcement, facilitate rapid response to emergency calls for fire suppression, medical, and other purposes, improve the delivery of goods and services, and otherwise promote the economic improvement of the community. [Ord. 38-2007 § 1 (Exh. 1(A)); Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 673 § 1, 1986].

12.24.020 Designating authority.

Streets within the City of Rancho Cordova shall be named by, and properties abutting such streets and roads shall be assigned numbers by, the Public Works Director pursuant to the standards contained in RCMC 12.24.030 and 12.24.040. [Ord. 38-2007 § 1 (Exh. 1(A), (H)); Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 673 § 1, 1986].

12.24.030 Names.

The Director shall assign the following name designations within the City of Rancho Cordova:

A. Except as hereinafter provided, the term “street” shall be applied to streets which generally extend in a northerly and southerly direction, regardless of width.

B. Except as otherwise provided, the term “avenue” shall be applied to streets which generally extend in an easterly and westerly direction, regardless of width.

C. Except as hereinafter provided, the term “drive” shall be applied to streets which are 50 feet or greater in width, and are not designated as streets or avenues.

D. The term “way” shall be applied to streets which are 40 feet in width, and are not designated as streets or avenues.

E. The term “road” shall be applied to streets which are 60 feet or greater in width, and are situated in an agricultural zone established pursuant to the city’s zoning code.

F. The terms “court” or “place” shall be applied to streets which terminate in a cul-de-sac, with no intermediate access.

G. The term “circle” shall be applied to streets which begin and terminate in the same street, with no intermediate access.

H. The term “boulevard” shall be applied to streets which are major traffic thoroughfares. [Ord. 38-2007 § 1 (Exh. 1(A), (H)); Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 673 § 1, 1986].

12.24.040 Numbering.

The Director of Public Works shall assign numbers to properties abutting streets within the City of Rancho Cordova in accordance with the following criteria:

ITEM 11.1.

Rancho Cordova Municipal Code
Chapter 12.24 STREET NUMBERING SYSTEM

ATTACHMENT 2 Exhibit A to the Ordinance

Page 27/53

There is hereby established a baseline for assigning such numbers for the north-south grid, which is the American River. Numbers shall increase in magnitude from the American River in both northerly and southerly directions generally in accordance with the distance from the river.

There is hereby established a baseline for assigning such numbers south of the American River, for an east-west grid, which is the projection of a line that lies 1,320 feet west of the section line common to Sections 4 and 5, Township 5 North, Range 4 East, Mount Diablo Base and Meridian. Numbers shall increase in magnitude from that baseline in both easterly and westerly directions generally in accordance with the distance from the baseline. Numbers lying west of the baseline shall be ascribed a letter "W" as a suffix to the property number.

There is hereby established a baseline for assigning such numbers north of the American River, for an east-west grid, which is the projection of a line that lies 800 feet east of the section line common to Sections 19 and 20, Township 10 North, Range 5 East, Mount Diablo Base and Meridian. Numbers shall increase in magnitude from that baseline in both easterly and westerly directions generally in accordance with the distance from the baseline. Numbers lying west of that baseline shall be ascribed a letter "W" as a suffix to the property number. [Ord. 38-2007 § 1 (Exh. 1(A)); Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 673 § 1, 1986].

12.24.050 Specifications.

The Director of Public Works shall be authorized to formulate, promulgate and enforce specifications pertaining to the size, color and type of numbers placed upon properties abutting streets within the City of Rancho Cordova, together with standards regulating the numbering of multiple structures upon the same property. Such specifications and standards shall be formulated for the purpose of facilitating the identification and location of structures and land uses by persons searching for same from the streets, eliminating or reducing the necessity for entry of property by persons conducting such searches. [Ord. 38-2007 § 1 (Exh. 1(A)); Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 673 § 1, 1986].

12.24.060 Application.

Except as hereinafter provided, the standards contained in this chapter shall govern assignment by the Director of Public Works for street designations and numbers pursuant to RCMC 12.24.030 and 12.24.040 for all parcels, lots and streets within the City of Rancho Cordova, including, but not limited to, those established after the date on which the ordinance codified in this chapter becomes effective.

All street designations and property numbers in existence preceding the effective date of the ordinance codified in this chapter which are consistent with the standards prescribed by RCMC 12.24.030 and 12.24.040 shall be deemed to have been designated by the Director of Public Works pursuant to the provisions of this chapter.

The standards for designating streets and assigning numbers established by RCMC 12.24.030 and 12.24.040 shall not be applicable to a particular lot or parcel of land which is not numbered or is numbered in a manner inconsistent with the standards contained in RCMC 12.24.030 and 12.24.040 until 30 days after:

A. The Director of Public Works designates such streets or numbers to such property in accordance with such standards; and

B. The Director of Public Works has mailed written notice of such designation or numbering, postage prepaid, to the record owner and occupant of the property so numbered or which abuts each street so designated. [Ord. 38-2007 § 1 (Exh. 1(A)); Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 673 § 1, 1986].

12.24.070 Penalty.

It shall be the responsibility of both owners and occupants of property abutting roads within the City of Rancho Cordova to post numbers upon such property in accordance with those designated by the Director of Public Works.

Pursuant to the provisions of Section 36900 of the Government Code, an owner or occupant of property abutting a street within the City of Rancho Cordova who fails, within 10 calendar days following mailing of written notice to do so, to post a number upon such property corresponding to the number designated by the Director of Public Works shall be guilty of an infraction and subject to a fine of \$50.00 for each day or any portion thereof such violation continues. [Ord. 38-2007 § 1 (Exh. 1(A), (H)); Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 673 § 1, 1986].

ITEM 11.1.

Rancho Cordova Municipal Code
Table A: Special Tax Ordinances

ATTACHMENT 2
Exhibit A to the Ordinance

Page 28/53

Table A:
Special Tax Ordinances

13-2003	Sunridge Anatolia Community Facilities District No. 2003-1 special tax (Special)
16-2003	Special tax for police protection for Sunrise Anatolia III Subdivision (Special)
2-2004	Special tax for police protection for Mather East Subdivision (Special)
14-2004	Special tax for police protection for Sunridge Anatolia III Subdivision (Special)
21-2004	Special tax for police protection for Ellenwood Court Unit No. 2 Subdivision (Special)
23-2004	Special tax for police protection for Quick Fit Tire Subdivision (Special)
27-2004	Special tax for police protection for Stone Creek Subdivision (Special)
28-2004	Special tax for police protection for Sunridge Park Subdivision, Village Nos. 2A and 5A and a portion of Unit A (Repealed by 1-2019)
29-2004	Special tax for police protection for Sunridge Park Subdivision, Unit A (Repealed by 1-2019)
30-2004	Special tax for police protection for Sunridge Park Subdivision, Village Nos. 9A and 10A and a portion of Unit A (Repealed by 1-2019)
31-2004	Special tax for police protection for Villages of Zinfandel, Village No. 7 Subdivision (Special)
32-2004	Special tax for police protection for Sunridge Park Subdivision, Village Nos. 1A, 4A, 6, 7, 8A and 11A and a portion of Unit A (Repealed by 1-2019)
33-2004	Special tax for police protection for Sunridge Park Subdivision, Village No. 3 (Repealed by 1-2019)
34-2004	Special tax for police protection for Anatolia I and II Subdivisions (Special)
35-2004	Special tax for police protection for Anatolia I and II Subdivisions (Special)
39-2004	Sunridge Park Area Community Facilities District No. 2004-1 special tax (Special)
40-2004	Special tax area Zone 9 for police protection for North Douglas I and II Subdivision (Repealed by 1-2019)
52-2004	Special tax for police protection for Luyung Drive Phase 4 Subdivision (Special)
57-2004	Special tax for police protection for Anatolia I, Village 2 Subdivision (Special)
58-2004	Special tax for police protection for Anatolia I, Village 5 Subdivision (Special)
59-2004	Special tax for police protection for Anatolia I, Village 6 Subdivision (Special)
60-2004	Special tax for police protection for Anatolia II, Village 10 Subdivision (Special)
61-2004	Special tax for police protection for Anatolia II, Village 11 Subdivision (Special)
62-2004	Special tax for police protection for Anatolia II, Village 13 Subdivision (Special)
63-2004	Special tax for police protection for Anatolia II, Village 14 Subdivision (Special)
64-2004	Special tax for police protection for Anatolia II, Village 16 Subdivision (Special)
65-2004	Special tax for police protection for Kennedy/Mills Station Road Subdivision (Special)

ITEM 11.1.

Rancho Cordova Municipal Code
Table A: Special Tax Ordinances

ATTACHMENT 2
Exhibit A to the Ordinance

Page 29/53

1-2005	Special tax for police protection for Anatolia II, Lot 8 Subdivision (Special)
10-2005	Special tax for police protection for Capital Village Subdivision (Special)
26-2005	Sunridge North Douglas Community Facilities District No. 2005-1 special tax (Repealed by 6-2015)
31-2005	Special tax for transit-related services for Capital Village Subdivision (Special)
5-2006	Community Facilities District No. 2005-2 special tax (Special)
24-2006	Special tax for police protection for Montelena Subdivision (Repealed by 11-2013)
25-2006	Special tax for police protection for Sunridge Park, Phase II Subdivision, Lots D, E, F, G and 11 (Repealed by 1-2019)
26-2006	Special tax for police protection for Sunridge Park, Phase II Subdivision, Villages 1B, 4C, 4D, 8C and 11B (Repealed by 1-2019)
27-2006	Special tax for police protection for Sunridge Park, Phase II Subdivision, Villages 2B, 5C and 5D (Repealed by 1-2019)
28-2006	Special tax for police protection for Sunridge Park, Phase II Subdivision, Villages 9B and 10B (Repealed by 1-2019)
29-2006	Special tax for police protection for Anatolia IV Subdivision (Repealed by 16-2018)
30-2006	Special tax for police protection for Arista Del Sol Subdivision (Special)
31-2006	Special tax for police protection for Cresleigh Sunridge Subdivision (Repealed by 1-2019)
32-2006	Special tax for police protection for Douglas 98 Subdivision (Repealed by 1-2019)
33-2006	Special tax for police protection for Douglas 103 Subdivision (Special)
37-2006	Special tax for police protection for Tax Zone 2A, Sundance Subdivision (Special)
38-2006	Special tax for police protection for Grant Line 208 Subdivision (Repealed by 1-2019)
3-2007	Special tax for police protection for Gold Flake Court Subdivision (Special)
17-2007	Special tax for police protection for Ellenwood Commons Subdivision (Special)
19-2007	Special tax for transit-related services for Ed Fund office buildings (Special)
21-2007	Special tax for transit-related services for Old Placerville Road Project (Special)
2-2008	Special tax for transit-related services for the Bloodsource Laboratory building (Special)
7-2008	Special tax for transit-related services for the department of Mather office complex buildings (Special)
8-2008	Special tax for transit-related services for the department of environmental management office complex buildings (Special)
17-2008	Special tax for transit-related services for the Sunrise Palms Plaza project (Special)
22-2008	Special tax for transit-related services, for the 3581 Mather Field Road project (Special)
23-2008	Community Facilities District No. 2008-1 special tax (Special)
25-2008	Special tax for transit-related services for the Zinfandel and Sunrise project (Special)
14-2009	Special tax for transit-related services for the Cordova Casino and Restaurant (Special)

ITEM 11.1.

Rancho Cordova Municipal Code
Table A: Special Tax Ordinances

ATTACHMENT 2
Exhibit A to the Ordinance

Page 30/53

15-2009	Amends Ords. 24-2006, 25-2006, 26-2006, 27-2006, 28-2006, 29-2006, 30-2006, 31-2006, 32-2006, 33-2006, 37-2006, 38-2006 and 3-2007, police tax area zones (Special)
19-2009	Special tax for transit-related services for 11301 Dismantle Court project (Special)
2-2013	Community Facilities District No. 2013-2 special tax (Special)
14-2014	Community Facilities District No. 2014-1 special tax (Special)
15-2014	Community Facilities District No. 2014-2 special tax (Special)
19-2014	Special tax for transit-related services for 3500 Fitzgerald Road Industrial Building project (Special)
6-2015	Sunridge North Douglas Community Facilities District No. 2005-1 special tax; rescinds Ord. 26-2005 (Special)
8-2016	Special tax for transit-related services, APG warehouse project (Special)
23-2016	Special tax for transit-related services, Monier Circle warehouse project (Special)
6-2018	Special tax for transit-related services, Homewood Suites project (Special)
8-2018	Special tax for transit-related services, Superior Self-Storage project (Special)
18-2018	Community Facilities District No. 2018-2 special tax (Special)
19-2018	Community Facilities District No. 2018-1 special tax (Special)
21-2018	Special tax for transit-related services, European Parts Depot project (Special)
2-2019	Special tax for transit-related services, Gold Valley Center project (Special)
10-2019	Special tax for transit-related services, Bradshaw Village project (Special)
12-2020	Community Facilities District No. 2020-1 special tax (Special)
16-2020	Special tax for transit-related services, White Rock Center project (Special)
6-2021	Special tax for transit-related services, Rio del Oro project (Special)
9-2021	Special tax for transit-related services, High Class Motors project (Special)
19-2021	Special tax for transit-related services, Falconer commercial building project (Special)
20-2021	Special tax for transit-related services, express sewer and drain project (Special)
21-2021	Special tax for transit-related services, Ranch project (Special)
23-2021	Ranch Community Facilities District No. 2021-1 special tax (Special)
5-2022	Special tax for transit-related services, Grantline 220 project (Special)
8-2022	Community Facilities District No. 2022-1 special tax (Special)
14-2022	Special tax for transit-related services, Ranch project (Special)

ITEM 11.1.

Rancho Cordova Municipal Code
Table B: Ordinance Table

ATTACHMENT 2
Exhibit A to the Ordinance

Page 31/53

Table B:
Ordinance Table

This table lists all ordinances. If an ordinance is codified, its location in the code is cited by chapter number at the end of the ordinance description. Ordinance numbers in the text of the code preceded by “SCC” indicate ordinances incorporated in the Sacramento County Code and adopted by the City. Ordinances are codified if they are general, permanent, and/or include penalty provisions for noncompliance. “Not codified” indicates that the ordinance could have been codified but was not for some reason (e.g., superseded by a later ordinance, codified in a separate publication). “Special” means the ordinance was special in nature or for a specific period of time (e.g., budget, annexation, tax levy, street vacation).

1-2003	Adopts all Sacramento County ordinances for a period of 120 days (Expired)
2-2003	Creates city manager position and form of government (2.04)
3-2003	Sales and use tax (3.04)
4-2003	Continues existing Sacramento County Code Chapter 3.08, transient occupancy tax (3.08)
5-2003	Continues one-half of existing Sacramento County documentary transfer tax (3.12)
6-2003	Special gas tax street improvement fund (3.50)
7-2003	Purchasing system (Repealed by 9-2012)
8-2003	Council reimbursement for expenses (2.08)
9-2003	City council member salaries (2.08)
10-2003	Claims against the city (2.38)
11-2003	Consolidates general municipal election with statewide general election (2.42)
12-2003	Sacramento County fees, rates and charges to remain temporarily in effect (Special)
13-2003	Sunridge Anatolia Community Facilities District No. 2003-1 special tax (Tables)
14-2003	Repeals and replaces zoning code Article 7, design review (Zoning Code)
15-2003	Solid waste collection, transportation and disposal (Repealed by 22-2013)
16-2003	Special tax for police protection for Sunrise Anatolia III Subdivision (Tables)
17-2003	Adds zoning code § 101-801; approves RC-03-003 development agreement (Zoning Code)
18-2003	Amends Ch. 2.30, planning commission (2.30)
19-2003	Adopts roadway and transit development fees, park and recreation fee, housing trust fee and Mather Field public facilities financing plan development fee (16.84, 16.87, 16.89, 22.40)
20-2003	Adopts §§ 1.1.110 – 1.1.190, Chs. 3.40, 3.44, 4.02, 4.06, 4.10, 4.14, 4.18, 4.22, 4.23, 4.26, 4.28, 4.29, 4.30, 4.32, 4.34, 4.38, 4.50, 4.54, 4.58, 4.60 and 4.61, Title 5, Chs. 6.04, 6.08, 6.12, 6.16, 6.20, 6.24, 6.28, 6.29, 6.30, 6.32, 6.34, 6.36, 6.50, 6.56, 6.60, 6.64, 6.68, 6.80, 6.82, 6.84, 6.86, 6.87, 6.96, 6.99, 6.110 and 6.120, Title 8, Chs. 9.04, 9.08, 9.12, 9.16, 9.20, 9.28, 9.36, 9.38, 9.40, 9.41, 9.42, 9.44, 9.48, 9.70, 9.74, 9.76, 9.78, 9.80, 9.82, 9.83, 9.92, 9.93, 9.94, 9.96, 9.98 and 9.100, Title 10, Chs. 12.01, 12.03, 12.08, 12.09, 12.12, 12.16, 12.20 and 12.24, Titles 14 and 15, Chs. 16.02, 16.04, 16.08, 16.16, 16.18, 16.20, 16.21, 16.22, 16.23, 16.24, 16.28, 16.32, 16.36, 16.40 and 16.44, Titles 17, 19 and 21, Chs. 22.05, 22.10, 22.15, 22.20, 22.24, 22.25,

ITEM 11.1.

Rancho Cordova Municipal Code
Table B: Ordinance Table

ATTACHMENT 2
Exhibit A to the Ordinance

Page 32/53

	22.30, 22.50, 22.60, 22.70, 22.80, 22.90, 22.100, 22.110, 22.120, 22.130, 22.140, 22.150, 22.300 and 22.400 of the Sacramento County Code and Titles 1, 2 and 3 of the Sacramento Zoning Code; substitutes city references for Sacramento County references (1.01, 4.14, 4.18, 4.22, 4.23, 4.26, 4.29, 4.30, 4.32, 4.34, 4.38, 4.50, 4.54, 4.58, 4.60, 4.61, 5.04, 5.50, 5.60, 5.64, 5.75, 6.16, 6.24, 6.28, 6.30, 6.32, 6.56, 6.60, 6.64, 6.68, 6.80, 6.84, 6.87, 9.04, 9.08, 9.12, 9.16, 9.20, 9.28, 9.36, 9.38, 9.40, 9.41, 9.44, 9.48, 9.74, 9.78, 9.80, 9.82, 9.83, 9.92, 9.93, 9.94, 9.96, 9.98, 9.100, 10.04, 10.08, 10.12, 10.16, 10.20, 10.24, 10.32, 10.36, 10.40, 10.41, 10.44, 10.48, 10.58, 10.62, 10.64, 10.66, 12.01, 12.03, 12.08, 12.09, 12.12, 12.16, 12.20, 12.24, 14.05, 15.04, 15.05, 15.10, 16.08, 16.16, 16.18, 16.20, 16.22, 16.23, 16.44, 17.12, 19.08, 21.12, 22.05, 22.10, 22.15, 22.20, 22.24, 22.25, 22.30, 22.50, 22.60, 22.70, 22.80, 22.90, 22.100, 22.110, 22.120, 22.130, 22.140, 22.150, 22.160, 22.170, 22.180, 22.300, Zoning Code)
21-2003	Adopts §§ 1.1.110 – 1.1.190, Chs. 3.40, 3.44, 4.02, 4.06, 4.10, 4.14, 4.18, 4.22, 4.23, 4.26, 4.28, 4.29, 4.30, 4.32, 4.34, 4.38, 4.50, 4.54, 4.58, 4.60 and 4.61, Title 5, Chs. 6.04, 6.08, 6.12, 6.16, 6.20, 6.24, 6.28, 6.29, 6.30, 6.32, 6.34, 6.36, 6.50, 6.56, 6.60, 6.64, 6.68, 6.80, 6.82, 6.84, 6.86, 6.87, 6.96, 6.99, 6.110 and 6.120, Title 8, Chs. 9.04, 9.08, 9.12, 9.16, 9.20, 9.28, 9.36, 9.38, 9.40, 9.41, 9.42, 9.44, 9.48, 9.70, 9.74, 9.76, 9.78, 9.80, 9.82, 9.83, 9.92, 9.93, 9.94, 9.96, 9.98 and 9.100, Title 10, Chs. 12.01, 12.03, 12.08, 12.09, 12.12, 12.16, 12.20 and 12.24, Titles 14 and 15, Chs. 16.02, 16.04, 16.08, 16.16, 16.18, 16.20, 16.21, 16.22, 16.23, 16.24, 16.28, 16.32, 16.36, 16.40 and 16.44, Titles 17, 19 and 21, Chs. 22.05, 22.10, 22.15, 22.20, 22.24, 22.25, 22.30, 22.50, 22.60, 22.70, 22.80, 22.90, 22.100, 22.110, 22.120, 22.130, 22.140, 22.150, 22.300 and 22.400 of the Sacramento County Code and Titles 1, 2 and 3 of the Sacramento Zoning Code; substitutes city references for Sacramento County references (1.01, 4.14, 4.18, 4.22, 4.23, 4.26, 4.29, 4.30, 4.32, 4.34, 4.38, 4.50, 4.54, 4.58, 4.60, 4.61, 5.04, 5.50, 5.60, 5.64, 5.75, 6.16, 6.24, 6.28, 6.30, 6.32, 6.56, 6.60, 6.64, 6.68, 6.80, 6.84, 6.87, 9.04, 9.08, 9.12, 9.16, 9.20, 9.28, 9.36, 9.38, 9.40, 9.41, 9.42, 9.44, 9.48, 9.70, 9.74, 9.76, 9.78, 9.80, 9.82, 9.83, 9.92, 9.93, 9.94, 9.96, 9.98, 9.100, 10.04, 10.08, 10.12, 10.16, 10.20, 10.24, 10.32, 10.36, 10.40, 10.41, 10.44, 10.48, 10.58, 10.62, 10.64, 10.66, 12.01, 12.03, 12.08, 12.09, 12.12, 12.16, 12.20, 12.24, 14.05, 15.04, 15.05, 15.10, 16.08, 16.16, 16.18, 16.20, 16.22, 16.23, 16.44, 17.12, 19.08, 21.12, 22.05, 22.10, 22.15, 22.20, 22.24, 22.25, 22.30, 22.50, 22.60, 22.70, 22.80, 22.90, 22.100, 22.110, 22.120, 22.130, 22.140, 22.150, 22.160, 22.170, 22.180, 22.300, Zoning Code)
22-2003	Amends zoning code §§ 301-04.7 and 301-04.8 (Zoning Code)
23-2003	Continues Sacramento County roadway and transit development impact fees (16.87)
24-2003	Amends Ord. 07-2003, purchasing system (Repealed by 9-2012)
25-2003	Continues Sacramento County park and recreation development impact fee (22.40)
26-2003	Continues Sacramento County housing trust development impact fee (16.89)
27-2003	Continues Sacramento County Mather Field public facilities financing plan development impact fee (16.84)
28-2003	Adds Ch. 16.81, off-site roadway mitigation and library facilities development fees (16.81)
29-2003	Rezone (Special)
30-2003	Amends zoning code § 325-51 (Zoning Code)
1-2004	Rezone (Special)
2-2004	Special tax for police protection for Mather East Subdivision (Tables)

ITEM 11.1.

Rancho Cordova Municipal Code
Table B: Ordinance Table

ATTACHMENT 2
Exhibit A to the Ordinance

Page 33/53

3-2004	Establishes reduced speed limits for specific streets (10.50)
4-2004	Moratorium on sexually oriented businesses; amends zoning code § 325-51 (Zoning Code)
5-2004	Amends § 16.90.030, construction permit fee schedule (Repealed by 6-2010)
6-2004	Adds zoning code § 101-802; approves RC-03-001 development agreement (Zoning Code)
7-2004	Amends Ch. 4.22, cardrooms (4.22)
8-2004	Adds § 1.05.200; amends §§ 4.02.095, 16.18.204 and 16.22.205, hearings (1.05, 16.18, 16.22)
9-2004	(Number not used)
10-2004	Contract with California Public Employees' Retirement System (Special)
11-2004	Adds zoning code Title I, Chapter 10, Art. 11 and Title II, Chapter 35, Art. 11; repeals zoning code Ch. 21.14 (Zoning Code)
12-2004	Amends Ord. 4-2003, transient occupancy tax (3.08)
13-2004	Adds Ch. 10.30, human habitation of vehicles (10.30)
14-2004	Special tax for police protection for Sunridge Anatolia III Subdivision (Tables)
15-2004	Amends Ch. 16.02, administrative code (Repealed by 12-2019)
16-2004	Amends Ch. 16.24, plumbing code (Repealed by 17-2019)
17-2004	Amends Ch. 16.32, mechanical code (Repealed by 20-2019)
18-2004	Amends Ch. 16.28, electrical code (Repealed by 19-2019)
19-2004	Amends Ch. 16.04, building code (Repealed by 13-2019)
20-2004	Amends §§ 16.36.130, 16.36.210, 16.36.220, 16.36.230, 16.36.240, 16.36.250 and 16.36.310, swimming pools (Repealed by 21-2019)
21-2004	Special tax for police protection for Ellenwood Court Unit No. 2 Subdivision (Tables)
22-2004	Repeals and replaces Ch. 20.04, surface mining and reclamation (20.04)
23-2004	Special tax for police protection for Quick Fit Tire Subdivision (Tables)
24-2004	Adds Ch. 16.83, Sunrise Douglas Community Plan Area public facilities development impact fees (16.83)
25-2004	(Number not used)
26-2004	Rezone (Special)
27-2004	Special tax for police protection for Stone Creek Subdivision (Tables)
28-2004	Special tax for police protection for Sunridge Park Subdivision, Village Nos. 2A and 5A and a portion of Unit A (Repealed by 1-2019)
29-2004	Special tax for police protection for Sunridge Park Subdivision, Unit A (Repealed by 1-2019)
30-2004	Special tax for police protection for Sunridge Park Subdivision, Village Nos. 9A and 10A and a portion of Unit A (Repealed by 1-2019)
31-2004	Special tax for police protection for Villages of Zinfandel, Village No. 7 Subdivision (Tables)
32-2004	Special tax for police protection for Sunridge Park Subdivision, Village Nos. 1A, 4A,

ITEM 11.1.

Rancho Cordova Municipal Code
Table B: Ordinance Table

ATTACHMENT 2
Exhibit A to the Ordinance

Page 34/53

	6, 7, 8A and 11A and a portion of Unit A (Repealed by 1-2019)
33-2004	Special tax for police protection for Sunridge Park Subdivision, Village Nos. 3 (Repealed by 1-2019)
34-2004	Special tax for police protection for Anatolia I and II Subdivisions (Tables)
35-2004	Special tax for police protection for Anatolia I and II Subdivisions (Tables)
36-2004	Extends moratorium on sexually oriented businesses; amends zoning code § 325-51 (Zoning Code)
37-2004	Adds Ch. 16.18, Art. XV, shopping carts (16.18)
38-2004	Adds zoning code §§ 101-803, 101-804, 101-805, 101-806, 101-807, 101-808 and 101-809; approves development agreement with Sunridge and Villages of Zinfandel (Zoning Code)
39-2004	Sunridge Park Area Community Facilities District No. 2004-1 special tax (Tables)
40-2004	Special tax area Zone 9 for police protection for North Douglas I and II Subdivision (Repealed by 1-2019)
41-2004	Repeals and replaces Ch. 15.12, stormwater management and discharge control (15.12)
42-2004	Repeals and replaces Chs. 4.02, 4.06 and 4.10, business licenses (Repealed by 45-2004)
43-2004	(Number not used)
44-2004	Temporary moratorium on medical marijuana dispensaries (Special)
45-2004	Repeals and replaces Chs. 4.02, 4.06 and 4.10, business licenses (4.02, 4.06, 4.10)
46-2004	Amends Ch. 17.12, weed control (17.12)
47-2004	Amends zoning code §§ 110-83 and 110-86(e) (Zoning Code)
48-2004	Extends moratorium on medical marijuana dispensaries (Special)
49-2004	Rezone (Special)
50-2004	Amends §§ 16.18.102, 16.18.201, 16.18.202, 16.18.203, 16.18.204, 16.18.205, 16.18.301, 16.18.401, 16.18.501, 16.18.503, 16.18.512, 16.18.901, 16.18.902, 16.18.903, and 16.18.1001 and substitutes references (16.18)
51-2004	Amends zoning code (Zoning Code)
52-2004	Special tax for police protection for Luyung Drive Phase 4 Subdivision (Tables)
53-2004	Amends §§ 22.40.035 and 22.40.040; repeals and replaces § 22.40.045, park dedication and in-lieu fees (22.40)
54-2004	Adds zoning code § 101-810; approves development agreement for RC-03-002, North Douglas Project (Zoning Code)
55-2004	Redevelopment agency (Repealed by 15-2022)
56-2004	Amends Ch. 2.30, planning commission (2.30)
57-2004	Special tax for police protection for Anatolia I, Village 2 Subdivision (Tables)
58-2004	Special tax for police protection for Anatolia I, Village 5 Subdivision (Tables)
59-2004	Special tax for police protection for Anatolia I, Village 6 Subdivision (Tables)
60-2004	Special tax for police protection for Anatolia II, Village 10 Subdivision (Tables)

ITEM 11.1.

Rancho Cordova Municipal Code
Table B: Ordinance Table

ATTACHMENT 2
Exhibit A to the Ordinance

Page 35/53

61-2004	Special tax for police protection for Anatolia II, Village 11 Subdivision (Tables)
62-2004	Special tax for police protection for Anatolia II, Village 13 Subdivision (Tables)
63-2004	Special tax for police protection for Anatolia II, Village 14 Subdivision (Tables)
64-2004	Special tax for police protection for Anatolia II, Village 16 Subdivision (Tables)
65-2004	Special tax for police protection for Kennedy/Mills Station Road Subdivision (Tables)
66-2004	Adds zoning code § 101-811; approves development agreement for Anatolia Commons, Project No. RC-04-070 (Zoning Code)
67-2004	Amends Ord. 2-2003, city manager position and form of government, and Ord. 24-2003, purchasing system (2.04)
1-2005	Special tax for police protection for Anatolia II, Lot 8 Subdivision (Tables)
2-2005	(Number not used or adopted)
3-2005	Adds Ch. 4.07, tobacco retailer license (4.07)
4-2005	Amends Ch. 4.54, fireworks (4.54)
5-2005	Amends zoning code § 325-51; temporary moratorium on sexually oriented businesses (Zoning Code)
6-2005	Adds zoning code Ch. 40; rezone (Zoning Code)
7-2005	Adds zoning code § 101-812; approves development agreement for Capital Village Project (Zoning Code)
8-2005	Amends zoning code § 325-51(A); temporary moratorium on sexually oriented businesses (Zoning Code)
9-2005	Rezone (Special)
10-2005	Special tax for police protection for Capital Village Subdivision (Tables)
11-2005	Amends Ch. 16.28, electrical code (Repealed by 19-2019)
12-2005	Rezone (Special)
13-2005	Rezone (Special)
14-2005	Extends moratorium on medical marijuana dispensaries (Special)
15-2005	Rezone (Special)
16-2005	Amends zoning code Title 2, Chapter 15 and Title 3, Chapter 5 (Zoning Code)
17-2005	Adds Ch. 10.70, street racing (10.70)
18-2005	Amends Ch. 9.28, curfew (9.28)
19-2005	Adds zoning code § 101-812; approves development agreement for Capital Village Project (Zoning Code)
20-2005	Amends contract with California Public Employees' Retirement System (Special)
21-2005	Adds § 2.30.130, planning commission compensation (Repealed by 5-2011)
22-2005	Solid waste collection, transportation and disposal (Repealed by 23-2009)
23-2005	(Number not used or adopted)
24-2005	Adds Ch. 16.84, establishment of development impact fees to finance the cost of transportation facilities (16.84)

ITEM 11.1.

Rancho Cordova Municipal Code
Table B: Ordinance Table

ATTACHMENT 2
Exhibit A to the Ordinance

Page 36/53

25-2005	Amends § 16.18.401, public nuisances (16.18)
26-2005	Sunridge North Douglas Community Facilities District No. 2005-1 special tax (Repealed by 6-2015)
27-2005	Amends zoning code §§ 305-09.6, 305-13.1 and 305-13.2 (Zoning Code)
28-2005	(Number not used or adopted)
29-2005	Amends zoning code § 101-14 (Zoning Code)
30-2005	Adds zoning code § 101-813; approves development agreement for RC-04-096, Sunridge Park Phase II Project (Zoning Code)
31-2005	Special tax for transit-related services for Capital Village Subdivision (Tables)
32-2005	Extends authorization for development impact fees for transportation improvements (16.84)
33-2005	Adds [amends] Ch. 16.84, establishment of development impact fees to finance the cost of transportation facilities (16.84)
34-2005	(Number not used or adopted)
35-2005	Extends authorization for development impact fees for transportation improvements (16.84)
1-2006	Amends zoning code §§ 110-03, 110-06, 115-30, 120-52, 201-04(36), 225-1, 230-13(19), 301-02.1, 301-54, 301-55, 301-55.5, 301-62.5, 301-63, 301-64, 305-09.5, 305-82, 305-221, 315-02, 315-05, 330-07, 335-04, 335-09.5 and 335-11.1; repeals §§ 305-223 and 330-92.5 (Zoning Code)
2-2006	Amends zoning code § 325-51; extends moratorium on sexually oriented businesses (Zoning Code)
3-2006	(Number not used or adopted)
4-2006	(Number not used or adopted)
5-2006	Community Facilities District No. 2005-2 special tax (Tables)
6-2006	Adds [amends] Ch. 16.84, establishment of development impact fees to finance the cost of transportation facilities (16.84)
7-2006	Adds zoning code §§ 101-813, 101-814, 101-815, 101-816 and 101-817; approves development agreement for Sunridge East Projects (Zoning Code)
8-2006	Rezone (Special)
9-2006	Rezone (Special)
10-2006	Adds zoning code § 101-822; approves development agreement for Montelena (Zoning Code)
11-2006	(Number not used or adopted)
12-2006	Adds § 10.24.075, prohibition of parking commercial and recreational vehicles on public roadways (10.24)
13-2006	Amends zoning code § 607-15(45), (46), (47), (48) and (49) (Zoning Code)
14-2006	Amends conditions of approval relating to traffic phasing requirements attached to land use rezoning ordinance SZC 2002-0014 (Special)
15-2006	Amends zoning code §§ 101-801, 101-803, 101-804, 101-805, 101-806, 101-810 and 101-813 (Zoning Code)
16-2006	(Number not used or adopted)

ITEM 11.1.

Rancho Cordova Municipal Code
Table B: Ordinance Table

**ATTACHMENT 2
Exhibit A to the Ordinance**

Page 37/53

17-2006	Amends Ch. 12.09, street trench fee (12.09)
18-2006	Rezone (Special)
19-2006	Adds zoning code § 101-818; approves development agreement for Anatolia IV RC 03-023 (Zoning Code)
20-2006	Rezone (Special)
21-2006	Adds zoning code § 101-819; approves development agreement for Cresleigh Homes RC-03-027 (Zoning Code)
22-2006	Adds zoning code § 101-814; approves development agreement for Sundance Project RC-04-122 (Zoning Code)
23-2006	(Number not used or adopted)
24-2006	Special tax for police protection for Montelena Subdivision (Repealed by 11-2013)
25-2006	Special tax for police protection for Sunridge Park, Phase II Subdivision, Lots D, E, F, G and 11 (Repealed by 1-2019)
26-2006	Special tax for police protection for Sunridge Park, Phase II Subdivision, Villages 1B, 4C, 4D, 8C and 11B (Repealed by 1-2019)
27-2006	Special tax for police protection for Sunridge Park, Phase II Subdivision, Villages 2B, 5C and 5D (Repealed by 1-2019)
28-2006	Special tax for police protection for Sunridge Park, Phase II Subdivision, Villages 9B and 10B (Repealed by 1-2019)
29-2006	Special tax for police protection for Anatolia IV Subdivision (Repealed by 16-2018)
30-2006	Special tax for police protection for Arista Del Sol Subdivision (Tables)
31-2006	Special tax for police protection for Cresleigh Sunridge Subdivision (Repealed by 1-2019)
32-2006	Special tax for police protection for Douglas 98 Subdivision (Repealed by 1-2019)
33-2006	Special tax for police protection for Douglas 103 Subdivision (Tables)
34-2006	Adds zoning code § 101-816; approves development agreement for Pulte Homes Corporation, Grant Line 208 Project (Zoning Code)
35-2006	Rezone (Special)
36-2006	Amends zoning code for the Capital Village Special Planning Area (Zoning Code)
37-2006	Special tax for police protection for Tax Zone 2A, Sundance Subdivision (Tables)
38-2006	Special tax for police protection for Grant Line 208 Subdivision (Repealed by 1-2019)
39-2006	Adds zoning code § 101-820; approves development agreement for Anthology at Anatolia, RC-04-157 (Zoning Code)
40-2006	Rezone (Special)
41-2006	Adds zoning code § 101-822; approves development agreement for Preserve at Sunridge, RC-03-052 (Zoning Code)
42-2006	Amends Ord. 4-2003, Section 2 (3.08)
43-2006	Adopts redevelopment plan (Special)
44-2006	Rezone (Special)
45-2006	Adds zoning code § 101-821; approves development agreement for RC-05-190,

ITEM 11.1.

Rancho Cordova Municipal Code
Table B: Ordinance Table

ATTACHMENT 2
Exhibit A to the Ordinance

Page 38/53

	Trinity Garden Estates (Zoning Code)
46-2006	Amends zoning code relating to the Capital Village Special Planning Area (Zoning Code)
47-2006	Adds Ch. 6.130, protection of children from sexual offenders (Repealed by 16-2014)
48-2006	Adds zoning code § 101-820; approves development agreement for RC-05-148, Ellenwood Condominium Project (Zoning Code)
49-2006	Amends contract with California Public Employees' Retirement System (Special)
50-2006	Rezone (Special)
51-2006	Adds zoning code § 101-825; approves development agreement for RC-05-183, Old Placerville Road Project (Zoning Code)
52-2006	Franchise grant (Special)
53-2006	Franchise grant (Special)
54-2006	Amends § 16.18.205(d), nuisance violations and penalties (16.18)
55-2006	Amends § 6.130.040(a), protection of children from sexual offenders (Repealed by 16-2014)
56-2006	Amends §§ 4.22.015, 4.22.020 and 4.22.145, cardrooms (4.22)
57-2006	Adds zoning code Title 2, Chapter 40, and adopts Folsom Boulevard specific plan (Zoning Code)
58-2006	Temporary moratorium on establishment of new cardrooms (Special)
59-2006	(Number not used or adopted)
60-2006	Amends § 16.18.205(f), nuisance violations and penalties (16.18)
61-2006	(Number not used or adopted)
62-2006	Extends moratorium on establishment of new cardrooms (Special)
1-2007	Temporary moratorium on establishment of new recycling businesses, check cashing businesses, pawn shops, resale shops, smoke shops and tattoo parlors (Special)
2-2007	Approves development agreement amendment for Anatolia III, Village 23 Project (Special)
3-2007	Special tax for police protection for Gold Flake Court Subdivision (Tables)
4-2007	Repeals and replaces Title 8, animals (8.01, 8.02, 8.03, 8.04, 8.05, 8.08, 8.10)
5-2007	Amends zoning code § 325-51; moratorium on sexually oriented businesses (Zoning Code)
6-2007	Extends moratorium on establishment of new recycling businesses, check cashing businesses, pawn shops, resale shops, smoke shops and tattoo parlors (Special)
7-2007	Amends § 16.90.030, residential photovoltaic solar system permit fees (Repealed by 6-2010)
8-2007	Amends zoning code § 325-51; extends moratorium on sexually oriented businesses (Zoning Code)
9-2007	Adds Ch. 6.135, cemetery operation and maintenance (6.135)
10-2007	Amends § 3.40.060(e), telephone user tax (Repealed by 9-2010)
11-2007	Adds Ch. 16.19, maintenance of boarded and vacant buildings (16.19)

ITEM 11.1.

Rancho Cordova Municipal Code
Table B: Ordinance Table

ATTACHMENT 2
Exhibit A to the Ordinance

Page 39/53

12-2007	Prezone (Special)
13-2007	Adopts program for use of eminent domain (Special)
14-2007	Extends moratorium on establishment of new cardrooms (Special)
15-2007	Amends zoning code Title II, Chapter 40 (Zoning Code)
16-2007	Temporary moratorium on new and existing massage establishments (Special)
17-2007	Special tax for police protection for Ellenwood Commons Subdivision (Tables)
18-2007	(Not adopted)
19-2007	Special tax for transit-related services for Ed Fund office buildings (Tables)
20-2007	Extends moratorium on new and existing massage establishments (Special)
21-2007	Special tax for transit-related services for Old Placerville Road Project (Tables)
22-2007	Amends § 5.50.112(2)(a) and (9), cable television (5.50)
23-2007	Amends Ch. 9.28, curfew (9.28)
24-2007	(Not adopted)
25-2007	Amends development agreement for Montelena (Special)
26-2007	Adds § 16.20.915 and Art. 12, §§ 16.20.1200 – 16.20.1220; amends §§ 16.20.010, 16.20.015, 16.20.100, 16.20.400, 16.20.560, 16.20.600(a) and (b), 16.20.900, 16.20.905 and 16.20.950; repeals §§ 16.20.430 – 16.20.480, housing code (16.20)
27-2007	Extends moratorium on establishment of new recycling businesses, check cashing businesses, pawn shops, resale shops, smoke shops and tattoo parlors (Special)
28-2007	Amends § 4.54.375(b), fireworks general provisions (4.54)
29-2007	Amends Ch. 16.02, administrative code (Repealed by 12-2019)
30-2007	Amends Ch. 16.04, building code (Repealed by 13-2019)
31-2007	Amends Ch. 16.24, plumbing code (Repealed by 17-2019)
32-2007	Amends Ch. 16.28, electrical code (Repealed by 19-2019)
33-2007	Amends Ch. 16.32, mechanical code (Repealed by 20-2019)
34-2007	Amends §§ 16.36.130, 16.36.210, 16.36.220, 16.36.230, 16.36.240, 16.36.250 and 16.36.310, and renames Article III of Ch. 16.36, swimming pools (Repealed by 21-2019)
35-2007	Amends Ch. 17.04, fire code (Repealed by 20-2018)
36-2007	Rezone (Special)
37-2007	Approves development agreement for North Douglas II (Special)
38-2007	Amends §§ 3.40.040(l), 4.02.100, 4.06.085, 4.06.115, 4.26.000, 4.32.005, 4.34.055(e), 4.34.220, 4.38.055, 4.38.090, 4.50.110, 4.50.150, 4.60.020, 5.04.030(c), 5.04.070, 5.04.090, 5.04.100, 5.04.110, 5.04.120, 5.04.390, 5.04.400, 5.04.510, 5.04.640, 5.04.650, 5.64.010, 5.64.040, 5.64.060, 5.64.130, 5.64.170, 5.64.180, 5.75.802, 6.16.010, 6.16.040, 6.56.210, 6.56.220(b)(iii), 6.56.270, 6.56.320, 6.56.370, 6.60.020, 6.64.060, 6.68.090(i), 6.68.145, 9.36.010, 9.36.030, 9.36.057.5, 9.36.059, 9.36.080, 9.36.081, 9.82.060, 9.92.020(b), 9.98.075, 9.100.020, 10.04.030, 10.24.175, 10.36.010, 10.40.010, 10.44.010, 10.58.150, 12.03.010(a), 12.03.030, 12.03.040, 12.03.210, 12.08.010, 12.08.030, 12.08.060, 12.12.050(b), 12.24.020, 12.24.030(e), 12.24.070, 14.05.010, 14.05.410, 16.16.040, 16.18.1002, 16.18.1007, 16.20.100(e),

ITEM 11.1.

Rancho Cordova Municipal Code
Table B: Ordinance Table

ATTACHMENT 2
Exhibit A to the Ordinance

Page 40/53

	(i) and (j), 16.20.220(f), 16.20.560(d)(1), 16.20.750(a), 16.20.755, 16.20.760, 16.22.300(c), 16.22.500(a), 16.22.501, 16.22.502, 16.40.130, 16.44.020(1), 16.44.130, 16.44.360, 19.04.030(13), 19.04.040, 19.04.050(b), 19.04.060(c), 19.04.070, 19.04.090, 19.04.100(7), 19.04.140, 19.08.020(b), 19.08.040, 19.08.100, 19.08.150, 19.08.160, 19.08.170, 19.08.180, 19.12.040, 19.12.060, 19.12.065, 19.12.070(c), 19.12.160(d), 19.12.200, 19.12.210, 19.12.220, 21.12.070, 22.10.130, 22.10.141, 22.20.017, 22.20.025, 22.20.032, 22.20.045, 22.120.020, 22.120.025, 22.120.030, 22.130.010, 22.130.015, 22.140.010, 22.140.015, and 22.150.010(e); rennumbers Chs. 9.70 to be 22.170, 14.10 to be 22.180 and 21.15 to be 22.160; repeals and replaces § 14.05.430; repeals Ch. 3.44, §§ 4.02.120, 4.50.010, 4.50.060, 4.50.135(d) and 5.64.020(h) and (i), Chs. 6.04, 6.08, 6.12, 6.29, 6.34, 6.36 and 6.50, §§ 6.64.010(d), (e), (f) and (g), 6.64.030, 6.64.040, 6.64.050, 6.64.080, 6.64.090, 6.64.100, 6.64.130 and 6.68.100, Chs. 6.82, 6.96, 6.99, 6.110, 9.42 and 9.76, §§ 10.04.070, 10.04.110, 10.08.070, 10.36.020, 10.36.030, 10.40.040 and 10.58.180, Chs. 10.22, 10.28, 10.42, 10.52 and 10.60, §§ 14.05.300, 14.05.420 and 14.05.440, Ch. 16.21, §§ 19.04.030(3) and (7) and 19.08.020(a), Chs. 21.05 and 21.10, §§ 22.20.030, 22.20.032(b) and (c), 22.20.035, 22.20.038, 22.20.040, 22.20.050, 22.20.055, 22.20.080, and 22.20.085 and Ch. 22.400; updates references in code, specifically Chs. 4.38, 4.50, 5.04, 5.64, 6.16, 6.64, 6.80, 9.36, 10.24, 10.30, 14.05, 16.20, 16.40, 19.12, 21.15 and Title 22 (4.02, 4.06, 4.14, 4.18, 4.23, 4.26, 4.29, 4.30, 4.32, 4.34, 4.38, 4.50, 4.54, 4.58, 4.60, 4.61, 5.04, 5.64, 5.75, 6.16, 6.28, 6.32, 6.56, 6.60, 6.64, 6.68, 6.80, 9.16, 9.36, 9.40, 9.82, 9.83, 9.92, 9.94, 9.96, 9.98, 9.100, 10.04, 10.08, 10.12, 10.24, 10.36, 10.40, 10.41, 10.44, 10.58, 10.64, 10.66, 12.03, 12.08, 12.12, 12.16, 12.24, 14.05, 16.08, 16.16, 16.18, 16.20, 16.22, 16.23, 16.44, 19.08, 21.12, 22.05, 22.10, 22.20, 22.24, 22.30, 22.40, 22.90, 22.110, 22.120, 22.130, 22.140, 22.150, 22.160, 22.170, 22.180, 22.300)
39-2007	(Not adopted)
40-2007	(Not adopted)
41-2007	Amends Ord. 22-2005 § 14, termination or suspension of franchise (Repealed by 23-2009)
42-2007	(Not adopted)
1-2008	Adds Ch. 9.91, social host ordinance (9.91)
2-2008	Special tax for transit-related services for the Bloodsource Laboratory building (Tables)
3-2008	(Not used or adopted)
4-2008	Amends zoning code § 325-51; extends moratorium on sexually oriented businesses (Zoning Code)
5-2008	(Not used or adopted)
6-2008	(Not used or adopted)
7-2008	Special tax for transit-related services for the department of Mather office complex buildings (Tables)
8-2008	Special tax for transit-related services for the department of environmental management office complex buildings (Tables)
9-2008	Amends zoning code Title II, Chs. 25 and 40 and Folsom Boulevard specific plan (Zoning Code)
10-2008	Amends Ch. 4.22, cardrooms (4.22)
11-2008	(Not used or adopted)

ITEM 11.1.

Rancho Cordova Municipal Code
Table B: Ordinance Table

ATTACHMENT 2
Exhibit A to the Ordinance

Page 41/53

12-2008	(Not used or adopted)
13-2008	Amends Folsom Boulevard specific plan for Folsom Boulevard corridor (Special)
14-2008	Adds §§ 16.83.105 and 16.84.065, temporary deferral of development and impact fee payments (16.83, 16.84)
15-2008	Temporary moratorium on new and existing massage establishments (Special)
16-2008	(Not adopted)
17-2008	Special tax for transit-related services for the Sunrise Palms Plaza project (Tables)
18-2008	(Not adopted)
19-2008	(Not used or adopted)
20-2008	Adds Ch. 6.21, business and multifamily recycling (Repealed by 2-2016)
21-2008	(Not adopted)
22-2008	Special tax for transit-related services for the 3581 Mather Field Road project (Tables)
23-2008	Community Facilities District No. 2008-1 special tax (Tables)
24-2008	Adds Ch. 6.21 [6.22], prohibition against unauthorized entry into waste containers (6.22)
25-2008	Special tax for transit-related services for the Zinfandel and Sunrise project (Special)
26-2008	Adds Ch. 16.17, maintenance of foreclosed property (16.17)
27-2008	Adopts zoning code (23.101, 23.104, 23.107, 23.110, 23.113, 23.116, 23.119, 23.122, 23.125, 23.128, 23.131, 23.134, 23.141, 23.143, 23.146, 23.149, 23.152, 23.155, 23.158, 23.170, 23.173, 23.301, 23.304, 23.307, 23.310, 23.313, 23.316, 23.319, 23.325, 23.501, 23.504, 23.507, 23.510, 23.513, 23.701, 23.704, 23.710, 23.713, 23.716, 23.719, 23.722, 23.725, 23.728, 23.731, 23.734, 23.737, 23.740, 23.743, 23.901, 23.904, 23.907, 23.910, 23.913, 23.916, 23.919, 23.922, 23.1104)
28-2008	Extends moratorium on establishment of new recycling businesses and resale shops (Special)
1-2009	Adds Ch. 16.85, establishment of development impact fees for Measure A transportation improvements (16.85)
2-2009	Adds Art. Vd to Ch. 5.50; amends § 5.50.108, Digital Infrastructure and Video Competition Act (5.50)
3-2009	(Number not used)
4-2009	(Number not used)
5-2009	Amends § 16.81.140, program fee adjustment for Villages of Zinfandel special plan area (16.81)
6-2009	Amends § 16.83.200, program fee adjustment for Sunrise Douglas community plan area (16.83)
7-2009	Amends § 16.84.130, program fee adjustment for transportation impact fees (16.84)
8-2009	Adds §§ 8.01.011, 8.01.012, 8.01.013, 8.01.015, 8.01.016, 8.01.017, 8.01.018, 8.01.019, 8.01.071, 8.01.101, 8.01.110, 8.01.120, 8.01.130, 8.01.140 and 8.03.005; amends § 8.03.060; repeals and replaces Chs. 8.06, 8.07 and 8.09; replaces references in Title 8, animals (8.01, 8.02, 8.03, 8.04, 8.06, 8.07, 8.09)
9-2009	Adds Ch. 4.33; amends §§ 4.06.005, 4.06.065, 4.34.000, 4.34.010, 4.34.055, 4.34.070, 4.34.205, 4.34.210, 4.34.215 and 4.34.220; repeals §§ 4.34.030, 4.34.080,

ITEM 11.1.

Rancho Cordova Municipal Code
Table B: Ordinance Table

ATTACHMENT 2
Exhibit A to the Ordinance

Page 42/53

	4.34.085, 4.34.095, 4.34.100 and 4.34.105, massage establishments and massage technicians (4.06, 4.34)
10-2009	Amends §§ 16.83.105 and 16.84.065, deferral of development impact fees (16.83, 16.84)
11-2009	Repeals § 16.85.140 (Repealer)
12-2009	Amends Folsom Boulevard specific plan (Special)
13-2009	Amends §§ 4.02.100 and 4.02.105, violations and enforcement (4.02)
14-2009	Special tax for transit-related services for Cordova Casino and Restaurant (Special)
15-2009	Amends Ords. 24-2006, 25-2006, 26-2006, 27-2006, 28-2006, 29-2006, 30-2006, 31-2006, 32-2006, 33-2006, 37-2006, 38-2006 and 3-2007, police tax area zones (Special)
16-2009	(Not adopted)
17-2009	Adds Ch. 9.81, aggressive, intrusive, and unsafe panhandling (9.81)
18-2009	(Not adopted)
19-2009	Special tax for transit-related services for 11301 Dismantle Court project (Special)
20-2009	Resale shop moratorium (Special)
21-2009	(Not adopted)
22-2009	Extends resale shop moratorium (Special)
23-2009	Solid waste regulations; repeals Ords. 22-2005 and 41-2007 (Repealed by 22-2013)
24-2009	Amends Folsom Boulevard specific plan (Special)
25-2009	Amends development agreement, Villages of Zinfandel (Special)
1-2010	Amends § 4.22.115(A), cardrooms (4.22)
2-2010	Amends § 16.90.030(N), construction permit fees (Repealed by 6-2010)
3-2010	Amends § 16.81.140, program fee adjustment for Villages of Zinfandel special plan area (16.81)
4-2010	Amends § 16.83.200, program fee adjustment for Sunrise Douglas community plan area (16.83)
5-2010	Amends § 16.84.130, program fee adjustment for transportation impact fees (16.84)
6-2010	Amends §§ 4.02.100, 4.07.080, 4.07.110, 12.09.030, 12.09.080, 12.09.130, 16.90.010 and 16.90.020; repeals § 16.90.030, fees (4.02, 4.07, 12.09, 16.90)
7-2010	Adds Ch. 23.328; amends Ch. 23.316 and §§ 23.919.060(C)(2)(a) and (f) and 23.1101.020, zoning (23.316, 23.328, 23.919, 23.1104)
8-2010	(Not adopted)
9-2010	Repeals and replaces Ch. 3.40, utility users' tax (3.40)
10-2010	(Not adopted)
11-2010	(Not adopted)
12-2010	(Not adopted)
13-2010	Amends §§ 3.08.020, 3.08.070 and 3.08.160, transient occupancy tax (3.08)
14-2010	Adopts Rio del Oro specific plan (Special)

ITEM 11.1.

Rancho Cordova Municipal Code
Table B: Ordinance Table

ATTACHMENT 2
Exhibit A to the Ordinance

Page 43/53

15-2010	Amends § 23.322.030(C)(4) and zoning map, Rio del Oro project area (Repealed by 6-2011)
16-2010	Approves development agreement, Rio del Oro project (Special)
17-2010	Adds Ch. 6.90, marijuana cultivation (Repealed by 10-2017)
18-2010	Adds Ch. 3.80, cannabis business tax (3.80)
19-2010	Adds Ch. 3.85, personal cannabis cultivation tax (3.85)
20-2010	Amends Table 23.316-1, industrial zoning (23.316)
21-2010	Adds Ch. 6.140, unattended donation boxes (6.140)
22-2010	Amends Ch. 16.02, administrative code (Repealed by 12-2019)
23-2010	Amends Ch. 16.04, building code (Repealed by 13-2019)
24-2010	Amends Ch. 16.24, plumbing code (Repealed by 17-2019)
25-2010	Amends Ch. 16.28, electrical code (Repealed by 19-2019)
26-2010	Amends Ch. 16.32, mechanical code (Repealed by 20-2019)
27-2010	Amends Ch. 16.36, swimming pool, spa and hot tub code (Repealed by 21-2019)
28-2010	Amends Ch. 17.04, fire code (Repealed by 20-2018)
29-2010	Adds Ch. 16.06, residential code (Repealed by 15-2019)
30-2010	Adds Ch. 16.26, energy code (16.26)
31-2010	Adds Ch. 16.38, green building code (Repealed by 22-2019)
32-2010	Amends §§ 16.83.105 and 16.84.065, development impact fee deferral (16.83, 16.84)
33-2010	Reapproves development agreement, Rio del Oro project (Special)
34-2010	Amends § 3.08.040, transient occupancy tax (3.08)
1-2011	Amends § 16.81.140, program fee adjustment for Villages of Zinfandel special plan area (16.81)
2-2011	Amends § 16.83.200, program fee adjustment for Sunrise Douglas community plan area (16.83)
3-2011	Amends § 16.84.130, program fee adjustment for transportation impact fees (16.84)
4-2011	Amends § 23.313.020(B), commercial mixed-use zoning district (23.313)
5-2011	Amends § 2.30.010; repeals §§ 2.30.020 through 2.30.130, planning commission (2.30)
6-2011	Adds Chs. 23.1000 and 23.1005, special purpose zones and special planning areas; repeals Ch. 23.322 (23.1000, 23.1005)
7-2011	Moratorium on medical marijuana dispensaries (Special)
8-2011	Amends § 4.02.060, business license fees (4.02)
9-2011	Moratorium on medical marijuana dispensaries (Special)
10-2011	(Not adopted)
11-2011	Adopts amendment to Folsom Boulevard specific plan (Special)
12-2011	Amends Title 23, zoning code, and adopts zoning map amendments (23.101, 23.104, 23.107, 23.110, 23.113, 23.116, 23.119, 23.122, 23.125, 23.128, 23.131, 23.134, 23.140, 23.141, 23.143, 23.146, 23.149, 23.152, 23.155, 23.158, 23.170, 23.173,

ITEM 11.1.

Rancho Cordova Municipal Code
Table B: Ordinance Table

ATTACHMENT 2
Exhibit A to the Ordinance

Page 44/53

	23.301, 23.304, 23.307, 23.310, 23.313, 23.316, 23.319, 23.325, 23.328, 23.701, 23.704, 23.710, 23.713, 23.716, 23.719, 23.722, 23.725, 23.728, 23.731, 23.734, 23.737, 23.740, 23.743, 23.901, 23.904, 23.907, 23.910, 23.913, 23.916, 23.919, 23.922, 23.1104)
13-2011	Rezone (Special)
1-2012	Amends Folsom Boulevard specific plan (Special)
2-2012	Amends Folsom Boulevard specific plan (Special)
3-2012	Amends § 16.81.140, annual program fee adjustment (16.81)
4-2012	Amends § 16.83.200, annual program fee adjustment (16.83)
5-2012	Amends § 16.84.130, annual program fee adjustment (16.84)
6-2012	Adds [amends] §§ 4.22.005, 4.22.105, 4.22.110, 4.22.115, 4.22.125 and 4.22.145; repeals §§ 4.22.165 and 16.17.060, cardrooms (4.22)
7-2012	Adopts amended development agreement for Montelena Project (Repealed by 12-2012)
8-2012	(Not adopted)
9-2012	Amends § 2.04.110; repeals and replaces Ch. 3.60, purchasing system (2.04, 3.60)
10-2012	Moratorium on medical marijuana dispensaries (Special)
11-2012	Repeals and replaces Ch. 6.120; repeals § 16.18.903, abatement of graffiti (6.120)
12-2012	Adopts amended development agreement for Montelena Project; repeals Ord. 7-2012 (Special)
13-2012	(Not adopted)
14-2012	Adds Ch. 3.90, cardroom tax (3.90)
15-2012	Repeals §§ 4.22.020(C) and 4.22.115(B), cardrooms (4.22)
16-2012	Amends Ch. 23.743, signs (23.743)
17-2012	(Not adopted)
18-2012	Adds § 23.731.080(I), electric fences (23.731)
19-2012	Adds § 16.20.221; amends §§ 16.20.015(B), 16.20.1100, 16.20.1115, 16.20.1120, 16.20.1130, 16.20.1135, 16.20.1200(A) and 16.20.1205, and footnote to Art. XI title; repeals §§ 16.20.1105 and 16.20.1150, housing code (16.20)
20-2012	Franchise grant (Special)
21-2012	(Not adopted)
22-2012	Amends §§ 6.21.010, 6.21.020, 6.21.030(A), 6.21.140 and 6.21.150(A); repeals and replaces Ch. 6.20, solid waste management and recycling (Repealed by 17-2020)
23-2012	Amends § 23.743.150, digital freeway signs overlay (23.743)
1-2013	(Not adopted)
2-2013	Community Facilities District No. 2013-2 special tax (Tables)
3-2013	Amends Ch. 16.84, development impact fees to finance the cost of transportation facilities (16.84)
4-2013	Amends § 4.22.115, cardrooms (4.22)
5-2013	Moratorium on computer gaming and Internet access businesses (Special)

ITEM 11.1.

Rancho Cordova Municipal Code
Table B: Ordinance Table

ATTACHMENT 2
Exhibit A to the Ordinance

Page 45/53

6-2013	Amends Folsom Boulevard specific plan (Special)
7-2013	Amends §§ 16.83.065, 16.83.105 and 16.83.120(C); repeals § 16.83.140(G), public facilities development fees (16.83)
8-2013	Amends §§ 16.81.050 and 16.81.090; repeals § 16.81.110(A), off-site roadway mitigation and library facilities development fees (16.81)
9-2013	Adds Ch. 16.92, construction and demolition debris (Repealed by 3-2016)
10-2013	Extends moratorium on computer gaming and Internet access businesses (Special)
11-2013	Repeals Ord. 24-2006, special tax for police protection for Montelena Subdivision (Repealer)
12-2013	Amends § 9.36.061, park regulations (9.36)
13-2013	Amends §§ 6.20.130, 6.20.150, 6.20.230, 6.20.270, 6.20.290, 6.20.300, 6.20.310 and 6.20.340, solid waste management; adds §§ 23.113.040 and 23.113.050; amends §§ 23.104.030, 23.110.020, 23.110.040, 23.110.150, 23.113.020, 23.113.030, 23.116.010, 23.119.030, 23.131.040, 23.134.060, 23.140.030, 23.140.050, 23.141.030, 23.152.060, 23.164.040, 23.167.020, 23.167.050, 23.170.040, 23.173.080, 23.301.020, 23.301.030, 23.325.050, 23.325.080, 23.704.040, 23.713.080, 23.716.060, 23.719.110, 23.719.120, 23.722.050, 23.725.040, 23.731.030, 23.731.050, 23.731.060, 23.731.070, 23.731.080, 23.734.030, 23.734.050, 23.901.030, 23.904.020, 23.907.020, 23.907.030, 23.913.030, 23.919.060, 23.1101.020 and 23.1104.020, zoning (23.104, 23.110, 23.113, 23.116, 23.119, 23.131, 23.134, 23.140, 23.141, 23.152, 23.170, 23.173, 23.301, 23.325, 23.704, 23.713, 23.716, 23.719, 23.722, 23.725, 23.731, 23.734, 23.901, 23.904, 23.907, 23.913, 23.919, 23.1104)
14-2013	Amends § 23.1000.030(C)(6), Mather Field special planning area (23.1000)
15-2013	Adds Chs. 9.102 and 23.925; amends §§ 4.06.085 and 23.1101.020, medical marijuana dispensaries (4.06, 9.102, 23.925, 23.1104)
16-2013	Adds Ch. 9.102; amends § 4.06.085, medical marijuana dispensaries (4.06, 9.102)
17-2013	Adds Ch. 23.925; amends § 23.1101.020, medical marijuana dispensaries (23.925, 23.1104)
18-2013	Amends § 23.325.020, convention overlay district (23.325)
19-2013	Amends § 23.325.020, convention overlay district; amends Folsom Boulevard specific plan (23.325)
20-2013	Adds Ch. 16.03, safety assessment placards (16.03)
21-2013	Moratorium on medical marijuana dispensaries (Special)
22-2013	Amends Ch. 16.02, uniform administrative code (Repealed by 12-2019)
23-2013	Amends development agreement for Montelena (Special)
24-2013	Approves development agreement amendment for Anatolia III project (Special)
25-2013	Amends §§ 23.158.030(A) and (D), development agreements (23.158)
26-2013	Approves development agreement amendment for Douglas 98 Project (Special)
27-2013	(Number not used)
28-2013	Approves development agreement amendment for Anatolia III project (Special)
29-2013	Rezones parcels within Sunridge planning area (Special)
30-2013	Adds Ch. 8.11; amends Table 23.310-1, keeping of backyard hens (8.11, 23.310)

ITEM 11.1.

Rancho Cordova Municipal Code
Table B: Ordinance Table

ATTACHMENT 2
Exhibit A to the Ordinance

Page 46/53

31-2013	Amends Ch. 16.02, uniform administrative code (Repealed by 12-2019)
32-2013	Amends Ch. 16.04, building code (Repealed by 13-2019)
33-2013	Amends Ch. 16.06, residential code (Repealed by 15-2019)
34-2013	Amends Ch. 16.24, plumbing code (Repealed by 17-2019)
35-2013	Amends Ch. 16.26, energy code (16.26)
36-2013	Amends Ch. 16.28, electrical code (Repealed by 19-2019)
37-2013	Amends Ch. 16.32, mechanical code (Repealed by 20-2019)
38-2013	Amends Ch. 16.36, swimming pools (Repealed by 21-2019)
39-2013	Amends Ch. 16.38, green building code (Repealed by 22-2019)
40-2013	Amends Title 17, fire prevention (17.12)
41-2013	Adopts SunCreek specific plan (Special)
42-2013	Approves development agreements for SunCreek project (Special)
43-2013	Amends §§ 1.01.190, 6.60.020, 6.90.070, 6.120.020(H) and 8.04.050, title of Ch. 9.80 and §§ 9.80.010, 9.80.040 and 16.18.205(D), code enforcement (1.01, 6.60, 6.120, 8.04, 9.80, 16.18)
44-2013	Amends Folsom Boulevard specific plan and zoning map (Special)
1-2014	Adds § 2.04.115; amends § 2.38.020; repeals § 3.60.030(C), authority to settle third party disputes (2.04, 2.38, 3.60)
2-2014	Amends Sacramento County Zoning Code Ordinance 2002-0014, collection of fees for Sunridge Specific Plan Area (Special)
3-2014	Amends Sacramento County Zoning Code Ordinance 2002-0015 to eliminate certain fee requirements for Sunridge Specific Plan Area (Special)
4-2014	Amends § 16.81.140, annual program fee adjustment (16.81)
5-2014	Amends § 16.83.200, annual program fee adjustment (16.83)
6-2014	Moratorium on computer gaming and Internet access businesses (Special)
7-2014	Adds Ch. 15.11, annual storm water utility fee (15.11)
8-2014	Moratorium on private smokers' lounges, e-cigarette lounges, vapor bars and hookah bars (Special)
9-2014	Adds §§ 6.84.024 and 6.84.041; amends §§ 6.84.045 and 6.86.040, electronic cigarettes and smoking devices (6.84)
10-2014	Approves development agreement for Sunridge Lot J project (Special)
11-2014	Extends moratorium on private smokers' lounges, e-cigarette lounges, vapor bars and hookah bars (Special)
12-2014	Amends Chs. 23.119 and 23.743, signs (23.119, 23.743)
13-2014	Amends § 4.07.030, Ch. 6.84 and § 23.1101.020, smoking (4.07, 6.84, 23.1104)
14-2014	Community Facilities District No. 2014-1 special tax (Tables)
15-2014	Community Facilities District No. 2014-2 special tax (Tables)
16-2014	Repeals Ch. 6.130, protection of children from sexual offenders (Repealer)
17-2014	Adds §§ 9.81.030(D) – (H) and 9.81.050; amends §§ 9.81.010(C) – (E), 9.81.020 and

ITEM 11.1.

Rancho Cordova Municipal Code
Table B: Ordinance Table

ATTACHMENT 2
Exhibit A to the Ordinance

Page 47/53

	9.81.040, prohibition against aggressive, intrusive and unsafe panhandling (9.81)
18-2014	Approves development agreement amendment for Sunridge North Douglas project (Special)
19-2014	Special tax for transit-related services for 3500 Fitzgerald Road Industrial Building project (Tables)
20-2014	Adds §§ 8.08.050, 8.08.060, 8.08.070, 8.08.080 and 8.08.090; amends §§ 8.01.110, 8.03.010, 8.04.030, 8.06.030(M)(3), 8.07.015, 8.07.040, 8.07.045, 8.07.060(D), 8.09.020, 8.09.030, 8.09.050(A) and 8.09.130(F)(1), (H), (I) and (J)(1), animals (8.01, 8.03, 8.04, 8.06, 8.07, 8.08, 8.09)
21-2014	Adds Ch. 3.05, transactions and use tax (3.05)
22-2014	Adds Art. XVI to Ch. 16.18, repeat nuisance service calls (16.18)
23-2014	Adds § 23.325.090, overlay zoning districts (23.325)
24-2014	Approves development agreement amendment for Arista del Sol project (Special)
25-2014	Moratorium on establishments serving alcohol for on-site consumption within 500 feet of adult businesses (Special)
26-2014	Extends moratorium on establishments serving alcohol for on-site consumption within 500 feet of adult businesses (Special)
27-2014	Adds § 1.01.200; amends §§ 16.18.1001, 16.18.1424, 16.19.100(B), 16.20.700(D), 16.20.750, 16.22.419(B), 16.22.500 and 23.173.100; repeals §§ 16.18.1002 – 16.18.1007, 16.20.755 and 16.22.501 – 16.22.505, special assessments and liens (1.01, 16.18, 16.19, 16.20, 16.22, 23.173)
28-2014	Approves development agreement amendment for Anatolia IV project (Special)
29-2014	Amends Folsom Boulevard specific plan (Special)
1-2015	Amends Ch. 6.90 and Table 23.310-1, marijuana cultivation (23.310)
2-2015	Approves rezone and development agreement amendment (Special)
3-2015	Amends § 16.84.065, temporary deferral for payments of transportation impact fees (16.84)
4-2015	Extends moratorium on private smokers' lounges, e-cigarette lounges, vapor bars and hookah bars (Special)
5-2015	Adopts development agreement amendment for Capital Village special planning area (Special)
6-2015	Sunridge North Douglas Community Facilities District No. 2005-1 special tax; rescinds Ord. 26-2005 (Tables)
7-2015	Rezone and Douglas 103 development agreement amendment (Special)
8-2015	Amends Tables 23.313-1 and 23.316-1 and § 23.1101.020, zoning; amends Folsom Boulevard specific plan (23.313, 23.316, 23.1104)
9-2015	Approves development agreement amendment for Rio Del Oro project (Special)
10-2015	Adds Ch. 16.07, expedited permit process for small residential rooftop solar energy systems (16.07)
11-2015	Amends Table 23.325-1, grocery stores in convention overlay zone (23.325)
12-2015	Adds Ch. 10.25, preferential residential permit parking program (10.25)
13-2015	Amends §§ 10.50.010 and 10.50.020, reduced speed limits on specific streets (10.50)

ITEM 11.1.

Rancho Cordova Municipal Code
Table B: Ordinance Table

ATTACHMENT 2
Exhibit A to the Ordinance

Page 48/53

14-2015	(Not adopted)
15-2015	Amends Tables 23.313-1 and 23.316-1 and § 23.919.060(C), zoning (23.313, 23.316, 23.919)
16-2015	Amends Capital Village special planning area handbooks (Special)
17-2015	Approves development agreement amendment for Capital Village special planning area (Special)
1-2016	Adds §§ 6.84.040(B) [6.84.030(B)] and 23.919.100; amends Tables 23.313-1 and 23.316-1 and §§ 23.919.010(A) and 23.1101.020, zoning (6.84, 23.313, 23.316, 23.919, 23.1104)
2-2016	Repeals and replaces Ch. 6.21, business and multifamily recycling and organics recycling (Repealed by 17-2020)
3-2016	Repeals and replaces Ch. 16.92, construction and demolition debris reduction, reuse and recycling (16.92)
4-2016	Amends §§ 16.83.105 and 16.84.065, deferral of development impact fees (16.83, 16.84)
5-2016	Rezone, Villages of Zinfandel special planning area (Special)
6-2016	Amends development agreement, Villages of Zinfandel (Special)
7-2016	Adds §§ 22.10.111, 22.10.112, 22.10.141.1; amends §§ 19.12.050, 22.25.010, 22.110.070, 23.158.040, 23.158.050 and 23.325.040, 200-year floodplain (22.10, 22.25, 22.110, 23.158, 23.325)
8-2016	Special tax for transit-related services for APG warehouse project (Tables)
9-2016	Adopts amended Rio Del Oro specific plan (Special)
10-2016	Approves amended Rio Del Oro development agreements (Special)
11-2016	Repeals and replaces Ch. 4.33, massage/massage businesses (4.33)
12-2016	Amends Ch. 16.02, uniform administrative code (Repealed by 12-2019)
13-2016	Amends Ch. 16.04, building code (Repealed by 13-2019)
14-2016	Amends Ch. 16.06, residential code (Repealed by 15-2019)
15-2016	Amends Ch. 16.24, plumbing code (Repealed by 17-2019)
16-2016	Amends Ch. 16.26, energy code (16.26)
17-2016	Amends Ch. 16.28, electrical code (Repealed by 19-2019)
18-2016	Amends Ch. 16.32, mechanical code (Repealed by 20-2019)
19-2016	Amends Ch. 16.36, swimming pools (Repealed by 21-2019)
20-2016	Amends Ch. 16.38, green building code (Repealed by 22-2019)
21-2016	Amends Ch. 16.40, moving buildings (Repealed by 23-2019)
22-2016	(Not adopted)
23-2016	Special tax for transit-related services for Monier Circle warehouse project (Tables)
24-2016	Adds Ch. 3.70; amends § 3.60.110(A), public projects (3.60, 3.70)
1-2017	Amends Table 23.325-1 in § 23.325.020, card rooms (23.325)
2-2017	Amends Folsom Boulevard specific plan (Special)

ITEM 11.1.

Rancho Cordova Municipal Code
Table B: Ordinance Table

ATTACHMENT 2
Exhibit A to the Ordinance

Page 49/53

3-2017	Amends Ch. 23.313, mixed-use zoning districts (23.313)
4-2017	Adds Ch. 8.12; amends Articles 1, 3, 5, 7, 9 and 11 of Title 23, beekeeping, zoning (8.12, 23.101, 23.104, 23.107, 23.110, 23.113, 23.116, 23.119, 23.122, 23.125, 23.128, 23.131, 23.134, 23.140, 23.141, 23.143, 23.146, 23.149, 23.152, 23.155, 23.158, 23.170, 23.173, 23.301, 23.304, 23.307, 23.310, 23.313, 23.316, 23.319, 23.325, 23.328, 23.501, 23.504, 23.507, 23.510, 23.513, 23.701, 23.704, 23.710, 23.713, 23.716, 23.719, 23.722, 23.725, 23.728, 23.731, 23.734, 23.737, 23.740, 23.743, 23.901, 23.904, 23.907, 23.910, 23.913, 23.915, 23.916, 23.919, 23.922, 23.925, 23.1104)
5-2017	Amends §§ 4.33.040, 4.33.060 and Tables 23.313-1 and 23.316-1, massage establishments (4.33, 23.313, 23.316)
6-2017	(Not adopted)
7-2017	Adds Ch. 16.09, expedited permit process for electric vehicle charging stations (16.09)
8-2017	Amends § 6.120.140, graffiti abatement (6.120)
9-2017	Adds Art. XVII to Ch. 16.18, property maintenance code (16.18)
10-2017	Amends Table 23.310-1; repeals and replaces Ch. 6.90, cannabis cultivation (6.90, 23.310)
11-2017	Approves development agreement amendment for Sundance project (Special)
12-2017	Repeals and replaces Chs. 19.04 and 19.12, tree preservation and protection (19.04, 19.12)
1-2018	Amends §§ 10.50.010 and 10.50.020, reduced speed limits on specific streets (10.50)
2-2018	Approves development agreement amendment for Douglas 98 project (Special)
3-2018	Amends zoning map (Special)
4-2018	Adds Figure 23.716-3 [23.716-2a] and § 23.913.050; amends § 23.107.020(A), Tables 23.313-1, 23.316-1, 23.316-2, 23.325-1, § 23.704.030, Table 23.719-1, § 23.719.130(C), Ch. 23.728, §§ 23.743.050, 23.743.065(B), 23.1104.040 and 23.1104.050, zoning (23.107, 23.313, 23.316, 23.325, 23.704, 23.716, 23.719, 23.728, 23.743, 23.913, 23.1104)
5-2018	Adds Ch. 16.86; amends § 16.87.010(A), transit development impact fees for transit improvements (16.86, 16.87)
6-2018	Special tax for transit-related services for Homewood Suites project (Tables)
7-2018	Amends § 23.719.130, off-street RV, trailer and vessel parking for private residences (23.719)
8-2018	Special tax for transit-related services for Superior Self-Storage project (Tables)
9-2018	Amends §§ 20.04.060(I) and 23.325.040(F)(1), FEMA flood insurance map effective date (20.04, 23.325)
10-2018	Amends § 23.901.080, family day care (large) (Repealed by 1-2020)
11-2018	Amends Ch. 23.907, utility, transportation, and communication uses (23.907)
12-2018	Adopts fourth amendment to development agreement for Montelena project (Special)
13-2018	Adopts third amendment to development agreement for Douglas 98 project (Special)
14-2018	Adopts second amendment to development agreement for Grantline 208 project (Special)

ITEM 11.1.

Rancho Cordova Municipal Code
Table B: Ordinance Table

ATTACHMENT 2
Exhibit A to the Ordinance

Page 50/53

15-2018	Amends §§ 6.56.130, 6.56.160, 23.140.020, Tables 23.313-1, 23.316-1, §§ 23.719.130 and 23.1104.040, zoning (6.56, 23.140, 23.313, 23.316, 23.719, 23.1104)
16-2018	Repeals Ord. 29-2006, special tax for police protection for Anatolia IV Subdivision (Repealer)
17-2018	Amends Ch. 4.26, Table 23.313-1 and Folsom Boulevard specific plan; repeals Ch. 4.28, bingo (4.26, 23.313)
18-2018	Community Facilities District No. 2018-2 special tax (Tables)
19-2018	Community Facilities District No. 2018-1 special tax (Tables)
20-2018	Repeals and replaces Ch. 17.04, fire code (Repealed by 24-2019)
21-2018	Special tax for transit-related services for European Parts Depot project (Tables)
22-2018	Adopts first amendment to development agreement for Anthology at Anatolia project (Special)
23-2018	Adds Ch. 16.94, aquatic resources protection (16.94)
24-2018	Adds Ch. 22.45, South Sacramento Habitat Conservation Plan mitigation fees (22.45)
1-2019	Repeals Ords. 28-2004, 29-2004, 30-2004, 32-2004, 33-2004, 40-2004, 25-2006, 26-2006, 27-2006, 28-2006, 31-2006, 32-2006 and 38-2006, special police tax areas (Repealer)
2-2019	Special tax for transit-related services for Gold Valley Center project (Tables)
3-2019	Amends §§ 4.29.030, Tables 23.313-1 [23.310-1] 23.313-1, 23.316-1, 23.719-1, §§ 23.728.020, 23.734.030, 23.922.030(B) and 23.1104.040; amends and renumbers §§ 6.68.230 as 6.68.190 and 6.68.240 as 6.68.200; repeals §§ 6.68.190 through 6.68.220, bingo suppliers, noise control, zoning (4.29, 6.68, 23.310, 23.313, 23.316, 23.719, 23.728, 23.734, 23.922, 23.1104)
4-2019	Amends §§ 4.54.000 – 4.54.020, street businesses (4.54)
5-2019	Amends Tables 23.313-1, 23.316-1, 23.319-1, §§ 23.716.070(C)(4), 23.731.050 and 23.922.030(B), zoning (23.313, 23.316, 23.319, 23.716, 23.731, 23.922)
6-2019	Amends Villages of Zinfandel special planning area (Special)
7-2019	Approves development agreement, Bradshaw Village subdivision (Special)
8-2019	Amends §§ 16.83.105 and 16.84.065, deferral of development impact fees (16.83, 16.84)
9-2019	Adds Ch. 9.84, personal property storage on public property (9.84)
10-2019	Special tax for transit-related services for Bradshaw Village project (Tables)
11-2019	Reapproves amended development agreement, Rio Del Oro project (Special)
12-2019	Repeals and replaces Ch. 16.02, administrative code (Repealed by 16-2022)
13-2019	Repeals and replaces Ch. 16.04, building code (Repealed by 17-2022)
14-2019	Adds Ch. 16.05, historical building code (16.05)
15-2019	Repeals and replaces Ch. 16.06, residential building code (Repealed by 19-2022)
16-2019	Adds Ch. 16.10, existing building code (16.10)
17-2019	Repeals and replaces Ch. 16.24, plumbing code (Repealed by 21-2022)
18-2019	Adds [amends] Ch. 16.26, energy code (16.26)
19-2019	Repeals and replaces Ch. 16.28, electrical code (Repealed by 23-2022)

ITEM 11.1.

Rancho Cordova Municipal Code
Table B: Ordinance Table

ATTACHMENT 2
Exhibit A to the Ordinance

Page 51/53

20-2019	Repeals and replaces Ch. 16.32, mechanical code (Repealed by 24-2022)
21-2019	Repeals and replaces Ch. 16.36, swimming pool and spa code (Repealed by 25-2022)
22-2019	Repeals and replaces Ch. 16.38, green building code (Repealed by 26-2022)
23-2019	Repeals and replaces Ch. 16.40, moving buildings (Repealed by 27-2022)
24-2019	Repeals and replaces Ch. 17.04, fire code (Repealed by 28-2022)
25-2019	Adds Ch. 23.930, tenant protection (Expired)
1-2020	Amends Tables 23.310-1, 23.313-1, §§ 23.728.030(C) and 23.731.070; repeals § 23.901.080, zoning (23.310, 23.313, 23.728, 23.731)
2-2020	Amends §§ 22.40.035(B) and (C), calculating area of land dedication (22.40)
3-2020	Rezone (Special)
4-2020	Approves development agreement, ranch special planning area project (Special)
5-2020	Adds § 16.18.1703(Y), boats, recreational vehicles and trailers (16.18)
6-2020	Urgency ordinance adding Ch. 16.21, temporary moratorium on eviction of residential tenants (Not codified)
7-2020	Urgency ordinance adding Ch. 4.56, temporary moratorium on eviction of commercial tenants (Not codified)
8-2020	Adds Ch. 16.21, temporary moratorium on eviction of residential tenants (16.21)
9-2020	Adds Ch. 4.56, temporary moratorium on eviction of commercial tenants (4.56)
10-2020	Amends Arts. XI and XII of Ch. 16.20; repeals Art. VIII of Ch. 16.20, housing code (16.20)
11-2020	Amends §§ 6.56.130, 16.18.1702(I) – (R), 16.18.1703, 16.18.1704, Table 23.316-1, §§ 23.325.070, 23.719.130, 23.731.060 and 23.901.030, abandoned vehicles, nuisance, zoning (6.56, 16.18, 23.316, 23.325, 23.719, 23.731, 23.901)
12-2020	Community Facilities District No. 2020-1 special tax (Tables)
13-2020	Amends Suncreek specific plan (Special)
14-2020	Amends §§ 6.84.020 and 6.84.040, regulation of smoking (6.84)
15-2020	Adds Ch. 16.95, storm drainage impact fee program (16.95)
16-2020	Special tax for transit-related services, White Rock Center project (Tables)
17-2020	Repeals and replaces Chs. 6.20 and 6.21, solid waste management, business and multifamily recycling and organics recycling (6.20, 6.21)
18-2020	Adds Ch. 3.06, Rancho Cordova relief and recovery 2020 transactions and use tax (3.06)
19-2020	Repeals § 6.86.110, purchase of tobacco products by minors prohibited (Repealer)
20-2020	Amends §§ 10.50.010 and 10.50.020, reduced speed limits on specific streets (10.50)
1-2021	Amends §§ 23.313.030, 23.743.150(A) and (B) and 23.1104.040, zoning (23.313, 23.743, 23.1104)
2-2021	Amends development agreement for Montelena (Special)
3-2021	Amends the Ranch special planning area (Special)
4-2021	Amends development agreement, the Ranch (Special)

ITEM 11.1.

Rancho Cordova Municipal Code
Table B: Ordinance Table

ATTACHMENT 2
Exhibit A to the Ordinance

Page 52/53

5-2021	Urgency ordinance establishing temporary limit on third-party delivery service fees (Not codified)
6-2021	Special tax for transit-related services, Rio del Oro project (Tables)
7-2021	Adds § 8.07.065; amends §§ 8.01.110, 8.01.120, 8.07.040, 8.07.055 and 8.07.060, potentially dangerous and vicious animals (8.01, 8.07)
8-2021	Adds Ch. 23.902; amends §§ 23.316.030 and 23.1104.040, zoning (23.316, 23.902, 23.1104)
9-2021	Special tax for transit-related services, High Class Motors project (Tables)
10-2021	Amends §§ 16.83.040 and 16.83.070, Sunrise Douglas community plan funds (16.83)
11-2021	Amends §§ 23.313.030 and 23.325.020, zoning (23.313, 23.325)
12-2021	Amends SunCreek specific plan (Special)
13-2021	Adds § 4.54.305, fireworks host liability (4.54)
14-2021	Amends development agreement for Montelena Villages (Special)
15-2021	Adds §§ 16.81.010(E), 16.81.120(E) and 16.81.130(E); amends §§ 16.81.020 through 16.81.040 and 16.81.070; repeals §§ 16.81.080 through 16.81.100, 16.81.110(B) and 16.81.140, development fees to finance cost of off-site roadway mitigation and library facilities (16.81)
16-2021	Amends development agreement, Rio Del Oro project (Special)
17-2021	Adds Chs. 23.137 and 23.707; amends Chs. 23.104, 23.110, 23.141, 23.710 and § 23.901.060, zoning (23.104, 23.110, 23.137, 23.141, 23.707, 23.710, 23.901)
18-2021	Cancels development agreement, Preserve at Sunridge project (Special)
19-2021	Special tax for transit-related services, Falconer commercial building project (Tables)
20-2021	Special tax for transit-related services, express sewer and drain project (Tables)
21-2021	Special tax for transit-related services, The Ranch project (Tables)
22-2021	Amends Chs. 2.30, 23.104 and 23.110, planning commission (2.30, 23.104, 23.110)
23-2021	Community Facilities District No. 2021-1 special tax (Tables)
1-2022	Amends Chs. 23.128, 23.307, 23.310, 23.313, 23.316, 23.719, § 23.743.085, Ch. 23.901 and § 23.1104.040, zoning (23.128, 23.307, 23.310, 23.313, 23.316, 23.719, 23.743, 23.901, 23.1104)
2-2022	Amends Ch. 2.30, planning commission (2.30)
3-2022	Moratorium on electronic cigarette retailers, electronic cigarette lounges and vapor bars (Special)
4-2022	Extends moratorium on electronic cigarette retailers, electronic cigarette lounges and vapor bars (Special)
5-2022	Special tax for transit-related services, Grantline 220 project (Tables)
6-2022	Rezone (Special)
7-2022	Approves development agreement (Special)
8-2022	Community Facilities District No. 2022-1 special tax (Tables)
9-2022	Adds Ch. 16.82, SunCreek specific plan development impact fees (16.82)
10-2022	Amends Ch. 4.07, §§ 6.84.020 and 23.919.100; repeals Ch. 6.86, tobacco sales and use (4.07, 6.84, 23.919)

ITEM 11.1.

Rancho Cordova Municipal Code
Table B: Ordinance Table

**ATTACHMENT 2
Exhibit A to the Ordinance**

Page 53/53

11-2022	Approves amendments to development agreements and reapproves development agreement for SunCreek project (Special)
12-2022	Amends §§ 16.18.205, 16.18.503, 17.12.020, 23.313.030, Ch. 23.325, 23.1104.040 and Folsom Boulevard specific plan, nuisance, weed control, zoning (16.18, 17.12, 23.313, 23.1104)
13-2022	Adds Ch. 9.85, protection of critical infrastructure and wildfire risk areas (9.85)
14-2022	Special tax for transit-related services, Ranch project (Special)
15-2022	Amends §§ 2.30.010, 4.10.155, Ch. 6.90, §§ 10.64.030, 16.95.070(A), 21.12.010, 21.12.020(A) and (B), 21.12.025, 21.12.030, 21.12.040, 21.12.045, 21.12.050, 21.12.055, 21.12.075, 22.10.060, 22.10.075, 22.20.076, 22.25.010, 22.30.015, 22.40.005, 22.50.010, 22.110.035, 22.110.065 and Ch. 23.104; repeals Ch. 2.34, housekeeping ordinance (2.30, 4.10, 6.90, 10.64, 16.95, 21.12, 22.10, 22.20, 22.25, 22.30, 22.40, 22.50, 22.110, 23.104)
16-2022	Repeals and replaces Ch. 16.02, administrative code (16.02)
17-2022	Repeals and replaces Ch. 16.04, building code (16.04)
18-2022	Adds [amends] Ch. 16.05, historical building code (16.05)
19-2022	Repeals and replaces Ch. 16.06, residential building code (16.06)
20-2022	Adds [amends] Ch. 16.10, existing building code (16.10)
21-2022	Repeals and replaces Ch. 16.24, plumbing code (16.24)
22-2022	Adds [amends] Ch. 16.26, energy code (16.26)
23-2022	Repeals and replaces Ch. 16.28, electrical code (16.28)
24-2022	Repeals and replaces Ch. 16.32, mechanical code (16.32)
25-2022	Repeals and replaces Ch. 16.36, swimming pool and spa code (16.36)
26-2022	Repeals and replaces Ch. 16.38, green building code (16.38)
27-2022	Repeals and replaces Ch. 16.40, moving buildings (16.40)
28-2022	Repeals and replaces Ch. 17.04, fire code (17.04)
29-2022	Amends §§ 5.50.104 and 5.50.112, cable television commission (5.50)

ITEM 11.1.

**Chapter 15.10 STORM
DRAINAGE FEE**

Sections:

15.10.010 Purpose.

15.10.020 Findings.

15.10.030 Definitions.

15.10.040 Levy of charge for storm drainage services.

15.10.050 Reduction in charge.

15.10.060 Billing procedure.

15.10.070 Lien.

15.10.080 Collection of fees with general taxes.

15.10.090 Administration and enforcement.

15.10.100 Administrative appeal.

15.10.110 Deposit of collections.

15.10.120 Operative date.

15.10.130 Severability.

15.10.010 Purpose.

The purpose of this chapter is to establish a mechanism for funding the operation and maintenance of the City storm drainage system in order that storm and surface waters may be properly drained and controlled so that the health, safety and welfare of the city and its inhabitants may be safeguarded and protected. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 0985 § 1, 1995].

15.10.020 Findings.

The City Council hereby finds as follows:

Exhibit A to the Ordinance**ITEM 11.1.**

- A. The City maintains a system of storm and surface water management facilities within the City, including but not limited to inlets, conduits, manholes, channels, ditches, drainage easements, retention and detention basins, infiltration facilities, overland release corridors, pump stations, and other components as well as natural waterways.
- B. Those elements of the City's storm and surface water management system that provide for the collection, storage, treatment, and conveyance of storm drainage are of benefit and provide services to all developed property within the City.
- C. The cost of operating and maintaining the storm drainage management system, including necessary repairs, should, to the extent practicable, be allocated in relationship to the benefits enjoyed and services received therefrom.
- D. Erosion and the discharge of nutrients, metals, oil, grease, and other substances into and through the storm drainage system results in a degradation in water quality if not properly managed.
- E. The public health, safety and welfare are adversely affected by poor water quality and flooding resulting from inadequate storm drainage management practices.
- F. The storm drainage management practices necessary to protect water quality are largely established by federal and state statutes, regulations and permitting requirements.
- G. Real property either uses or benefits from the presence and operation of the storm drainage management system.
- H. The use of the storm drainage system is dependent on factors that influence runoff, including land use and impervious area.
- I. The City has the authority under Section [5471](#) of the Health and Safety Code to prescribe, revise and collect fees, tolls, rates, rentals and other charges for facilities and services furnished by it in connection with its storm drainage system.
- J. The Legislature, through the adoption of Section [5471](#) of the Health and Safety Code, has specifically authorized the City to provide storm drainage services as a utility function for which service charges may be levied.
- K. Storm drainage services are currently provided by the City and funded through a combination of property tax revenue and benefit assessments.

ITEM 11.1.**Exhibit A to the Ordinance**

L. Benefit assessments are an undesirable revenue mechanism because of the significant lag-time between the time that the assessments are approved and the time that they are received as part of the real property tax collection and allocation process. This lag-time creates the need to include a component in the assessment to provide a reserve for dry period financing purposes.

M. A fee to fund storm drainage services offers a reliable and consistent source of revenue that is locally controlled and independent of the vagaries of the state of California's budget process. [Ord. 212003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 0985 § 1, 1995].

15.10.030 Definitions.

The meanings ascribed to the terms set forth in this section shall govern the interpretation of this chapter.

"Administrative charge" means the charge imposed by the City's consolidated utility billing service for the actual cost of billing for, and collection of, storm drainage service fees.

"City" means the City of Rancho Cordova.

"City storm drainage system" means the system of storm and surface water management facilities, including but not limited to inlets, conduits, manholes, channels, ditches, drainage easements, retention and detention basins, infiltration facilities, overland release corridors, pump stations and other components as well as natural waterways within the City that are either owned or operated by the City.

"Commercial/office use" means the use of any developed parcel for any of the following or similar purposes: offices, wholesale or retail sales, establishments, or the provision of personal, professional or business services, including, but not limited to, retail stores, shopping centers, restaurants, service stations, car washes, vehicle, boat and trailer sales lots, parking lots, automobile repair and service facilities, auction yards, advertising offices, nurseries, general offices, financial service facilities, medical and dental offices, clinics and laboratories, and veterinary offices, clinics and hospitals.

"Developed parcel" means any parcel of land altered from its natural state by the construction, creation, or addition of impervious area.

"Engineer" means the City's Public Works Director or their designee.

"Equivalent contributing parcel area" means the calculated area which, when multiplied by the impervious factor for the parcel's use classification, yields the parcel's measured impervious area.

ITEM 11.1.**Exhibit A to the Ordinance**

“Exempt use” means the use of any public or undeveloped property and the use of any other parcel for any of the following purposes: agricultural land used for crops or pasture, aquatic farms, orchards, City-maintained drainage ditches, property within a floodplain recognized by the City on which improvements are prohibited, and levees.

“Fiscal year” means the annual period beginning July 1st and ending June 30th.

“Impervious area” means the total area of a parcel of property covered by an impervious surface.

“Impervious factor (IF)” means a factor which represents the percentage of impervious area on a parcel which consists of a numerical value that is calculated on the basis of generally accepted engineering standards, review and application of such standards to local conditions, and statistics compiled by measuring impervious areas depicted on aerial photographs of real property.

“Impervious surface” means a surface covering or pavement of a developed parcel of land that prevents the land's natural ability to absorb and infiltrate rainfall/stormwater. Impervious surfaces include, but are not limited to: roof tops, walkways, patios, driveways, parking lots, storage areas, impervious concrete and asphalt, and any other continuous watertight pavement or covering. Landscaped soil and pervious pavement, including pavers with pervious openings and seams, underlain with pervious soil or pervious storage material, such as a gravel layer sufficient to hold the specified volume of rainfall runoff are not impervious surfaces.

“Industrial use” means the use of any developed parcel for any of the following or similar purposes: to manufacture, fabricate, process or package products, to process or store food or chemical products, or for storage or warehousing purposes, including, but not limited to, processing, fabrication and assembly plants, warehouses, wrecking yards, aerospace facilities, truck and other transportation terminals, building materials storage, bakeries, canneries, wineries, creameries, meat and frozen food processing facilities, meat packing plants, slaughter yards, inspection and weighing stations, airports, railroads and railroad spurs, wells, electrical substations, water or sewage treatment plants, and ministorage facilities.

“Institutional use” means the use of any developed parcel for any of the following or similar purposes: hospitals, nursing facilities, residential care facilities, retirement homes, day nurseries, mortuaries, churches, and schools.

“Low impervious development use” means the use of any developed parcel for any of the following or similar purposes: golf courses, surface mines, cemeteries, marinas, and sports fields.

ITEM 11.1.**Exhibit A to the Ordinance**

“Multifamily residential use” means the use of any developed parcel for any of the following or similar purposes: triplexes, fourplexes, apartments, mobile home parks, hotels, boarding and rooming houses, fraternity and sorority houses, motels, the common areas of condominiums and planned unit developments, and bed and breakfast inns.

“Parcel” means the smallest separately segregated lot, unit or plot of real property having an identified owner, boundaries, and surface area which is documented for property tax purposes and given a tax lot number by the county assessor.

“Parcel area” means the square footage of a parcel measured or estimated using the outside boundary dimensions in feet in order to obtain the total square footage without regard for any topographic features of the enclosed surface.

“Person” means any individual, firm, company, association, society, partnership, corporation, organization, group or public agency.

“Public agency” means the United States or any department or agency thereof, the state of California or any department or agency thereof, a city, a county, and any district or other local authority or public body of or within this state.

“Public property” means any property owned by a public agency.

“Residential dwelling unit” means any residential premises designed to house a single family.

“Single-family residential use” means the use of any developed parcel for any of the following or similar purposes: single-family residences, condominiums and planned unit developments, row houses, halfplexes, duplexes, and mobile homes located on individually owned parcels.

“Street” means any public highway, road, street, avenue, way, alley or right-of-way.

“Undeveloped use” means any parcel that has not been altered from its natural state, as evidenced by a complete lack of impervious surface.

“Unit service charge (USC)” means the cost of storm drainage services attributable to storm drainage from one square foot of impervious area.

“Use code” means the six-digit alphanumeric code assigned by the County Assessor’s Office to every parcel within the City.

ITEM 11.1.**Exhibit A to the Ordinance**

“User” means the owner of a parcel of real property that is charged for storm drainage services.

15.10.040 Levy of charge for storm drainage services.

- A. There is hereby levied by the City on all parcels in the Stormwater Utility Zone 1 and Stormwater Utility Zone 2 areas, other than those classified as an exempt use, a storm drainage service fee to be calculated as set forth in this section.
- B. Any parcel classified as a single-family residential use shall pay a monthly charge which shall be calculated as follows: the administrative charge + (USC x 3,500 x phase-in multiplier x each residential dwelling unit) = monthly charge.
- C. All parcels other than those parcels classified as an exempt or single-family residential use shall pay a monthly charge that shall be calculated as follows: the administrative charge + (parcel area x USC x IF x phase-in multiplier) = monthly charge.
- D. The impervious factors (IF) to be used in the calculation set forth in subsection (C) of this section shall be based on the following table:

Bill Category	Impervious Factor
Commercial/office	0.80
Industrial	0.70
Multifamily residential	0.60
Institutional	0.50
Low impervious development	0.10

- E. The phase-in multiplier for all parcels to be used in the calculations in subsections (B) and (C) of this section shall be:

Phase-In Multiplier, Effective:

Oct. 1, 1996	Oct. 1, 1997	Oct. 1, 1998
0.50	0.75	1.0

- F. The unit service charge (USC) to be used in the calculation set forth in subsections (B) and (C) of this section shall be as follows: effective October 1, 1996, it shall be \$0.001583 per square foot of

ITEM 11.1.**Exhibit A to the Ordinance**

impervious area. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1046 § 1, 1996; SCC 1026 § 1, 1996; SCC 0985 § 1, 1995].

15.10.050 Reduction in charge.

A. The owner of any parcel subject to the storm drainage fee, other than parcels classified as a single-family residential use, may file an application with the Public Works Director to have the fee levied on such parcel reduced by means of one of the following mechanisms:

1. By designing, constructing and maintaining at the owner's expense storm drainage detention facilities approved by the Public Works Director; or
2. Demonstrating to the satisfaction of the Public Works Director that less than five percent of the parcel area drains into a City storm drainage system.

B. After receipt and review of the application, the Public Works Director shall either deny any reduction in the fee or approve a reduced fee calculated pursuant to subsection (C) of this section. The Public Works Director, in approving any reduction in the otherwise applicable fee, may attach reasonable conditions to any such approval. If the applicant is dissatisfied with the action of the Public Works Director, he may file a petition pursuant to RCMC [15.10.100](#).

C. Any storm drainage facilities constructed by a parcel owner pursuant to this section shall meet the standards set forth in the City's improvement standards. Upon approval of any reduction in the otherwise applicable fee pursuant to this section, the revised fee shall be calculated on the basis of the equivalent contributing parcel area. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 0985 § 1, 1995].

15.10.060 Billing procedure.

A. The storm drainage fee shall be billed to all users no less frequently than a bimonthly basis. The bill is due and payable on presentation and shall become delinquent 45 days after for a bimonthly billing, or 21 days after for a monthly billing after the date of billing. The storm drainage fee shall be billed as part of the City's consolidated utility billing service.

B. The storm drainage service fee billing shall be based on the use of the parcel as determined by the Public Works Director. For each parcel of property there shall be only one unit for purposes of billing for storm drainage services. In no case shall a parcel be divided into smaller units for billing purposes.

ITEM 11.1.**Exhibit A to the Ordinance**

- C. The storm drainage service fee shall be billed to the owner of record of the parcel, to the successor in interest of such person, or to such person's single designee if approved by the Public Works Director. All requests to bill a party other than the owner of record must be made in writing to the Public Works Director by both the owner of record and the party to be billed. The Public Works Director may approve or deny such requests at his sole discretion. The Public Works Director shall notify the owner of record if the billing is changed to comply with such a request and the owner of record shall remain liable for any delinquent fees.
- D. The opening bills shall be based on current parcel numbers, square footage and use codes on record in the county assessor's office, unless the Public Works Director determines that the actual use of the parcel is different than the use reflected in the use codes in which case the billing shall be based on the actual use of the parcel.
- E. Any adjustment of charges may be initiated by either the Public Works Director or by the owner of a parcel subject to the storm drainage service fee. If the Public Works Director denies any adjustment proposed by an owner or an owner objects to an adjustment proposed by the Public Works Director, any adjustment shall be made pursuant to the procedure set forth in RCMC [15.10.100](#). Any debit adjustments shall be added to the charge in the succeeding billing period. Any credit adjustments shall first be credited against the previous balance and then any remaining credit shall be applied to subsequent bimonthly charges. No debits or credits shall be made for any period more than three years prior to the date that an adjustment is proposed by the Public Works Director or requested by the owner of record pursuant to RCMC [15.10.100](#).
- F. Any delinquent storm drainage fee shall incur an added penalty charge of 10 percent of the amount that is delinquent. The delinquent amount, including the 10 percent penalty charge, shall thereafter incur an added penalty charge of one and one-half percent per month until paid or placed on the annual property tax bill. If collected with property taxes, the total amount delinquent, plus all penalties, shall incur an additional 10 percent lien penalty. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1214 § 1, 2002; SCC 0985 § 1, 1995].

15.10.070 Lien.

- A. The City shall notify the assessee shown on the latest equalized assessment roll whenever delinquent and unpaid fees which would become a lien on the parcel pursuant to subsection (B) of this section remain delinquent and unpaid for 60 days.
- B. The storm drainage service fee and any penalties levied pursuant to this chapter shall constitute a lien upon the parcel subject to the fee, as provided for in Section [5473.11](#) of the Health

ITEM 11.1.**Exhibit A to the Ordinance**

and Safety Code, if the fee remains delinquent for a period of 60 days and the City has notified the assessee of the parcel shown on the latest equalized assessment roll of the delinquent fees and the lien provided by this section.

C. The lien provided herein shall have no force or effect until a certificate specifying the amount of the unpaid fees is recorded with the county recorder. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 0985 § 1, 1995].

15.10.080 Collection of fee with general taxes.

Any delinquent storm drainage service fees and penalties may be collected on the tax roll in the same manner and at the same time as the county's ad valorem property taxes. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 0985 § 1, 1995].

15.10.090 Administration and enforcement.

The engineer shall be responsible for the administration and enforcement of the provisions of this chapter. The engineer shall have the authority to adopt rules and regulations not inconsistent with the provisions of this chapter for purposes of carrying out and enforcing the payment, collection and remittance of the fee herein levied. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 0985 § 1, 1995].

15.10.100 Administrative appeal.

A. Any owner who disputes the amount of the storm drainage service fee charged to his parcel, the classification of the property in terms of its use, any adjustment proposed by the Public Works Director, or any other determination affecting the property made by or on behalf of the City pursuant to this chapter may petition the engineer for a hearing with regard to any such issue. The engineer may conduct such hearing himself or may designate an employee of the Public Works agency to conduct such hearing on his behalf. Any such petition may only be filed once in connection with the issue or issues presented in the petition, except upon a showing of changed circumstances sufficient to justify the filing of such additional petition.

B. Any such petition shall be in writing, signed by the owner under penalty of perjury and filed with the engineer. The petition shall include the following information:

1. A complete description of the factual basis for the appeal;
2. The legal basis for the appeal; and
3. The remedy sought by the appellant.

ITEM 11.1.**Exhibit A to the Ordinance**

Within 10 days after receipt of the petition, the engineer shall mail written notice to the appellant of the date, time and place of the scheduled hearing.

C. At the hearing, the engineer or designated hearing officer may hear any oral or documentary evidence that the appellant may offer in addition to the information in the petition, together with any oral or written information that may be submitted by City representatives in support of the determination that is the subject of the appeal. Within 30 days after the conclusion of the hearing, the engineer or the designated hearing officer shall make and serve by mail written findings of fact based upon all relevant information presented in the petition or at the hearing, shall make a determination of issues based upon such findings and, if appropriate, an order setting forth an appropriate remedy subject to the limitations set forth in RCMC [15.10.060](#)(E). The determination of the engineer or designated hearing officer shall be final. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 0985 § 1, 1995].

15.10.110 Deposit of collections.

There is hereby created in the City treasury a special revenue fund to be known as the "City Storm Drainage Service Fee Fund." All storm drainage service fee revenue collected by the City shall be deposited in such fund. The revenue deposited in such fund shall be used only for the acquisition, construction, reconstruction, maintenance, permitting, and operation of City storm drainage facilities. [Ord. 212003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 0985 § 1, 1995].

15.10.120 Operative date.

Notwithstanding the effective date of this chapter, the storm drainage service fee levied in RCMC [15.10.040](#) shall be operative as of July 1, 1995. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 0985 § 1, 1995].

15.10.130 Severability.

If any section, subsection, subdivision, paragraph, sentence, clause or phrase of this chapter or any part thereof is for any reason held to be invalid, such invalidity shall not affect the validity of the remaining portion of this chapter or any part thereof. The City Council hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause and phrase thereof, irrespective of the fact that any one or more sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases be declared invalid. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 0985 § 1, 1995].

ITEM 11.1.**Exhibit A to the Ordinance**

Disclaimer: The City Clerk's Office has the official version of the Rancho Cordova Municipal Code. Users should contact the City Clerk's Office for ordinances passed subsequent to the ordinance cited above.

City Website: <https://www.cityofranchocordova.org/>

City Telephone: (916) 851-8720

[Code Publishing Company](#)

Chapter 15.12
STORMWATER MANAGEMENT AND DISCHARGE CONTROL

Sections:

Article I. General Provisions

- [15.12.010](#) Findings.
- [15.12.020](#) Purpose and intent.
- [15.12.030](#) Definitions.
- [15.12.035](#) Construction.
- [15.12.040](#) Applicability.
- [15.12.050](#) Regulatory consistency.
- [15.12.060](#) Compliance disclaimer.
- [15.12.070](#) Severability.
- [15.12.080](#) Administration.
- [15.12.090](#) Disclaimer of liability.

Article II. Prohibited Non-Stormwater Discharges

- [15.12.100](#) Prohibited non-stormwater discharge.
- [15.12.110](#) Exceptions to non-stormwater discharge prohibition.
- [15.12.120](#) Exception to otherwise applicable exemptions.
- [15.12.130](#) Threatened prohibited non-stormwater discharge.
- [15.12.140](#) Illicit connections prohibited.
- [15.12.150](#) Negligence or intent not required.

Article III. Reduction of Pollutants in Stormwater

- [15.12.200](#) General requirements.
- [15.12.210](#) Containment and notification of spills.
- [15.12.220](#) Reduction of trash discharge.
- [15.12.230](#) Hydromodification control.
- [15.12.240](#) Construction sites with building permits.
- [15.12.250](#) Post construction requirements for new development and significant redevelopment.

[15.12.260](#) Best management practices.

[15.12.270](#) Best management practices maintenance requirements.

[15.12.280](#) Administrative rules and regulations.

Article IV. Inspection and Monitoring

[15.12.300](#) Scope of inspections.

[15.12.350](#) Fees.

Article V. Enforcement

[15.12.400](#) Notice of noncompliance.

[15.12.410](#) Cease and desist orders.

[15.12.420](#) Delivery of notice.

[15.12.430](#) Enforcement actions-content

[15.12.440](#) Administrative appeals.

[15.12.450](#) Nuisance and abatement.

[15.12.460](#) Civil penalties.

[15.12.470](#) Criminal penalties.

[15.12.480](#) Miscellaneous enforcement provisions.

Article VI. Recovery of Costs of Abatement

[15.12.500](#) Costs of abatement – Confirmation.

[15.12.510](#) Costs – Assessments.

[15.12.520](#) Treble costs.

[15.12.530](#) Hearing of protests.

[15.12.540](#) Assessment for summary abatement.

[15.12.550](#) Time for contest of assessment.

[15.12.560](#) Filing copy of report with county auditor.

Article VII. Commercial and Industrial Facilities

[15.12.600](#) Purpose and Intent

[15.12.610](#) Delegation of authority to County Environmental Management Department (EMD)

Article I. General Provisions**15.12.010 Findings.**

A. The Federal Clean Water Act provides for the regulation and reduction of pollutants discharged into the waters of the United States by extending National Pollutant Discharge Elimination System (NPDES) requirements to stormwater and urban runoff discharges into the City's municipal separate storm sewer system (MS4).

B. The State Water Resources Control Board ("State Water Board") is the state water pollution control agency for all purposes of the Federal Clean Water Act pursuant to Section 13160 of the California Water Code. The State Water Board is authorized by the United States Environmental Protection Agency (EPA) to administer the NPDES program within the state. The Porter-Cologne Water Quality Control Act (Water Code section 13000 et seq.) provides authority for the State NPDES program, including provisions to issue NPDES permits and Waste Discharge Requirements (WDR's) to regulate discharges of stormwater to the waters of the state.

C. Stormwater flows from individual properties to the City's MS4 and then ultimately to the Waters of the United States.

D. The City of Rancho Cordova, the County of Sacramento and the cities of Citrus Heights, Elk Grove, Folsom, Galt, and Sacramento are subject to the waste discharge requirements of the National Pollutant Discharge Elimination System (NPDES) Permit And Waste Discharge Requirements General Permit For Discharges From Municipal Separate Storm Sewer Systems (Order R5-2016-0040, NPDES No. CA0085324) (Municipal Stormwater Permit), under which the City and Sacramento County are co-permittees. As co-permittee with Sacramento County, the City is required to possess the necessary legal authority, and to implement appropriate procedures, to regulate the entry of pollutants and non-stormwater discharges into the City's MS4.

E. The City's Municipal Stormwater Permit requires the City effectively prohibit non-stormwater discharges into the MS4 except as otherwise allowed by the permit or permitted by federal law. The Municipal Stormwater Permit and this chapter require regular compliance inspections and enforcement at certain commercial and industrial facilities, as defined by the permit.

F. The City Council finds in this regard that the provisions of this chapter are necessary to provide the City with the legal authority necessary to implement and otherwise comply with the requirements of its Municipal Stormwater Permit and to protect the waters of the state for the benefit of its people and the environment. [Ord. 41-2004 § 2].

15.12.020 Purpose and intent.

A. This chapter is adopted pursuant to Article XI, Section [7](#) of the California Constitution, which authorizes the City to exercise its police power to protect and promote the public health, safety, and general welfare. While stormwater runoff is one step in the natural cycle of water, human activities, including, but not limited to, agriculture, construction, and the operation of an urban infrastructure, may result in undesirable discharges of pollutants and certain sediments. Such discharges may accumulate in local drainage channels and waterways may eventually be deposited in the waters of the United States. The purpose of this chapter is to protect and enhance the water quality of watercourses, water bodies and wetlands within the City in a manner consistent with the Federal Clean Water Act, the Porter-Cologne Water Quality Control Act, and Municipal Discharge Permit No.CAS0085324, Order R5-2016-0040, together with all subsequent amendments and renewals, by controlling the contribution of urban pollutants to stormwater runoff which enters the City's stormwater conveyance system.

B. It is the intent of the City Council in adopting this chapter to provide the City with the legal authority to accomplish the following goals:

1. To benefit the people and environment of the City of Rancho Cordova by protecting water quality in Waters of the United States and Waters of the State;
2. To reduce the discharge of pollutants in stormwater to the maximum extent practicable;
3. To effectively prohibit non-stormwater discharges into the City's stormwater conveyance system;
4. To comply with the requirements of the Federal Clean Water Act, the Porter-Cologne Water Quality Control Act and NPDES Municipal Stormwater Discharge Permit No.CAS0085324, and Order R5-2016-0040, together with all subsequent amendments and renewals as they apply to the discharge of pollutants into and from the City's MS4;
5. To fully implement the City's comprehensive annual Work Plans as approved by the Regional Water Quality Control Board (Regional Water Board);
6. To protect the physical integrity and function of the City's MS4 from the effects of pollutants and materials other than stormwater;
7. To prevent the contamination of groundwater as a result of urban stormwater runoff;

ITEM 11.1.

8. To protect the health and safety of maintenance personnel and the public who may be exposed to pollutants in the city's MS4;
9. To provide for the recovery of regulatory costs incurred by the City in the implementation of its comprehensive Stormwater Quality Improvement Program, including, but not limited to, enforcement activities, compliance assistance, inspections, investigations, sampling, and monitoring; and
10. To establish appropriate enforcement procedures and penalties for violations of the provisions of this chapter. [Ord. 41-2004 § 2].

15.12.030 Definitions.

Any term(s) defined in the Federal Clean Water Act, as amended, and/or defined in the regulations for the stormwater discharge permitting program issued by the Environmental Protection Agency, as amended, and which are not specifically defined in this chapter shall, when used in the chapter, have the same meaning as set forth in said act or regulation.

As used in this chapter, the following words and phrases shall have the meanings set forth below unless the context clearly indicates otherwise:

"Administrator" means the City's Public Works Director or another City official designated by the City Manager to administer the City's Stormwater Program.

"Best management practices (BMP)" means schedules of activities, prohibition of practices, general good housekeeping practices, pollution prevention and educational practices, maintenance procedures, and other management practices to prevent or reduce to the maximum extent practicable, the discharge of pollutants directly or indirectly to waters of the United States. BMPs shall also be defined to include structural controls, treatment controls, training requirements, operating procedures, and practices to control site runoff, spillage, leaks, sludge or waste disposal, and drainage from raw materials storage.

"City Council" or "Council" means the City Council of the City of Rancho Cordova.

"City" means the City of Rancho Cordova.

"City stormwater conveyance system" means those public and natural facilities within the City, which are operated, maintained or controlled by the City, by which stormwater may be conveyed to Waters of the United States or Waters of the State, including, but not limited to, any roads with drainage systems, municipal streets,

catch basins, water quality basins, detention basins, constructed wetlands, natural and artificial channels, stream beds, gullies, curbs, gutters, ditches, sumps, pumping stations, and storm drains. The City's stormwater conveyance system includes natural creeks and small streams which are also defined as receiving waters by the Municipal Stormwater Permit, but does not include the American River.

"County" means County of Sacramento.

"Discharge" means the release or placement of any material into the City's stormwater conveyance system, including, but not limited to, stormwater, wastewater, solid materials, liquids, hazardous waste, raw materials, debris, litter, or any other substance.

"Discharger" means any person, business, construction project, or entity that discharges, or causes to discharge, either directly or indirectly, stormwater or any other material into the City's MS4.

"Hydromodification" means the changes in the natural watershed hydrologic processes and runoff characteristics (e.g., interception, infiltration, overland flow, and groundwater flow) caused by urbanization or other land use changes that result in increased stream flows and sediment transport. In addition, alteration of stream and river channels, such as stream channelization, concrete lining, installation of dams and water impoundments, and excessive streambank and shoreline erosion are also considered hydromodification, due to their disruption of natural watershed hydrologic processes. For the purposes of this Chapter, "hydromodification" refers to ecologically significant modification of a watershed's natural hydrograph, characterized by increased volume, velocity, rate, duration, and/or overall energy.

"Hydromodification control" means measures to mitigate artificial acceleration of natural erosion and sedimentation processes within the receiving waters through attenuation, infiltration, and dispersion of additional runoff created by impervious surfaces and earthwork compaction to prevent or reduce to the maximum extent practicable the discharge of pollutants directly or indirectly to waters of the United States.

"Illicit connection" means any physical connection to the City's stormwater conveyance system which is not permitted pursuant to a valid NPDES permit and/or expressly authorized by the City.

"Illicit Discharge" means any discharge to the MS4 that is not composed entirely of stormwater, except discharges pursuant to a NPDES permit and non-storm water discharges, such as those resulting from firefighting activities [40 CFR 122.26(b)(2)].

ITEM 11.1.

“Implementing agency” means the agency or department designated by the City Manager to enforce the provisions of this chapter with respect to a particular program, site, facility, or industry category.

“Industry or industrial activity” means any service, business, enterprise, or any other activity conducted by any person or entity for monetary gain or other compensation or in support of or promotion of such activity. This term shall also mean any similar activity conducted by a non-profit corporation as defined by the State of California.

“Low impact development” (LID) means a stormwater management and land development strategy that emphasizes conservation and the use of on-site natural features integrated with engineered, small-scale hydrologic controls to more closely reflect pre-project hydrologic functions. LID includes land development strategies that emphasize conservation and the use of on-site natural features integrated with engineered, small-scale hydrologic controls to more closely reflect pre-project hydrologic functions.

“LID Strategies” include retention practices that do not allow runoff, such as infiltration, rainwater harvesting and use, and evapotranspiration.

“Material” means any substance, including, but not limited to, raw materials, finished products, garbage and debris, lawn clippings, leaves and other vegetation, biological and fecal waste, sediment and sludge, oil and grease, gasoline, paints, solvents, cleaners and any fluid or solid containing chemicals.

“Municipal Stormwater Permit” means NPDES Permit No. CAS0085324, together with all subsequent amendments and renewal, issued by the Regional Water Board to Sacramento County and the cities of Rancho Cordova, Citrus Heights, Elk Grove, Folsom, Galt, and Sacramento.

“National Pollution Discharge Elimination System permit” or “NPDES permit” means a permit issued by either the Regional Water Board or the State Water Resources Control Board pursuant to Chapter 5.5 (commencing with Section [13370](#)) of Division 7 of the California Water Code or the United States Environmental Protection Agency to control discharges from point sources to Waters of the United States.

“Non-stormwater discharge” means any discharge to the City’s MS4 or directly to the natural surface waters which did not originate from storm events and snow melt, but essentially resulted from human activities, or materials or processes under a person’s control. Non-stormwater discharges include but are not limited to discharges of: (1) water that has been used by a person or entity for any purpose such as cleaning, rinsing, cooling, irrigation, aquaculture, recreation, cooking, and industrial processes; (2) water or wastewater that

originates or flows from equipment, valves, piping, hoses, containers, tanks, or other man-made apparatus; or
(3) any discharge of materials or wastes other than water.

“Person” means any individual, firm, company, society, organization, partnership, public agency, trust, estate, cooperative association, joint venture, business entity or other similar entity, or the agent, employee, or representative of any of the above.

“Pollutant” means any contaminant or other substance which, as determined by the Administrator, is discharged or has a reasonable potential to be discharged in sufficient quantities or concentrations to cause exceedance of receiving water limitations defined in the Municipal Stormwater Permit, or any successor section, or otherwise cause a violation of the Municipal Stormwater Permit. Pollutant may include, but is not limited to, solid waste, sewage, garbage, medical waste, wrecked or discarded equipment, radioactive material, dredged soil, rock, sand, industrial waste, feces, fecal coliform, fecal streptococcus, enterococcus, volatile organic carbon, surfactants, oil and grease, petroleum hydrocarbon, organic solvents, metals, phenols, pesticides, nutrients, suspended or settleable solids, materials causing an increase in biochemical or chemical oxygen or total organic carbon, substances which alter pH, and those pollutants defined in Section 1362(6) of the Federal Clean Water Act.

“Potential user” means any person or entity who by nature of the enterprise, activity, or industry in which such person or entity is engaged, or by the use, possession, or ownership of specified types of equipment, is determined by the administrator to generate or have the capacity to generate wastes or wastewater which have significant potential to be discharged to the City MS4.

“Premises” means any building, lot, parcel or land, or portion thereof, whether improved or unimproved.

“Prohibited discharge” means any non-stormwater discharge to the City MS4 or directly to receiving waters, which is not otherwise specifically authorized by this chapter, the Regional Water Quality Control Board, state, or federal law, or an NPDES permit.

“Receiving water limitations” means those restrictions defined and listed in Section IV. of the City’s Municipal Stormwater Permit (NPDES Permit No. CAS0085324) or any successor permit.

“Receiving waters” means surface bodies of water, as defined by the Municipal Stormwater Permit, including, but not limited to, creeks and rivers, which serve as discharge points for the City’s MS4.

“Regional Water Board” means the California Regional Water Quality Control Board, Central Valley Region.

“Significant redevelopment” means the creation or addition of at least 5,000 square feet of impervious surfaces on an already developed site. Significant redevelopment includes, but is not limited to, expansion of a building footprint, or replacement of a structure; replacement of impervious surface that is not part of a routine maintenance activity and land-disturbing activities related to structural or impervious surfaces.

“Specific performance requirements” means standards adopted by the City that define required conditions or results regarding the elimination of non-stormwater discharges or the control of pollutants in stormwater from specified sources.

“State Construction General Permit” means the State Water Resources Control Board’s Order No. 99-08-DWQ superseded by Order No. 2010-2014 National Pollutant Discharge Elimination System (NPDES) General Permit No. CAS000021 Waste Discharge Requirements (WDRS) for Discharges of Stormwater Runoff Associated with Construction Activity, and any successor documents.

“State Industrial General Permit” means the State Water Resources Control Board’s Order No. 97-03-DWQ and Order No. 2014-0057 National Pollutant Discharge Elimination System General Permit No. CAS000001, Waste Discharge Requirements for Discharges of Stormwater Associated with Industrial Activities Excluding Construction Activities, and any successor documents.

“Stormwater” means surface runoff and drainage resulting from storm events and snow melt.

“Subject activity” means any industrial activity which is determined by the Administrator to discharge or have the potential to discharge pollutants into stormwater or non-stormwater in quantities or concentrations which may cause exceedance of receiving water limitations.

“Threatened prohibited non-stormwater discharge” means any condition or activity which does not currently result in a prohibited discharge but is nevertheless determined by the Administrator to be a condition which results in a substantial likelihood of a future prohibited non-stormwater discharge.

“User” means any person who discharges, or causes to discharge, either directly or indirectly, stormwater or any other material into the City’s MS4.

“Waters of the United States” means any surface water or groundwater, including saline waters within the boundaries of the State. [40 CFR 120.2(a)].

15.12.035 Construction.

The provisions of this chapter shall be construed to assure consistency with the requirements of the Federal Clean Water Act and any acts amendatory thereof or supplementary thereto, applicable implementing regulations, and NPDES Municipal Stormwater Discharge Permit No.CAS0085324, and Order R5-2016-0040, together with all subsequent amendments and renewals. In the event of a conflict between this chapter and any federal or state law, regulation, order or permit, the requirement which establishes the higher standard for public health and safety shall govern. [Ord. 41-2004 § 2].

15.12.040 Applicability.

The provisions of this chapter shall be applicable to all dischargers and potential dischargers located within the City and all users that discharge either directly or indirectly into the City's MS4. This chapter shall also apply, within the City, to non-stormwater discharges made directly to American River or local creeks and channels. This chapter shall not be applicable to entities located outside of the City if their stormwater or non-stormwater discharge enters a stormwater conveyance facility owned or operated by another public agency which is subject to a valid NPDES permit for discharges from a municipal separate storm sewer system prior to entering the downstream conveyance system.

This chapter shall apply to facilities subject to and in compliance with the State General Construction Activity Storm Water Permit and/or the City's Erosion and Sediment Control Ordinance, City Grading Permit, Building Permit, or any other instrument of the City that establishes pollutant control provisions for construction sites.

This chapter shall not apply to activities conducted by or facilities operated by the state of California or by agencies of the federal government. [Ord. 41-2004 § 2].

15.12.050 Regulatory consistency.

The provisions of this chapter shall take precedence over and are controlling with respect to any conflicting or inconsistent provisions in this code. [Ord. 41-2004 § 2].

15.12.060 Compliance disclaimer.

Compliance by any person or entity with the provisions of this chapter shall not preclude the need to comply with other local, state, or federal statutory or regulatory requirements relating to the control of pollutant discharges or protection of stormwater quality, or both. [Ord. 41-2004 § 2].

15.12.070 Severability.

ITEM 11.1.

If any section, subsection, subdivision, paragraph, sentence, clause, or phrase of this chapter is for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining sections, subsections, subdivisions, paragraphs, sentences, clauses, or phrases of this chapter. The Council hereby declares that it would have adopted this chapter and each section, subsection, subdivision, paragraph, sentence, clause, or phrase thereof without regard to whether any other section, subsection, subdivision, paragraph, sentence, clause, or phrase of this chapter would subsequently be declared to be invalid or unconstitutional. [Ord. 41-2004 § 2].

15.12.080 Administration.

Except as otherwise provided herein, the Administrator shall be responsible for the administration, implementation, and enforcement of the provisions of this chapter. Any powers granted to, or duties imposed upon the Administrator may be delegated by the Administrator to other City employees or, upon the approval of the Council, to employees of other public agencies. [Ord. 41-2004 § 2].

15.12.090 Disclaimer of liability.

The degree of protection required by this chapter is considered reasonable for regulatory purposes and is based on scientific, engineering, and other relevant technical considerations. The standards set forth herein are minimum standards and this chapter does not imply that compliance will ensure that there will be no unauthorized discharge of pollutants into the Waters of the United States. This chapter shall not create liability on the part of the City or any officer or employee thereof for any damages that result from reliance on this chapter, or any administrative decision lawfully made thereunder. [Ord. 41-2004 § 2].

Article II. Prohibited Non-Stormwater Discharges**15.12.100 Prohibited non-stormwater discharge.**

Except as provided in RCMC 15.12.110, it shall be unlawful for any person to make or cause to be made any non-stormwater discharge indirectly or directly to the City receiving waters. [Ord. 41-2004 § 2]

15.12.110 Exceptions to non-stormwater discharge prohibition.

The following discharges to the MS4 are exempt from the otherwise applicable discharge prohibition set forth in RCMC [15.12.100](#):

A. Any discharge regulated under an NPDES permit issued to the discharger and administered by the state pursuant to Chapter 5.5 of Division 7 of the California Water Code; provided, that any such discharge is in compliance with all requirements of the NPDES permit and all other applicable laws and regulations.

B. Any discharge from any of the following activities; provided, that any such discharge does not cause or contribute to the violation of any receiving water limitation as determined by the Administrator:

1. Water line flushing;
2. Landscape irrigation;
3. Diverted stream flows;
4. Rising ground waters;
5. Uncontaminated groundwater infiltration (as defined in 40 CFR 35.2005(b)(20)) to separate storm sewers;
6. Uncontaminated pumped groundwater;
7. Discharges from potable water sources;
8. Foundation drains;
9. Air conditioning condensate;
10. Irrigation water;
11. Springs;
12. Water from crawlspace pumps;
13. Footing drains;
14. Lawn watering;
15. Individual residential car washing;
16. Flows from riparian habitats and wetlands;
17. Dechlorinated/dibrominated swimming pool/spa discharges;
18. Street wash water; and

ITEM 11.1.**19. Essential Non-Emergency and Emergency Firefighting Activities.**

C. Any discharges which the Administrator, the City Public Works Director, or the Regional Water Board determines in writing are necessary for the protection of public health or safety.

D. Additional categories of non-stormwater discharges which do not cause or contribute to the violation of any receiving water limitation may be excepted from the otherwise applicable prohibition by the Administrator upon approval of the executive officer of the Regional Water Board, as provided in the Municipal Stormwater Permit, and all subsequent amendments and renewals. [Ord. 41-2004 § 2].

15.12.120 Exception to otherwise applicable exemptions.

Notwithstanding the exemptions provided for in RCMC [15.12.110](#), if the Regional Water Board or the Administrator determines that a discharge which is otherwise exempt from the prohibition on discharges causes or significantly contributes to the violation of any receiving water limitation or results in the conveyance of significant quantities of pollutants to surface waters, or is otherwise a danger to public health or safety, the administrator may give written notice to the owner or operator of the facility that the discharge exception shall not apply to the discharge at issue following expiration of the 30-day period commencing upon delivery of the notice. Upon expiration of such 30-day period, any such discharge shall be unlawful. Upon finding that any continuance of the discharge poses an immediate significant threat to the environment or to public health and safety, the Administrator may waive the 30-day waiting period and require immediate cessation of the discharge. [Ord. 41-2004 § 2].

15.12.130 General discharge prohibition.

It shall be unlawful for any person to discharge, or cause to be discharged, any material to the City's stormwater conveyance system which results in, or contributes to, a violation of the Municipal Stormwater Permit. [Ord. 41-2004 § 2].

15.12.140 Threatened prohibited non-stormwater discharge.

It shall be unlawful for any person to maintain, or cause to be maintained, a threatened prohibited non-stormwater discharge after having received notice of the administrator's determination as to the existence of a threatened prohibited non-stormwater discharge. This section may be enforced pursuant to Article V of this chapter. [Ord. 41-2004 § 2].

15.12.150 Illicit connections prohibited.

A. It shall be unlawful for any person or entity to establish, use or maintain, or cause to establish, use or maintain, any illicit connection. Illicit connections shall be subject to removal and abatement by the City pursuant to Chapter [16.02](#) RCMC.

B. The prohibition set forth in subsection (A) of this section shall apply to illicit connections in existence at the time that the ordinance codified in this chapter becomes effective. Upon the effective date of the ordinance codified in this chapter, any person or entity who maintains an illicit connection shall have 30 days from the effective date of the ordinance codified in this chapter to disconnect and discontinue use of such connection. Notwithstanding the provisions of this section, any person who maintains an illicit connection, as defined in RCMC [15.12.030](#), may apply to the Administrator to continue the connection subject to applicable City standards. [Ord. 41-2004 § 2].

15.12.160 Negligence or intent not required.

A violation of the provisions of this article shall occur irrespective of the negligence or intent of the violator to construct, maintain, operate, or utilize an illicit connection or to cause, allow or facilitate any prohibited discharge. [Ord. 41-2004 § 2].

Article III. Reduction of Pollutants in Stormwater**15.12.200 General requirements.**

A. The Administrator may designate as subject activities those industrial activities which are identified as potential sources of discharges of pollutants to the City MS4.

B. Any person whom the Administrator determines is conducting any subject activity shall reduce the discharge of pollutants from those activities through the implementation of BMPs in accordance with RCMC [15.12.260](#).

C. The Administrator shall conduct a notification and comment process for designations or determinations made pursuant to subsection (A) of this section.

D. Any determination made by the Administrator pursuant to subsection (B) of this section shall be subject to the provisions for the adoption of regulations set forth in RCMC [15.12.250](#). [Ord. 41-2004 § 2].

ITEM 11.1.

15.12.210 Containment and notification of spills.

A. Any person or entity owning or occupying a premise, or conducting any activity, that has knowledge of any stormwater discharge or threatened prohibited non-stormwater discharge from the premises or activity to the City's stormwater conveyance system shall immediately take all reasonable actions to contain and otherwise minimize any such discharge.

B. The Administrator may designate types of industries where the owner or operator of the industry shall be required to notify the Administrator or the implementing agency within 24 hours of the discovery of an actual discharge into the City's stormwater conveyance system.

C. For any discharge subject to the reporting requirements of Sections [13271](#) and [13272](#) of the California Water Code, notification in compliance therewith shall constitute sufficient notification for the purposes of this section. [Ord. 41-2004 § 2].

15.12.220 Reduction of trash discharge.

New development and significant redevelopment projects in the City are required to incorporate trash capture measures. The Amendments to the Water Quality Control Plan for the Ocean Waters of California to Control Trash and Part 1 Trash Provisions of the Water Quality Control Plan for Inland Surface Waters, Enclosed Bays, and Estuaries of California (Trash Amendments) were adopted on April 7, 2015. The Trash Amendments established a statewide water quality objective for trash to control trash down to 5 mm, and implementation provisions using a land-use based compliance approach that targets high trash generating areas.

The Trash Amendments focus on structural and institutional program controls at high trash generating areas within municipalities. The Trash Amendments identified five priority land use (PLU) areas for trash control:

- High density residential (10 units or more);
- Industrial;
- Commercial;
- Mixed urban; and
- Public transportation stations.

ITEM 11.1.

New development and redevelopment projects classified as priority land uses are required to incorporate Full Capture Systems. The Trash Amendments define these systems as:

“A treatment control, or series of treatment controls, including but not limited to, a multi-benefit project or a low-impact development control that traps all particles that are 5 mm or greater, and has a design treatment capacity that is either:

- *Not less than the peak flow rate, Q, resulting from a one-year, one-hour, storm in the subdrainage area, or*
- *Appropriately sized to, and designed to carry at least the same flows as, the corresponding storm drain.”*

15.12.230 Construction sites with building permits.

Any person or entity owning or operating a construction site for which a building permit has been issued shall implement BMPs to control the discharge of pollutants to the maximum extent practicable and eliminate non-stormwater discharges that are not in compliance with an NPDES Permit. See RCMC Chapter 16 for more details. (SCC 1280 § 2, 2004)

15.12.240 Post construction requirements for new development and significant redevelopment.

A. The Administrator shall be authorized to establish specified performance requirements and requirements for BMPs as appropriate to minimize the long-term, post construction discharge of stormwater pollutants from new development or significant redevelopment, to implement the development standards plan, and to comply with the requirements associated with the development standards in the Municipal Stormwater Permit. The requirements for new development or redevelopment may include but are not limited to performance standards, source control measures, treatment control measures, hydromodification management measures, low impact development measures, operational BMPs, building material specifications or limitations, site design requirements, signage and marking, and associated maintenance programs or schedules.

B. Requirements established pursuant to subsection (A) of this section may be included in development standards, building codes, building permits, conditions of development, or any other appropriate instrument administered by the City. (SCC 1280 § 2, 2004).

15.12.250 Best management practices.

A. The Administrator may adopt regulations for specified subject activities. Such regulations shall describe best management practices which, if implemented by persons or entities conducting such specified activities, shall satisfy the requirements of RCMC [15.12.200](#).

B. Persons or entities conducting subject activities may implement BMPs not contained in the adopted regulations to satisfy the requirement of RCMC [15.12.200](#) through either of the following mechanisms:

1. By submitting and receiving prior written approval for the alternative BMPs from the administrator if he or she determines that the proposed alternative BMPs provide a level of protection from stormwater discharges equivalent to the BMPs contained in the regulations adopted pursuant to subsection (A) of this section; or
2. By implementing alternative BMPs which provide a level of protection from stormwater discharges equivalent to the BMPs contained in the regulations adopted pursuant to subsection (A) of this section.

C. Any alternative BMPs implemented pursuant to subsection (B)(2) of this section shall be subject to review and approval by the administrator as part of the inspection procedures set forth in Article IV of this chapter. If a person or entity conducting subject activities implements alternative BMPs without the prior written approval of the administrator and subsequently receives written notice from the administrator that the alternatives BMPs do not provide the required equivalent level of protection from stormwater discharges, the continued implementation of such alternative BMPs shall be deemed to be a violation of the requirements of RCMC [15.12.200](#)(B) as of the date of delivery of such notice unless it is ultimately determined pursuant to an administrative appeal pursuant to RCMC [15.12.440](#) that the alternative BMPs provide the required equivalent level of protection from stormwater discharges.

D. Any facility that it is in compliance with its state or federal NPDES permit for stormwater discharges for that facility shall be deemed to have met the requirements of RCMC [15.12.200](#)(B).

E. The Administrator shall develop regulations for determining when BMPs have been successfully implemented. [Ord. 41-2004 § 2].

15.12.260 Best management practice maintenance requirements.

The Administrator may require a property owner to execute a maintenance agreement for any post construction stormwater quality measure to ensure continued compliance with specified performance requirements. This requirement will apply to measures required by the City or measures that were voluntarily installed. A

ITEM 11.1.

maintenance agreement may be required when the Administrator determines that proper maintenance is necessary to protect public safety, health, infrastructure, or the environment, or to otherwise meet the purposes of this chapter. Maintenance requirements established pursuant to this subsection must be appropriate for the site conditions and design of the proposed measures. (SCC 1295 § 6, 2005; SCC 1280 § 2, 2004)

15.12.270 Administrative rules and regulations.

A. The Administrator shall have the authority to promulgate regulations for the implementation of this chapter. Prior to the Administrator's initiation of any proposed regulations, the Administrator shall submit such proposal to the City Council for its approval.

B. All regulations promulgated by the Administrator shall be consistent with the provisions of this chapter. Any such regulations, or amendments thereof, shall be filed with the City Clerk. The clerk shall cause announcement of said rules or regulations to be published in a newspaper of general circulation within 10 calendar days. Such announcements shall provide a reasonable summary of the content of the rule. In addition, the administrator shall make a reasonable effort to identify, notify, and provide copies to any industries which are specifically designated by the Administrator as subject to a rule or regulation. However, neither the failure of the Administrator to provide such notice nor the failure to receive individual notice shall exempt an industry from that rule or regulation. No regulations promulgated by the Administrator, or amendments thereto, shall be enforced or become effective until 30 calendar days following the date on which notification of the regulations is published.

C. Any person or entity who asserts that they are aggrieved by the terms or application of a regulation issued pursuant to this section may appeal the issuance of such regulation by filing a written notice of appeal with the City Clerk. The notice of appeal shall specifically identify the regulation or regulations from which the appeal is taken and the reasons for the appeal. Upon receipt of such notice, the City Clerk shall schedule the appeal for a public hearing by the council. At the conclusion of the public hearing the council shall be vested with jurisdiction to deny the appeal or to rescind or modify the regulation. The Council's determination of this matter shall be final.

D. Any regulation from which an appeal is filed prior to its effective date shall not become effective until the date of a determination by the council of the appeal. Any regulation from which an appeal is filed on or subsequent to the effective date thereof shall remain in full force and effect during the pendency of the appeal, and any decision which rescinds or modifies the regulation shall apply prospectively. [Ord. 41-2004 § 2].

Article IV. Inspection and Monitoring**15.12.300 Scope of inspections.**

A. Prior to commencing any inspection authorized pursuant to this section, the Administrator shall obtain the consent of the owner or occupant of the premises, or an administrative inspection warrant. Routine or area inspections shall be based upon such reasonable selection processes as may be deemed necessary to carry out the objectives of this chapter, including, but not limited to, random sampling, sampling in areas with evidence of stormwater contamination, illicit connections, discharge of non-stormwater to the City MS4 or similar factors.

B. The Administrator may enter upon private property to investigate the source of any discharge to any public street, inlet, gutter, storm drain or the City's stormwater conveyance system. Routine or area inspections shall be based upon such reasonable selection processes as may be deemed necessary to carry out the objectives of this chapter, including, but not limited to, random sampling, sampling in areas with evidence of stormwater contamination, illicit connections, discharge of non-stormwater to the City MS4 or similar factors.

C. The Administrator may enter upon private property for the purpose of verifying compliance with the provisions of this chapter, including, but not limited to, the following:

1. Identifying products produced, processes conducted, chemicals used, and materials stored on or contained within the property;
2. Identifying point(s) of discharge of all wastewater, process water systems, pollutants, and other discharges from the property;
3. Investigating the natural slope of the premises, including drainage patterns and artificial conveyance systems;
4. Establishing the location of all points of discharge from the property, whether by surface runoff or through a storm drain;
5. Locating any illicit connection or the source of any prohibited non-stormwater discharge; and
6. Evaluating implementation of BMPs.

D. For purposes of verifying compliance with the provisions of this chapter, the Administrator may inspect any vehicle, truck, trailer, tank truck or other mobile equipment, or any stationary equipment, which may reasonably

ITEM 11.1.

be believed to be used by the business for business-related activities and to be associated with industrial sources of pollutants or with non-stormwater discharges.

E. The Administrator may inspect all records of the owner or occupant of any premises relating to chemicals or processes presently or previously occurring on site, including materials and/or chemical inventories, facilities maps or schematics or diagrams, material safety data sheets, hazardous waste manifests, business plans, pollution prevention plans, state general permits, monitoring program plans or any other records relating to illicit connections, prohibited discharges or the potential discharge of pollutants to the City MS4. In addition, the Administrator may require the owner or occupant to furnish within a reasonable time period, copies of all such records listed in this section.

F. The Administrator may inspect, sample, and test any area runoff, soils area (including any groundwater testing), process discharge, materials within any waste storage area (including any container contents), and/or treatment system discharge for the purpose of determining the potential for the contribution of pollutants to the City MS4. The Administrator may investigate the integrity and layout of all storm drain and sanitary sewer systems or other pipelines on the premises using appropriate tests, including, but not limited to, smoke and dye tests or video surveys. The Administrator may take photographs or videotape, make measurements or drawings, and create any other record reasonably necessary to document conditions on the premises.

G. The Administrator may erect and maintain monitoring and sampling devices for measuring any discharge or potential source of discharge to the City MS4. [Ord. 41-2004 § 2].

15.12.310 Fees.

The administrator shall collect such fees as may be authorized by the City Council, to provide for the recovery of regulatory costs, including routine inspections and other regulatory functions associated with this chapter.

Failure of any person or entity to pay required fees within the time period set in the policy established by the Administrator shall be a violation of this chapter. There shall be no fee assessed to appeal the determination that a person or entity conducts any subject activity. Any such fees shall be established by resolution of the City Council and shall be in accordance with all other applicable legal requirements. [Ord. 41-2004 § 2].

Article V. Enforcement**15.12.400 Notice of noncompliance.**

A. The Administrator may issue a Notice and Order to any of the following:

ITEM 11.1.

1. The owner or occupant of any premises, or to any premises requiring abatement of conditions on the premises that cause or may cause a prohibited discharge in violation of this chapter;
2. Any person or entity who fails to implement BMP's in accordance with RCMC 15.12.200 (B);
3. Any person or entity responsible for a prohibited discharge or maintenance of a threatened prohibited non-stormwater discharge;
4. Any person or entity who fails to comply with the Trash Amendment requirements;
5. Any person or entity who fails to comply with the Post Construction Stormwater Control Measures;
6. Any or entity person responsible for an illicit connection; and
7. Any person or entity responsible for any other violation of this chapter.

B. The notice and order shall be delivered in accordance with RCMC [15.12.430](#).

C. The notice of noncompliance shall identify the provision of this chapter that has been violated. The notice of noncompliance shall state that continued noncompliance may result in additional enforcement actions, including the recovery of any costs incurred by the city or, where applicable, the county.

15.12.410 Administrative compliance orders.

A. The Administrator may issue an administrative compliance order. The administrative compliance order shall be delivered in accordance with RCMC [15.12.430](#). The administrative compliance order may be issued to any of the following:

1. The owner or occupant of any premises requiring abatement of conditions on the premises that cause or may cause a prohibited discharge in violation of this chapter.
2. A person or entity who fails to implement BMPs in accordance with RCMC [15.12.200](#)(B).
3. Any person or entity responsible for a prohibited discharge or maintenance of a threatened prohibited discharge.

B. An administrative compliance order may include the following terms and conditions:

1. Specific steps and time schedules for compliance as reasonably necessary to prevent threatened or future unauthorized discharges, including, but not limited to, the threat of any prohibited discharge from any pond, pit, well, surface impoundment, holding or storage area.

ITEM 11.1.

2. Specific requirements for containment, cleanup, removal, storage, or proper disposal of any material having the potential to contribute pollutants to stormwater runoff.
3. Specific requirements for the installation of overhead covering.
4. Any terms or conditions reasonably calculated to prevent continued or threatened violations of this chapter.
5. Any other measures necessary or appropriate to fully implement BMPs in accordance with RCMC [15.12.200](#)(B). [Ord. 41-2004 § 2].

15.12.420 Cease and desist orders.

- A. The Administrator may issue a cease and desist order, delivered in accordance with RCMC 15.12.430 if he or she determines that a violation in this chapter constitutes an immediate threat to public health or safety, including by way of illustration and not limitation, significant harm to human or aquatic life or to the City stormwater conveyance system or natural surface waters, may result in an order to immediately cease and desist all activities causing such immediate threat. The Administrator may issue a cease and desist order to any person or entity to immediately cease any activity that may lead to a violation of receiving water limitations.
- B. A cease and desist order shall direct the owner or occupant of any premises subject to this chapter, or any person or entity named therein which is subject to this chapter: (1) to immediately discontinue all or specified prohibited conditions or discharges to the City stormwater conveyance system, natural surface waters, or otherwise, until such time as abatement actions sufficient in the determination of the Administrator have been satisfactorily effected and so confirmed by written amendment to said cease and desist order; (2) immediately discontinue any other violation of this chapter; and (3) clean up the area affected by the violation.
- C. Any cease and desist order may be appealed pursuant to the administrative appeals process of this chapter;(Section 15.12.440) provided, however, the cease and desist order shall remain in effect pending final determination thereof. Nothing shall limit the Administrator's authority to continue enforcement actions under a pending cease and desist order, including modifying a cease and desist order consistent with the purpose and intent of this chapter.
- D. Any cease and desist order shall be cumulative and not exclusive of any other remedies in this chapter and as provided by law.

ITEM 11.1.

E. A cease and desist order shall inform the discharger of the Administrator's authority and intent to conduct abatement of the violation or threatened violation according to Section [15.12.450](#), if the discharger fails to comply with the requirements of the cease and desist order within the specified time frame.

F. If the discharger fails to comply with a cease-and-desist order within the time specified in the order, the Administrator may conduct abatement of the violation according to Section [15.12.450](#).

G. Nothing in this section requires the Administrator to issue a cease and desist order before conducting summary abatement as provided under Section [15.12.450](#). (SCC 1295 § 12, 2005; SCC 1280 § 2, 2004).

15.12.430 Delivery of notice.

Any notice of noncompliance, administrative compliance order, cease and desist order, or other enforcement order pursuant to the requirements of this chapter shall be subject to the following requirements:

A. The notice shall state that the recipient has a right to appeal the matter as set forth in RCMC [15.12.440](#).

B. The notice shall state that the recipient or the property owner, or both, may be liable for all enforcement costs incurred by the City or, where applicable, the county, in correcting the violation.

C. Delivery shall be deemed complete upon either personal delivery to the recipient or deposit in the U.S. Mail, postage prepaid, for first class delivery.

D. Where the recipient of the notice is the owner of the property, the address for notice shall be the address from the most recently issued equalized assessment roll for the property.

E. Where the owner or occupant of any premises cannot be located after reasonable efforts of the administrator, the notice shall be deemed delivered after posting on the premises for a period of 10 business days. [Ord. 41-2004 § 2].

15.12.440 Enforcement Actions

A. In addition to any other content, a notice and order, or a cease and desist order shall contain the following elements:

1. The street address and assessor's parcel number or such other legal description sufficient for identification of the premises responsible for the violation.
2. A statement of the Administrator's findings that indicates a violation has occurred.

3. A citation of the provision of this chapter that has been violated.
4. A date by which any person or entity must be in compliance with this chapter, or a date by which an action plan must be submitted by the person or entity to propose a means and time frame by which to correct violations. The Administrator may extend the compliance date when good cause exists for such an extension.
5. Notification that continued non-compliance may result in additional enforcement action being taken against the business, facility, or any responsible persons or entities.
6. Notification that the City may recover any costs incurred by the City as a result of the violation.
7. Notification that a violation of this chapter may result in an administrative civil penalty of up to five thousand dollars (\$5,000.00) per violation for each day that the violation occurs, or in a criminal penalties.
8. Notification that the recipient has a right to a hearing on the matter as set forth in Section [15.12.540](#) of this chapter, to determine the enforcement of any administrative civil penalty sought by the Administrator, or to appeal any findings or required corrective actions established by the Administrator.
9. Notification of hearing dates, appeal deadlines, and procedures for requesting a hearing established according to Section [15.12.540](#) of this chapter.

B. In addition to any other content, a notice and order or a cease-and-desist order, or a notice of administrative civil penalty may establish required corrective actions, including the following:

1. Terms, conditions, and requirements reasonably related to the provisions of this chapter, including the following:
 - a. Cessation of illicit discharges.
 - b. Correction of prohibited conditions.
 - c. Requirement for submittal of a written action plan for achieving and maintaining compliance with this chapter. The Administrator may require the action plan to address specific items, including the following:
 - I. Specific time schedules for compliance.
 - II. Description of BMPs that will be implemented for containment, cleanup, removal, storage, or proper disposal of any material having the potential to contribute pollutants to stormwater runoff.
 - III. Identification of persons or entities responsible for compliance with this chapter.
 - d. Reporting requirements to demonstrate ongoing compliance.

ITEM 11.1.

2. A requirement that the person or entity receiving any notice pursuant to this section shall submit written certification to the administrator that the necessary corrective actions have been completed. As appropriate for the type of correction action taken, the notice of violation may require documentation that substantiates the certification, including but not limited to receipts, contracts, or photographs.

3. Any other terms or conditions reasonably necessary to prevent additional or on-going violations of this chapter.

C. A notice and order, a cease-and-desist order, or a notice of administrative civil penalty may be issued separately or in combination with another notice or order for the same violations or set of related violations. (SCC 1295 § 13, 2005; SCC 1280 § 2, 2004)

15.12.450 Administrative appeals.

A. Except as set forth in subsection (C) of this section, any person or entity receiving: (1) a designation as a person or entity who conducts subject activities; (2) a notice and order; or (3) who is otherwise subject to an adverse determination pursuant to this chapter may appeal the matter by requesting an administrative hearing before a hearing officer appointed by the council.

B. Any person or entity appealing a notice and order, designation as a person or entity who conducts subject activities or other adverse determination shall file, within 30 days of receipt of notice thereof, a written request for an administrative hearing, accompanied by an administrative hearing fee as established by resolution of the city council, with the Administrator. A hearing on the matter shall thereafter be held before a hearing officer within 45 days of the filing of the written request unless, in the reasonable discretion of the hearing officer and pursuant to a request by the appealing party, a continuance of the hearing is granted.

C. An administrative hearing on the issuance of a cease and desist order or following an emergency abatement action shall be held within five (5) business days following the issuance of the order or the action of abatement, unless the hearing or the time requirement for the hearing is waived in writing by the party subject to the cease-and-desist order or the emergency abatement. A request for an administrative hearing shall not be required from the person or entity subject to the cease-and-desist order or the emergency abatement.

D. The Administrator shall appear in support of the notice, order, designation, determination or emergency abatement action and the appealing party shall appear in support of the withdrawal of the notice, order, designation, determination or in opposition to the emergency abatement action. The City shall have the burden of supporting any enforcement or other action by a preponderance of the evidence. Each party shall have the

ITEM 11.1.

right to present testimony and other documentary evidence as necessary for the appropriate presentation of the case.

E. Except in the case of a proceeding to determine the validity of a cease-and-desist order or a hearing following an emergency abatement, the final decision of the hearing officer shall be issued within 10 business days of the conclusion of the hearing and shall be delivered by first class mail, postage prepaid, to the appealing party. In the case of a proceeding to determine the validity of a cease-and-desist order or a hearing following an emergency abatement, the final decision of the hearing officer shall be issued within five business days following the conclusion of the hearing. The final decision shall include notice that any legal challenge to the final decision shall be made pursuant to the provisions of Sections [1094.5](#) and [1094.6](#) of the California Code of Civil Procedure and shall be commenced within 90 days following the final decision. Any administrative hearing fee paid by a prevailing party shall be refunded. [Ord. 41-2004 § 2].

15.12.460 Nuisance and abatement.

A. Any condition in violation of the provisions of this chapter, including, but not limited to, the maintenance or use of any illicit connection or the occurrence of any prohibited discharge, shall constitute a threat to the public health, safety and welfare and is declared and deemed to be a public nuisance.

B. At the request of the Administrator, the City may seek a court order to enjoin or abate the nuisance, or both. Prior to seeking any court order to enjoin or abate a nuisance or threatened nuisance, the Administrator shall provide notice of the proposed injunction or abatement to the owner and occupant, if any, of the premises where the nuisance or threatened nuisance is occurring.

C. At the request of the Administrator, the City may seek an abatement warrant or other appropriate judicial authorization to enter the premises where any nuisance or threatened nuisance is occurring and to abate the condition and restore the area.

D. In the event the nuisance constitutes an imminent danger to public safety or the environment, the administrator may enter the premises from which the nuisance emanates, abate the nuisance and restore any property affected by the nuisance without prior notice to or consent from the owner or occupant thereof and without judicial warrant.

1. An imminent danger shall include, but is not limited to, exigent circumstances created by the dispersal of pollutants, where such pollutants present a significant and immediate threat to the public safety or the environment.

ITEM 11.1.

2. Notwithstanding the authority of the City to conduct an emergency abatement action, an administrative hearing pursuant to RCMC [15.12.440](#) shall follow the emergency abatement action. [Ord. 41-2004 § 2].

15.12.470 Administrative civil penalties.

A. In addition to any other remedies provided by this chapter, there is hereby imposed an administrative civil penalty of up to \$5,000 for each violation of this chapter. Notice of any administrative civil penalty shall be served and proof of service shall be made in the same manner as provided in RCMC [15.12.430](#).

The notice shall provide that any administrative civil penalty imposed shall be administratively reviewed by a hearing officer before it is enforced. When violation of this chapter pertains to a continuing violation that does not create an immediate danger to health or safety, as determined by the Administrator, the violator shall be provided with a reasonable time to correct or otherwise remedy the violation prior to imposition of the penalty. The administrator shall determine and notify the violator of the time within which the violator must correct or remedy the violation. The notice shall provide that an administrative civil penalty will be imposed if the continuing violation is not remedied or corrected within the time stated.

B. Enforcement of the administrative civil penalty imposed by the Administrator shall be by written order issued by the hearing officer following notice and an opportunity for hearing.

Procedures concerning notice, conduct of the hearing, and service shall be as provided in RCMC [15.12.440](#).

The order of the hearing officer concerning the administrative civil penalty shall be in writing, resolving the essential issues raised and confirming, amending, or rejecting the administrative civil penalty imposed by the Administrator. In reaching a decision concerning any administrative civil penalty, the hearing officer shall be guided by factors including, but not limited to, the danger to public health, safety and welfare represented by the violation, recidivism, and any economic benefit associated with noncompliance.

C. The manner of contesting the final order of the hearing officer concerning any administrative civil penalty is governed by Section [53069.4](#) of the California Government Code, or any successor provision thereto. Service of the notice of appeal authorized by Section [53069.4](#) of the Government Code on the City shall be served upon the City Clerk. [Ord. 41-2004 § 2].

15.12.480 Criminal penalties.

A. Any person who negligently or knowingly violates any provision of this chapter, undertakes to conceal any violation of this chapter, continues any violation of this chapter after notice thereof, fails to implement BMPs in accordance with RCMC [15.12.200](#)(B) or fails to comply with a specified requirement or a provision of a City stormwater permit shall be guilty of a misdemeanor and upon conviction thereof be fined not more than \$1,000 or imprisoned for not more than six months in the county jail, or both.

B. Each day in which a violation occurs and each separate failure to comply with either a separate provision of this chapter, an administrative compliance order, a cease and desist order, or failure to implement BMPs in accordance with RCMC [15.12.200](#)(B) shall constitute a separate violation of this chapter punishable by fines or sentences in accordance herewith.

C. The Administrator may authorize specifically designated City employees to issue citations for misdemeanor violations of this chapter pursuant to Section [836.5](#) of the Penal Code. [Ord. 41-2004 § 2].

15.12.490 Miscellaneous enforcement provisions.

A. Each and every remedy available for the enforcement of this chapter shall be nonexclusive and it is within the discretion of the Administrator to seek cumulative remedies. The remedies available to the City pursuant to the provisions of this chapter shall not limit the right of the City or any law enforcement agency to seek any other legal or equitable remedy that may be available to it.

B. The Administrator may request the City to file a civil action in a court of competent jurisdiction seeking an injunction against any threatened or continuing noncompliance with the provisions of this chapter. Any temporary, preliminary or permanent injunction issued pursuant to this subsection may include an order for reimbursement to the City of all costs incurred in enforcing this chapter, including, but not limited to, costs of inspection, investigation and monitoring, the costs of abatement undertaken at the expense of the City, costs relating to the restoration of the environment, and any other costs or expenses authorized by law.

C. The Administrator may request the City to file an action for civil damages in a court of competent jurisdiction seeking recovery of any of the following:

1. All costs incurred in the enforcement of this chapter, including, but not limited to, costs relating to investigation, sampling, monitoring, inspection, administrative expenses, all other expenses authorized by law and consequential damages.

ITEM 11.1.

Exhibit A to the Ordinance

2. All costs incurred in mitigating harm to the environment or reducing the threat to human health.

3. Damages for irreparable harm to the environment.

D. The City is authorized to file actions for civil damages resulting from any trespass or nuisance occurring on public property or to the City stormwater conveyance system from any violation of this chapter where such violation has caused damage, contamination or harm to the environment, public property, or the City stormwater conveyance system.

E. Each day in which a violation occurs and each separate failure to implement BMPs in accordance with RCMC [15.12.200](#)(B) or to comply with either a separate provision of this chapter, an administrative compliance order, or a cease and desist order shall constitute a separate violation of this chapter punishable by administrative penalties in accordance with this chapter. [Ord. 41-2004 § 2].

Article VI. Recovery of Costs of Abatement

15.12.500 Costs of abatement – Confirmation.

A. When proceedings under this chapter result in the correction of a violation of this chapter or in a final determination that a violation exists after the date specified in any notice issued pursuant to the provisions of this chapter, the costs of such proceedings incurred by the City may be assessed against the property. Such costs may include, but are not limited to, those incurred in inspecting property, publication, mailing and posting of notices, conducting hearings, processing appeals and pursuing any judicial action. It is the purpose of this section to allow the assessment against property of costs of proceedings if a violation is corrected in any manner.

B. The Administrator shall keep an account of the administrative and other costs of abatement and clean up and shall submit to the council for confirmation an itemized written report showing such costs and their proposed assessment to the respective properties. The report shall be filed with the City Clerk no later than 15 calendar days in advance of the confirmation hearing required below.

C. Upon receipt of the report, the City Clerk shall schedule a public hearing to receive protests and confirm the report. A statement of the proposed assessment and notice of the time, date, and place of the hearing, together with reference to the report on file with the clerk, shall be mailed to the owner or owners of each parcel of property proposed to be assessed shown on the last equalized assessment roll available on the date of mailing of the notice or any other address or addresses ascertained to be more accurate. Such notice shall be mailed

ITEM 11.1.

no later than 15 calendar days in advance of the hearing. Notice of the time, date, and place of the public hearing by the council shall be published once in a newspaper of general circulation published within the City.

With respect to each property proposed to be assessed for which the name of the owner or owners is not shown on the last equalized assessment roll or no address for an owner is shown on the last equalized assessment roll, the notice shall show the name or names of the owner or owners, if such name or names are shown on the last equalized assessment roll, the assessor's parcel number, the street address of the property, if the property has an address and the address is known to the Administrator, the name of the street or road upon which such property abuts, if the property abuts upon a street or road, the amount of the proposed assessment and reference to the report on file with the clerk. Such publication shall be made not later than 15 calendar days in advance of the hearing.

D. At the time fixed for receiving and considering the report, the City Council shall conduct a public hearing and shall receive and consider any objections from members of the general public or property owners liable to be assessed for the abatement. Written protests or objections shall specify the date, hour, and description of the subject property under hearing. The Council may continue the hearing and delegate to the City Manager or his designee the responsibility of hearing individual protests and submitting a recommendation with respect thereto; provided, that the Council provides an opportunity for individual consideration of each project upon receipt of the recommendation by the City Manager or their designee. The Council may modify the report if it is deemed necessary. The council shall then confirm the report by motion or resolution. [Ord. 41-2004 § 2].

15.12.510 Costs – Assessments.

A. If the costs as confirmed are not paid within 30 days of the date of mailing of the notice or date of publication pursuant to RCMC [15.12.500](#), such costs shall be assessed against the parcel of land pursuant to Section [25845](#) of the California Government Code, and shall be transmitted to the tax collector for collection and shall be subject to the same penalties and the same procedures and sale in case of delinquency as provided for ad valorem taxes.

B. If, subsequent to the mailing of the notice of noncompliance and prior to transmittal of the notice of unpaid costs to the tax collector for collection as set forth in subsection (A) of this section, the property subject to the notice of noncompliance is sold or title otherwise transferred to a bona fide purchaser, said costs shall be the responsibility of the owner of record as of the date the said notice of noncompliance was placed in the United States Postal System or posted on the property.

ITEM 11.1.**Exhibit A to the Ordinance**

C. In addition to assessing the unpaid costs as provided in subsection (A) of this section, the tax collector or his designated representative may pursue any remedy provided by law for collection of the unpaid costs. [Ord. 41-2004 § 2].

15.12.520 Treble costs.

Pursuant to Section [25845.5](#) of the California Government Code, upon entry of a second or subsequent civil or criminal judgment within a two-year period finding that an owner is responsible for a condition in violation of this chapter that may be abated pursuant to Section [25845](#) of the Government Code, a court may order the owner to pay treble the costs of abatement. [Ord. 41-2004 § 2].

15.12.530 Hearing of protests.

Upon the day and hour fixed for the hearing, the City Council shall hear and pass upon the report of the Administrator together with any such protests or objections. The Council may make such revision, correction or modification of the report or the charge as it may deem just, and in the event the Council is satisfied with correctness of the charge, the report of the Administrator (as submitted or as revised, corrected or modified) together with the charge, shall be confirmed or rejected. The decision of the Council on the report and the charge and on all objections or protests shall be final and conclusive. [Ord. 41-2004 § 2].

15.12.540 Assessment for summary abatement.

Where the charge to be made is the result of summary abatement pursuant to RCMC [15.12.460](#)(C), the City Council may determine whether or not the action to abate was proper, and may confirm the charge or not as it may deem proper. [Ord. 41-2004 § 2].

15.12.550 Time for contest of assessment.

The validity of any assessment made under the provisions of this chapter shall not be contested in any action or proceeding unless the same is commenced within 30 days after the assessment is ordered to be placed upon the assessment roll as provided herein. [Ord. 41-2004 § 2].

15.12.560 Filing copy of report with City Clerk.

A certified copy of the assessment shall be filed with the City Clerk on or before August 1st of each fiscal year. The descriptions of the parcels reported shall be those used for the same parcels on the map books of the county assessor for the current fiscal year. [Ord. 41-2004 § 2].

Article VII. Commercial and Industrial Facilities**15.12.600 Purpose and intent.**

The purpose of this article is to provide for tracking, inspection, and enforcement of the City's stormwater ordinance with respect to commercial and industrial facilities within the City as required by the Mermit. [Ord. 17-2016 §5, eff. 9-23-2016; Ord. 7-2009 §3, eff. 5-1-2009; Ord. 26-2004 §3, eff. 8-18-2004]

15.12.610 Delegation of authority to County Environmental Management Department (EMD).

A. Subject to an agreement approved by the City Council under which the County of Sacramento shall assume responsibility for tracking, inspecting, and enforcing the City's stormwater ordinance at certain commercial and industrial facilities specified in the municipal stormwater permit, the City hereby authorizes and delegates to the County of Sacramento the authority to enforce the city's stormwater ordinance at certain commercial and industrial facilities specified in the municipal stormwater permit, and the term "Administrator," as used in this chapter, shall also mean the Director of the Sacramento County Environmental Management Department and his or her designees.

B. Any administrative or civil enforcement by the Director of the Sacramento County EMD or his or her designees of any provision of this chapter under this article shall be governed by and conducted pursuant to Chapter 15.12 of the RCMC.

C. Sacramento County may establish and collect from commercial and industrial facilities located within the city such fees as may be necessary to cover the actual costs incurred by Sacramento County to include these facilities in its commercial and industrial compliance program; provided, that the fees are established and collected in accordance with the provisions of the agreement and all applicable legal requirements.

D. The authority delegated to Sacramento County under this article is limited to that necessary to allow the Director of the County EMD to track, inspect, and ensure compliance with the city's stormwater ordinance at commercial and industrial facilities as required under the municipal stormwater permit and in accordance with any agreement between the City of Rancho Cordova and Sacramento County EMD. [Ord. 17-2016 §6, eff. 9-23-2016; Ord. 7-2009 §3, eff. 5-1-2009; Ord. 26-2004 §3, eff. 8-18-2004]

5373464.1

Chapter 16.44

LAND GRADING AND EROSION CONTROL

Sections:

[16.44.010 Purpose.](#)
[16.44.020 Definitions.](#)
[16.44.030 Delegation.](#)
[16.44.040 Administration.](#)
[16.44.050 Permits required.](#)
[16.44.060 Permits not required.](#)
[16.44.065 Exemptions.](#)
[16.44.070 Improvement plans.](#)
[16.44.080 Application contents.](#)
[16.44.090 Plans.](#)
[16.44.100 Specifications.](#)
[16.44.110 Security.](#)
[16.44.120 Right of entry.](#)
[16.44.130 Permit fees.](#)
[16.44.140 Environmental review.](#)
[16.44.150 Application review.](#)
[16.44.160 Contents of permit.](#)
[16.44.170 Conditions.](#)
[16.44.180 Procedure for imposition.](#)
[16.44.190 Term.](#)
[16.44.200 Transferability.](#)
[16.44.210 Denial of permit.](#)
[16.44.220 Amendment of permit.](#)
[16.44.230 Request for inspection.](#)
[16.44.240 Reports.](#)
[16.44.250 Cessation of work.](#)
[16.44.260 Completion of work.](#)
[16.44.270 Inspection.](#)
[16.44.280 Grounds for suspension and revocation.](#)
[16.44.290 Method of suspension or revocation.](#)
[16.44.300 Appeals.](#)
[16.44.310 Appeal fee.](#)
[16.44.320 Appeal hearings.](#)
[16.44.330 Actions on appeals.](#)
[16.44.340 Notices.](#)
[16.44.350 Action against and release of security.](#)
[16.44.360 Violations.](#)
[16.44.370 Laws not enforced.](#)

16.44.010 Purpose. SHARE

It is the intent of the City Council in enacting this chapter to minimize damage to surrounding properties and public rights-of-way, the degradation of the water quality of watercourses, and the disruption of natural or City-authorized drainage flows caused by the activities of clearing and grubbing, grading, filling and excavating of land, and sediment and pollutant runoff from other construction-related activities, and to comply with the provisions of the City's National Pollutant

Discharge Elimination System (NPDES) permit No. CA0082597, issued by the California Regional Water Quality Control Board (Regional Board).

These goals will be achieved by establishing administrative procedures, minimum standards of review, and implementation and enforcement procedures for controlling erosion, sedimentation and other pollutant runoff, including construction debris and hazardous substances used on construction sites, and the disruption of existing drainage and related environmental damage caused by the aforementioned activities. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1002 § 3, 1995; SCC 0928 § 2, 1993].

16.44.020 Definitions.

 SHARE

As used in this chapter, the following words and phrases shall have the meanings given in this section:

“Administrator” means the City’s Public Works Director or his or her designated representative(s).

“Applicant” means any person or entity who submits an application for a permit pursuant to this chapter.

“City” means the city of Rancho Cordova.

“City specifications” means the City improvement standards, City standard construction specifications and other standards included in applicable City ordinances, regulations and manuals, as amended from time to time.

“Civil engineer” means a professional engineer in the branch of civil engineering holding a valid certificate of registration issued by the state of California.

“Clearing and grubbing” means moving or removing by manual or mechanical means trees, vegetation and/or the top four inches or greater of soil.

“Compaction” means the act of compacting or consolidating soil and rock material to a specified density, and the resulting compacted state of the material.

“Construction site” means any land area on which the activity of clearing and grubbing, grading, excavating, or filling is occurring.

“Engineering geology” means the application of geologic knowledge and principles in the investigation and evaluation of naturally occurring rock and soil for use in the design of civil works.

“Environmental coordinator” means the City official designated by the City Manager to prepare and process environmental documents.

“Erosion” means the transport of the ground surface or soil as a result of the movement of wind or water.

ITEM 11.1.

Exhibit A to the Ordinance

“Erosion control measures” means seeding, mulching, vegetative buffer strips, sod, plastic covering, burlap covering, watering and other measures which control the movement of the ground surface or soil.

“Grade” means the elevation of the ground surface as measured from a known vertical control.

“Grading” includes the act or result of digging, excavating, transporting, spreading, depositing, filling, compacting, settling, or shaping of land surfaces and slopes, and other operations performed by or controlled by human activity involving the physical movement of rock or soil.

“Hazardous substances” means those materials listed in Title [40](#) of the Code of Federal Regulations ([40](#) CFR) Part 117 and/or [40](#) CFR Part [302](#).

“National Pollutant Discharge Elimination System (NPDES)” means the national program for issuing, modifying, revoking and reissuing, terminating, monitoring and enforcing permits, and imposing and enforcing pretreatment requirements under Sections 307, 402, 318, and 405 of the Clean Water Act.

“Permittee” means the applicant in whose name a valid permit is issued pursuant to this chapter and the applicant’s agents, employees and designated representative(s).

“Person” means any individual, corporation, partnership, association of any type, public agency or any other legal entity.

“Pollutants” is as defined in Title [40](#) CFR § [122.2](#).

“Runoff” means surface runoff and drainage related to storm events, snow melt, street washwaters related to street cleaning or maintenance and other waters associated with construction activity which are or may be introduced into the municipal separate storm sewer system.

“Sediment” means soil or earth material deposited by water.

“Sediment control measures” means dikes, sediment detention traps, sediment detention basins, filters, fences, barriers, swales, berms, drains, check dams, and other measures which control the deposit of soil or earth material.

“Site” means a parcel or parcels of real property owned by one or more than one person on which activity regulated by this chapter is occurring or is proposed to occur.

“Slope” means an inclined ground surface the inclination of which is expressed as a percent.

“Structure” means anything constructed or erected which requires location on the ground or attached to something having location on the ground.

“Watercourse” means a river, stream, creek, basin, lake, pond, waterway, or channel, natural or manmade, having a defined bed and banks. Whenever a watercourse consists of an ordinary channel, and in addition thereto, an overflow channel, the watercourse shall be deemed to include all property lying between the banks of the overflow channel.

“Wetlands” means those areas that are inundated or saturated by surface or groundwater at a frequency sufficient to support, and that under normal circumstances do support, a prevalence of

vegetation typically adapted for life in saturated soil conditions, such as swamps, bogs and marshes. [Ord. 38-2007 § 1 (Exh. 1(A), (J)); Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1002 § 3, 1995; SCC 0928 § 2, 1993].

16.44.030 Delegation. SHARE

Whenever in this chapter an authority or power is vested in or a duty is imposed upon an officer or official, an employee subordinate to the officer or official to whom an appropriate delegation has been made shall be entitled to exercise the power or authority and perform the duty. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1002 § 3, 1995; SCC 0928 § 2, 1993].

16.44.040 Administration. SHARE

Except as otherwise provided, the Administrator is responsible for administering this chapter and grading and erosion control permits, and is authorized from time to time to promulgate and enforce rules or regulations consistent with and necessary to implement the purposes, intent and express terms of this chapter.

Any rules or regulations promulgated by the Administrator, or amendments thereof, shall be filed with the City Clerk. The clerk shall cause said rules or regulations to be published in a newspaper of general circulation within 10 calendar days. No rules or regulations promulgated by the Administrator, or amendments thereof, shall be enforced or become effective until 30 calendar days following the date on which the rules or regulations are published. Any Person shall have 15 days after the date of publication in which to file an appeal in accordance with the provisions of RCMC [16.44.300](#). [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1002 § 3, 1995; SCC 0928 § 2, 1993].

16.44.050 Permits required. SHARE

Except as provided by RCMC [16.44.060](#), [16.44.065](#) or [16.44.070](#), a grading and erosion control permit shall be required to (A) grade, fill, excavate, store or dispose of 350 cubic yards or more of soil or earthy material or (B) clear and grub one acre or greater of land within the City. A separate permit is required for work on each site unless sites are contiguous, have the same ownership, and are included in the approved plan. Any determination by the Administrator as to whether a permit is required may be appealed pursuant to the provisions of RCMC [16.44.300](#). [Ord. 38-2007 § 1 (Exh. 1(A)); Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1002 § 3, 1995; SCC 0928 § 2, 1993].

16.44.060 Permits not required. SHARE

A. A grading and erosion control permit shall not be required to:

1. Grade, fill, excavate, store or dispose of less than 350 cubic yards of soil or earthy material; or
2. Clear and grub less than one acre of land within the City; or
3. For the grading, filling, excavating, storing, disposing, or clearing and grubbing for:

ITEM 11.1.

Exhibit A to the Ordinance

- a. Swimming pools, basements, or footings of structures if authorized by a valid building permit;
- b. Underground utilities;
- c. Mining or quarry operations, if a use permit has been granted by the City;
- d. Refuse disposal sites operated by a governmental agency;
- e. The production of planted agricultural crops.

B. Notwithstanding the provisions of subsection (A) of this section exempting specified activities from the otherwise applicable permit requirements, the activities described in subsection (A) of this section shall be subject to the standards and requirements of this chapter. Any building permit issued in connection with the activities described in subsection (A) of this section or in connection with any building permit issued for a single-family residence on an individual lot may be conditioned on compliance with the standards and requirements of this chapter. Any inspections required pursuant to this chapter or any other chapter of this title shall include a determination of compliance with the purposes of this chapter. [Ord. 38-2007 § 1 (Exh. 1(A)); Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1002 § 3, 1995; SCC 0928 § 2, 1993].

16.44.065 Exemptions. SHARE

A grading and erosion control permit shall not be required for, and the provisions of this chapter shall not apply to, grading, filling, excavating, storing, disposing, or clearing and grubbing for situations where, in the determination of the Administrator, there is a clear and imminent danger to life or property, or threat of loss of services for which there is an overriding public concern. The Administrator may, at the time of granting such exemption, impose conditions in accordance with RCMC [16.44.170](#), including, but not limited to, the requirement for the posting of security. Such exemption must be requested from the Administrator and approved in writing prior to the commencement of any activity regulated by this chapter. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1002 § 3, 1995].

16.44.070 Improvement plans. SHARE

Where an improvement plan is being processed in conjunction with either an approved tentative, parcel, or final map, or a development plan is being processed in accordance with the provisions of RCMC Title [12](#), such plan shall also be considered as a request to undertake those activities regulated by this chapter. Such plans shall be reviewed and approved, conditionally approved or denied in accordance with the applicable City and county standards and requirements set forth in this chapter and other applicable City and county improvement standards and specifications. For an approved tentative, parcel, or final map, or development plan, any submitted improvement plans shall include provisions to require compliance with the City and county improvement standards, and requirements of this chapter. If an improvement plan is approved, then a grading and erosion control permit shall not be required. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1002 § 3, 1995; SCC 0928 § 2, 1993].

16.44.080 Application contents. SHARE

The application for a grading and erosion control permit shall be filed in the office of the Administrator, and submitted on a form with information prescribed by the Administrator, including the following:

- A. The name, address and telephone number of the applicant and the applicant's engineer;
- B. The address and parcel number of the location for which the permit is sought;
- C. A copy of all entitlements granted for the property by the City, including conditions of approval and the environmental documentation;
- D. A copy of all required state and federal permits;
- E. Plans conforming with the requirements of RCMC [16.44.090](#);
- F. Specifications conforming with the requirements of RCMC [16.44.100](#), if required by the Administrator;
- G. Security conforming with the requirements of RCMC [16.44.110](#);
- H. Right of entry conforming with the requirements of RCMC [16.44.120](#);
- I. Fees conforming with the requirements of RCMC [16.44.130](#);
- J. Other information as may be required by the Administrator. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1002 § 3, 1995; SCC 0928 § 2, 1993].

16.44.090 Plans. SHARE

Plans shall be prepared by a civil engineer in conformance with City and county specifications and shall include the following:

- A. A vicinity map indicating the site location and significant geographic features;
- B. A site delineation map indicating boundary lines of the property and each lot or parcel into which the site is proposed to be divided;
- C. The location of on-site and surrounding watercourses and wetlands, existing and proposed drainage systems, and drainage area boundaries and acreages. Additional hydrologic analysis shall be provided as required by the Administrator;
- D. The location of existing and proposed roads and structures on the site and on adjacent property;
- E. Accurate contours at two-foot intervals for slopes up to 10 percent and five-foot intervals for slopes over 10 percent showing topography of existing ground and locations of existing vegetation, including all oak trees, all other trees over six inches in diameter measured at four and one-half feet above the ground, groves of trees, and natural features such as rock outcroppings. Spot elevations will be required where relatively flat conditions exist. The spot elevations or contour lines shall be extended off site for a minimum distance of 50 feet, or 100 feet in flat terrain;

ITEM 11.1.

F. Elevations, location, extent and slope of all proposed grading shown by contours, cross-sections or other means, and location of any disposal areas, fills or other special features to be included in the work;

G. A statement of the quantity of material to be excavated, the quantity of material to be filled, whether such excavation or fill is permanent or temporary, and the amount of such material to be imported to or exported from the site;

H. A delineation of the area to be cleared and grubbed;

I. A statement of the estimated starting date, grading completion date, and when site improvements will be completed;

J. The location, implementation schedule, and maintenance schedule of all erosion control measures and sediment control measures to be implemented or constructed prior to, during or after the proposed activity;

K. A description of measures designed to control dust and stabilize the construction site road and entrance;

L. A description of the location and methods of storage and disposal of construction materials;

M. Any additional plans required by the administrator. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1002 § 3, 1995; SCC 0928 § 2, 1993].

16.44.100 Specifications. SHARE

When required by the Administrator, the following information shall be prepared and signed by a civil engineer, and submitted with the application for a grading and erosion control permit:

A. Preparation of natural ground to occur prior to placement of fill, including provisions for removal of organic or deleterious materials;

B. Quality control of native or imported fill material;

C. Degree of compaction;

D. Gradient of cut and fill slopes;

E. Geotechnical engineering or engineering geology reports used in the development of the above information. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1002 § 3, 1995; SCC 0928 § 2, 1993].

16.44.110 Security. SHARE

A. Prior to issuance of the permit, the applicant shall provide security in an amount estimated by the Administrator to be the cost for stabilizing the activity site if the site is abandoned or work is stopped during the performance of the activity described in the permit. The security shall be one of the following, subject to the approval of the Administrator:

ITEM 11.1.

Exhibit A to the Ordinance

1. Bond or bonds by one or more duly authorized corporate sureties.
2. A deposit, either with the City or a responsible escrow agent or trust company, at the option of the City, of money or negotiable bonds of the kind approved for securing deposits of public monies.
3. An instrument of credit from an agency of the state, federal or local government when an agency of the state, federal, or local government provides at least 20 percent of the financing for the project, or from one or more financial institutions subject to regulation by the state or federal government and pledging that the funds necessary are on deposit and guaranteed for payment, or a letter of credit by such financial institution.

B. The security shall be released to the permittee upon either:

1. Issuance of a certificate of completion, provided no administrative or legal action against such security has been commenced prior to that date and the permittee has complied with the provisions of RCMC [16.44.260](#); or
2. Voluntary relinquishment of the permit by the holder thereof to the City, provided no administrative or legal action against such security has been commenced prior to that date and the permittee has complied with the provisions of RCMC [16.44.250](#). [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1002 § 3, 1995; SCC 0928 § 2, 1993].

16.44.120 Right of entry. SHARE

Whenever any portion of the work requires entry onto adjacent property for any reason, the applicant shall obtain the written consent of the adjacent property owner or his authorized representative, and shall file a copy of said consent with the administrator before a permit for such work may be issued. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1002 § 3, 1995; SCC 0928 § 2, 1993].

16.44.130 Permit fees. SHARE

A fee shall be paid by the applicant to the City for plan checking and review, materials testing, site inspections, processing, issuance and other services performed by the administrator in connection with the investigation of an application for, and administration of, a grading and erosion control permit. The fees for these services shall be in the amount of the actual costs incurred by the City based on the hourly rate of the personnel performing the services, including all overhead costs, and as determined by the Administrator.

A minimum deposit of \$750.00 shall be paid by the applicant at the time of and with the filing of the application with the Administrator. In the event the accrued costs exceed the initial deposit, the City shall submit a monthly bill to the applicant for the amount owing as of the date on the bill. Interest of one and one-half percent per billing period (28-day cycle) compounded each billing period shall be added to the unpaid balance due to any amount which has not been paid in full within 28 days from the date on the bill.

The administrator shall not perform any services for an applicant if an amount owing is not paid within 28 days, until such time that all amounts owing and interest thereon are paid in full. The balance of fees owing shall be paid in full prior to final inspection. In the event the actual costs do not exceed the minimum deposit amount, the City shall reimburse the applicant the difference between

the deposit amount and the actual total charges. [Ord. 38-2007 § 1 (Exh. 1(J)); Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1002 § 3, 1995; SCC 0928 § 2, 1993].

16.44.140 Environmental review.

Grading and erosion control permits, and amendments thereto, are subject to the requirements of the California Environmental Quality Act (CEQA). The applicant shall furnish a copy of the application to the environmental coordinator for preparation and processing of the appropriate environmental documents. The Administrator is authorized to hold public hearings on negative declarations, draft environmental impact reports and final environmental impact reports prepared on applications for grading and erosion control permits, for the purposes of receiving comments from the public. The administrator shall not approve a grading and erosion control permit prior to considering the applicable environmental document and complying with the requirements of CEQA and the City procedures for preparation and processing of environmental documents. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1002 § 3, 1995; SCC 0928 § 2, 1993].

16.44.150 Application review.

The Administrator shall review and approve, conditionally approve or deny grading and erosion control permit applications and improvement plans in accordance with the provisions of this chapter. Grading and erosion control permit applications and improvement plans shall be issued or approved unless the Administrator finds in writing that:

- A. The applicant has failed to provide sufficient or adequate plans, information or other data necessary to allow determinations respecting compliance with the provisions of this chapter or City specifications;
- B. The environmental review has not been completed, other provisions of this code or of state law pertaining to environmental review have not been satisfied, or the activity will have significant adverse environmental impacts which cannot be substantially mitigated. Where the activity will have significant adverse impacts, the Administrator may approve the permit in accordance with the provisions of this chapter, RCMC Title [20](#), and the California Environmental Quality Act of 1970;
- C. The proposed activity will violate provisions of this chapter, City specifications, or state or federal laws, and such violation cannot be resolved by the imposition of conditions pursuant to RCMC [16.44.170](#);
- D. The proposed activity will adversely affect surrounding properties and public rights-of-way, the water quality of watercourses, and existing drainage. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1002 § 3, 1995; SCC 0928 § 2, 1993].

16.44.160 Contents of permit.

The grading and erosion control permit shall include but not be limited to a complete description of the activity for which it is issued, the property for which it is issued, the date of issuance and the date of expiration, and a description of any and all conditions upon which the permit has been issued. The permit shall be kept at the site during the activity for which the permit was issued. A grading and erosion control permit authorizes the permittee to undertake only that activity described in the permit and only on the property for which the permit is issued. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1002 § 3, 1995; SCC 0928 § 2, 1993].

16.44.170 Conditions.

The Administrator may at the time of issuance of the grading and erosion control permit impose such conditions as are necessary to ensure compliance with this chapter, City and county improvement standards and specifications, City floodplain ordinance, or state or federal laws. Such conditions shall be reasonably related to the public needs created by the proposed activity. Conditions to mitigate environmental impacts of the activity may also be imposed by the Administrator. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1002 § 3, 1995; SCC 0928 § 2, 1993].

16.44.180 Procedure for imposition.

Any condition imposed pursuant to the provisions of RCMC [16.44.170](#) shall be embodied, together with the reasons therefor, in the permit and served upon the applicant or permittee. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1002 § 3, 1995; SCC 0928 § 2, 1993].

16.44.190 Term.

A grading and erosion control permit shall be effective on the date of issuance, and shall remain in force for one year, unless suspended or revoked by the Administrator, or voluntarily relinquished by the permittee. Before the expiration of a permit, a permittee may apply for an extension of time in which to complete the activity. One extension of not more than one year may be granted by the Administrator. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1002 § 3, 1995; SCC 0928 § 2, 1993].

16.44.200 Transferability.

A grading and erosion control permit shall not be transferable or assignable from one person to another, unless approved by the Administrator and the person to whom the permit is to be transferred agrees to comply with the requirements of the original permit and to any conditions imposed therein. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1002 § 3, 1995; SCC 0928 § 2, 1993].

16.44.210 Denial of permit.

The Administrator shall deny an application for a grading and erosion control permit if any of the findings in RCMC [16.44.150](#) are made. Notice shall be served on the applicant, in writing, with the reasons stated therefor, pursuant to the provisions of RCMC [16.44.340](#). [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1002 § 3, 1995; SCC 0928 § 2, 1993].

16.44.220 Amendment of permit.

Any proposed changes in the activity authorized by the permit shall be submitted to the Administrator for review. The permittee shall not undertake or allow activity to occur which does not conform with the plans or conditions of the original permit, unless approved by the Administrator. The Administrator shall review any proposed changes in the same manner and pursuant to the same standards as the original application. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1002 § 3, 1995; SCC 0928 § 2, 1993].

16.44.230 Request for inspection.

ITEM 11.1.

Exhibit A to the Ordinance

A. Requests for inspection of any site subject to the provisions of this chapter shall be made to the Administrator within at least two full business days in advance of the desired day of inspection at the following phases of activity.

1. When the site has been cleared of vegetation and unapproved fill, and scarified, benched, or otherwise prepared and before any fill is placed; and the erosion control and sediment control measures to be implemented in this phase have been placed;
2. When approximate final elevations have been established; drainage terraces, swales and other drainage devices have been graded and are ready for paving; berms have been installed at the top of slopes; and the erosion control and sediment control measures to be implemented in this phase have been placed;
3. When work has been completed; slope planting established and irrigation systems installed, if required; and the erosion control and sediment control measures to be implemented in this phase have been placed.

B. The Administrator, upon inspection of the site, shall notify the person or permittee:

1. That the phase of work inspected is approved; or
2. What deficiencies, corrections or other work needs to be completed before approval of that phase. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1002 § 3, 1995; SCC 0928 § 2, 1993].

16.44.240 Reports. SHARE

Notification to the Administrator shall be required within 24 hours following the failure of authorized measures to prevent erosion or sediment from leaving the construction site, the deposit of debris or material on adjoining property or public rights-of-way, or the interference with any existing watercourses or drainage facilities. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1002 § 3, 1995; SCC 0928 § 2, 1993].

16.44.250 Cessation of work. SHARE

If activity is ceased on site for any reason for a period in excess of 15 calendar days, and before the activity being conducted under the permit is completed, all necessary steps shall be taken to prevent damage through erosion or sedimentation to adjoining properties or to the public rights-of-way or to any natural or artificial drainage facilities or watercourses. The premises shall also be graded to blend into the adjacent terrain. The Administrator shall be notified as soon as possible, but no later than 15 calendar days after the cessation of work. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1002 § 3, 1995; SCC 0928 § 2, 1993].

16.44.260 Completion of work. SHARE

After completion of work in accordance with and conforming with an approved permit and delivery to the City of record plans and a grading plan as finally implemented, and payment of all fees, the Administrator shall issue a certificate of completion. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1002 § 3, 1995; SCC 0928 § 2, 1993].

16.44.270 Inspection.

The administrator may enter and inspect property for which a grading and erosion control permit has been applied to determine applicability or compliance with this chapter, City and county improvement standards or specifications. The Administrator may also inspect any and all property on which grading, filling, clearing and grubbing or excavating activities are occurring. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1002 § 3, 1995; SCC 0928 § 2, 1993].

16.44.280 Grounds for suspension and revocation.

A grading and erosion control permit may be suspended if:

- A. The physical state of the property differs from the descriptions, plans or information furnished to the Administrator in the permit application;
- B. The activity does not conform to the approved plans, grades, conditions or terms of the permit;
- C. The activity is in violation of this chapter, City specifications, or state or federal laws;
- D. Any reports required to be submitted to the Administrator have not been submitted; or
- E. Any of the information contained in reports submitted to the Administrator is in error. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1002 § 3, 1995; SCC 0928 § 2, 1993].

16.44.290 Method of suspension or revocation.

The Administrator may suspend or revoke a grading and erosion control permit by issuing a notice of suspension or revocation, stating the reasons therefor, and serving same upon the permittee. Upon suspension or revocation of a permit, in accordance with the provisions of this section, the permittee shall immediately cause all grading, filling, excavating, storing, disposing or clearing and grubbing to cease until written authorization is received from the administrator to proceed with the activity.

The permittee shall have 15 calendar days after the date of service of the suspension or revocation in which to file an appeal in accordance with the provisions of RCMC [16.44.300](#). If such an appeal is filed, the suspension or revocation shall remain in force and be effective until a final decision on the appeal is issued by the City Council.

If the Administrator suspends a permit, such permit may either be reinstated or revoked by the Administrator, depending upon whether the permittee corrects the grounds stated for the suspension in the notice issued by the Administrator. If the permittee fails to remedy the grounds for suspension within a time period specified by the Administrator, but in no event later than 60 calendar days, the Administrator shall revoke the permit. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1002 § 3, 1995; SCC 0928 § 2, 1993].

16.44.300 Appeals.

If the applicant for a grading and erosion control permit, the permittee, or other person whose property rights may be affected is dissatisfied with any determination made by the Administrator, such person may appeal to the City Council. Any such appeal shall be in writing, shall state the

specific reasons therefor and grounds asserted for relief, and shall be filed with the City Clerk not later than 15 calendar days after the date of the action being appealed. If an appeal is not filed within the time or in the manner prescribed above, the right to review of the action against which the complaint is made shall be deemed to have been waived. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1002 § 3, 1995; SCC 0928 § 2, 1993].

16.44.310 Appeal fee. SHARE

The City Council shall by resolution adopt and, from time to time, amend a fee for the filing of appeals. Such fee shall be for the sole purpose of defraying costs incurred for the administration of appeals. The fee for an appeal shall be paid at the time of and with the filing of an appeal. No appeal shall be deemed valid unless the prescribed fee has been paid. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1002 § 3, 1995; SCC 0928 § 2, 1993].

16.44.320 Appeal hearings. SHARE

After the filing of an appeal within the time and in the manner prescribed by RCMC [16.44.300](#), the City Council shall conduct a hearing for the purpose of determining whether the appeal should be granted. Written notice of the time, date and place of the hearing shall be served upon the administrator and the appellant not later than 10 days preceding the date of the hearing. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1002 § 3, 1995; SCC 0928 § 2, 1993].

16.44.330 Actions on appeals. SHARE

The City Council shall review the entire proceeding or proceedings relating to the act or decision being appealed, de novo, and may make any order it deems just and equitable, including the granting of a grading and erosion control permit. Any hearing may be continued from time to time.

At the conclusion of the hearing, the City Council shall prepare a written decision which either grants or denies the appeal, and contains findings of fact and conclusions. The written decision, including a copy thereof, shall be filed with the City Clerk. The clerk shall serve such decision on the applicant or permittee and the Administrator. The decision of the City Council shall become final upon the date of filing and service with respect to any appeal. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1002 § 3, 1995; SCC 0928 § 2, 1993].

16.44.340 Notices. SHARE

Any notice authorized or required by this chapter shall be deemed to have been filed, served and effective for all purposes on the date when it is personally delivered in writing to the party to whom it is directed or deposited in the United States Mail, first class, postage prepaid, and addressed to the party to whom it is directed.

Whenever a provision in this chapter requires a public hearing to be conducted, notice of the time, date, place and purpose of the hearing shall be published at least once not later than 10 calendar days in advance of the date of commencement of the hearing in a newspaper of general circulation which is published within the city. The same type of notice shall also be served on each permittee whose permit may be affected by the action taken at the conclusion of the hearing. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1002 § 3, 1995; SCC 0928 § 2, 1993].

16.44.350 Action against and release of security. SHARE

A. The Administrator may commence action against the security provided by a permittee if:

1. The permittee ceases activities on site prior to completion of work without complying with the provisions of RCMC [16.44.250](#);
2. The permittee fails to comply with the terms of the permit;
3. The activity has caused or is threatening to cause damage or injury to persons, property or the environment.

B. The monies so obtained shall be used solely to finance remedial work undertaken by the City or a private contractor under contract to the City, and to reimburse the City for any administrative costs and expenses incurred in remedying the situation, including attorneys' fees and legal costs incurred in any necessary action to obtain the security. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1002 § 3, 1995; SCC 0928 § 2, 1993].

16.44.360 Violations. SHARE

Except as otherwise specifically provided, pursuant to the provisions of Section 36900 of the Government Code, violation of any of the provisions contained in this chapter shall constitute an infraction subject to a fine of \$100.00 for each day (first violation), \$500.00 for each day (second or subsequent violations), or any portion thereof if a violation continues.

Violation of any of the provisions of this chapter following notice to the permittee by the Administrator advising of the violation and ordering a cessation thereof shall, pursuant to the provisions of RCMC [1.01.190](#), constitute a misdemeanor.

Violation of any of the provisions of this chapter may be remedied by injunction or other civil proceeding commenced in the name of the City pursuant to direction by the City Council. [Ord. 38-2007 § 1 (Exh. 1(J)); Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1002 § 3, 1995; SCC 0928 § 2, 1993].

16.44.370 Laws not enforced. SHARE

There are many ordinances and other laws applicable to activities permitted under this chapter which are not sought to be enforced under this permitting process. Such laws include, but are not limited to, building, floodplain management, and land development measures. The issuance of a grading and erosion control permit shall not be deemed to constitute a representation that the activity so permitted or the property upon which such activity is occurring complies with such other ordinances or other laws. Nor shall the existence of such an unrevoked permit be deemed to preclude any criminal or civil remedy for violation of such other ordinances or laws. The possession of a grading and erosion control permit shall not be deemed to relieve the holder of the requirement to apply for or obtain any other license or permit required by ordinance or statute. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1002 § 3, 1995; SCC 0928 § 2, 1993].

Chapter 16.84

DEVELOPMENT IMPACT FEES TO FINANCE THE COST OF TRANSPORTATION FACILITIES

Sections:

- 16.84.010 Purpose.
- 16.84.020 Definitions.
- 16.84.030 Establishment and administration of the City of Rancho Cordova transportation fund.
- 16.84.040 Establishment and administration of the City of Rancho Cordova transportation administration fund.
- 16.84.050 Imposition of transportation impact fee.
- 16.84.060 Payment of transportation impact fees.
- 16.84.065 Payment of transportation impact fee – Deferral.
- 16.84.070 Adoption of the transportation system capital improvement plan and compliance with priority list of City of Rancho Cordova transportation impact fee program.
- 16.84.080 Establishment of transportation impact fees and creation of areas.
- 16.84.090 Calculation of transportation impact fee.
- 16.84.100 Establishment of costs per unit for land uses within the City of Rancho Cordova.
- 16.84.110 Credit for construction of transportation facilities.
- 16.84.120 Reimbursement for construction of transportation projects in advance of the transportation system development impact fee program priority list schedule.
- 16.84.130 Annual program fee adjustment.
- 16.84.140 Alternative method and compliance with other laws.

Prior legislation: Ords. 19-2003, 27-2003, 32-2005 and 35-2005.

16.84.010 Purpose.

A. The general plan of the City of Rancho Cordova requires that areas chosen for urban expansion shall be capable of being provided, within a reasonable period of time, with an adequate level of public facilities including, but not limited to, roadway facilities and transit facilities.

B. The general plan further requires the preparation of a plan that identifies a mechanism for financing those facilities necessary to serve urban development in areas designated for urban expansion. The general plan also contains additional policies for supporting funding and use of developer dedications, development fees, and other means to pay for an acceptable level of transportation facilities.

C. The purpose of this chapter is to implement the general plan requirements set forth in subsections (A) and (B) of this section and to use the authority in Article XI, Section 7 of the California Constitution by imposing development fees to fund the cost of certain transportation facilities, the need for which is directly or indirectly generated by the type and extent of development proposed in the City of Rancho Cordova on which the fees will be imposed.

D. It is the further purpose of this chapter to require that adequate provision is made for developer-financed public facilities within the City of Rancho Cordova as a condition to any rezoning and prior to approval of certain permits within the City. [Ord. 3-2013 § 1; Ord. 6-2006 § 3; Ord. 33-2005 § 3; Ord. 24-2005 § 3].

16.84.020 Definitions.

“Areas” means those geographic areas established for public facilities financing purposes within the City of Rancho Cordova as depicted in the nexus study for the transportation development impact fee program. A detailed map of each area is depicted in the nexus study and is on file with the City Public Works Department, and such maps are incorporated by reference herein.

“Building permit” means the permit issued or required for residential development, nonresidential development, commercial development, or other development within the City, pursuant to and as further defined by the City of Rancho Cordova building code.

“City” means the City of Rancho Cordova.

ITEM 11.1.

Rancho Cordova Municipal Code
 Chapter 16.84 DEVELOPMENT IMPACT FEES TO
 FINANCE THE COST OF TRANSPORTATION
 FACILITIES

“City of Rancho Cordova transportation administration fund” means that special interest-bearing trust fund established pursuant to RCMC 16.84.040.

“City of Rancho Cordova transportation fund” means that special interest-bearing trust fund established pursuant to RCMC 16.84.030.

“Commercial development” means buildings constructed for the purpose of occupancy by retail, services, and other principally nonoffice businesses located on sites zoned SC shopping center, LC limited commercial, TC travel commercial, AC auto commercial, or GC general commercial in accord with the City of Rancho Cordova zoning code or designated commercial or commercial mixed use (CMU). For purposes of this chapter, residential dwellings constructed on sites designated CMU or another commercial zone pursuant to the zoning code are residential development rather than commercial development.

“Costs” means amounts spent, or authorized to be spent, in connection with the planning, financing, acquisition and development of a public facility or infrastructure including, without limitation, the costs of land, construction and inspection, engineering, administration, and consulting fees.

“Council” or “City Council” means the City Council of the City of Rancho Cordova.

“Department” means the City of Rancho Cordova Public Works Department.

“Development impact fee” or “transportation development impact fee” or “transportation impact fee” means the fee levied by this chapter and due upon the approval of one or more building permits.

“Development unit” means a dwelling unit, for residential development, or square foot of building floor area, for nonresidential development.

“Director” means the Director of the Rancho Cordova Public Works Department.

“Facilities” means those public facilities designated in the Rancho Cordova transportation capital improvement plan and transportation development impact fee program.

“Fee resolution” means the resolution and fee schedule adopted by the City Council, as may be amended from time to time, that approves the amount of the transportation development impact fees.

“Improvement plan” means the site plan of property proposed for development showing all required improvements that must be approved by the Rancho Cordova Public Works Department pursuant to Chapter 12.03 RCMC prior to the issuance of a building permit for the property.

“Land use category” means detached dwelling units, attached dwelling units, multifamily, commercial, office, or industrial/manufacturing uses as further defined in the fee resolution.

“Multifamily residential units” means all units within a structure that have five or more units, all of which are offered for rent to the general public, or all units within a structure that have five or more attached units that (1) are available for sale to individual owners, and (2) have living areas less than or equal to 1,200 square feet.

“Nonresidential development” means a subdivision map, parcel map, or permit for the original construction, grading or installation of buildings other than single-family detached homes, single-family attached homes, duplexes, townhomes, condominiums, apartments, manufactured homes and mobile homes, or improvements thereto. Nonresidential development includes commercial development. Typically, nonresidential development consists of buildings to be occupied by retail, service, or other commercial businesses or by offices as regulated by the City of Rancho Cordova zoning code, but may also include buildings for use by churches, day care centers, private schools, and other institutional uses. Mixed-use buildings consisting of both dwelling units and commercial and/or office areas will have the respective building areas treated as either residential development or nonresidential development for purposes of this chapter.

ITEM 11.1.

Rancho Cordova Municipal Code
Chapter 16.84 DEVELOPMENT IMPACT FEES TO
FINANCE THE COST OF TRANSPORTATION
FACILITIES

“Office development” means buildings constructed for the purpose of occupancy by principally business and professional office uses located on sites zoned BP business and professional office in accord with the City of Rancho Cordova zoning code or designated commercial or CMU commercial mixed use.

“Planning Director” means the Planning Director of the City of Rancho Cordova.

“Priority list” means those facilities included in the transportation capital improvement plan and transportation development impact fee program, as identified in order of priority by the Director, to avoid substantial congestion levels on key roadways.

“Program fee per development unit” means the development impact fee per development unit for a particular category of facilities. Such program fees, identified in the fee resolution, were established using an allocation of transportation system costs, as identified in the transportation capital improvement plan and development impact fee program, and dwelling unit equivalents (DUEs) based on land use categories identified in the nexus study developed for the transportation development impact fee program.

“Programmed cost” means the estimated cost of constructing a facility based upon the unit costs for each construction item plus fixed percentages for engineering, permits and construction contingency as set forth in the city of Rancho Cordova transportation development impact fee program and its public facilities project cost estimates, as periodically updated and adopted by resolution of the Council.

“Residential development” means a subdivision map, parcel map, or permit for the original construction, grading or installation of dwelling units for residential use including detached and attached housing for owner or rental occupancy. For purposes of this chapter, residential development includes construction of or improvements to buildings or portions of buildings consisting of dwelling units constructed on sites designated CMU or another commercial zone. Institutional uses or other nonhousing development allowed by special use permit to be constructed on sites zoned for residential use are nonresidential development for purposes of this chapter.

“Single-family attached residential development” means all units within a structure that have two to four attached units, whether such units are offered for rent or for sale to individual owners, and all units within a structure that has five or more attached units that (1) are available for sale to individual owners, and (2) have a living area greater than 1,200 square feet.

“Single-family detached residential development” includes all single-family detached residential units.

“Transportation capital improvement plan” means the projects identified and the cost estimates prepared, and as may be updated, for the transportation system facilities identified in the general plan circulation element and on the roadway sizing diagram within the City limits that are needed to meet traffic demands as identified in the nexus study.

“Transportation development impact fee program” or “transportation impact fee” means the fee schedule, including any amendments thereto, adopted by resolution by the council for financing of designated public facilities to serve the City of Rancho Cordova, including, but not limited to, a designation of those facilities to be constructed with the development impact fees collected pursuant to this chapter, the priority list (“priority list”) for commencement of construction, the estimated cost of construction of the facilities and the total number of dwelling unit equivalents within each area of the City of Rancho Cordova as established. [Ord. 3-2013 § 1; Ord. 6-2006 § 3; Ord. 33-2005 § 3; Ord. 24-2005 § 3].

16.84.030 Establishment and administration of the City of Rancho Cordova transportation fund.

A. There is hereby created by the department of finance in the City treasury a special interest-bearing trust fund entitled the City of Rancho Cordova transportation fund. All amounts collected from transportation impact fees from Area 1 and Area 2 pursuant to this chapter shall be placed in said fund and shall be expended by the City of Rancho Cordova or its successor agency solely to pay the costs identified in the transportation capital improvement plan and/or development impact fee program and nexus study.

B. The transportation fund shall be administered by the Director. [Ord. 3-2013 § 1; Ord. 6-2006 § 3; Ord. 33-2005 § 3; Ord. 24-2005 § 3].

16.84.040 Establishment and administration of the City of Rancho Cordova transportation administration fund.

A. There is hereby created by the department of finance in the city treasury a special interest-bearing trust fund entitled the city of Rancho Cordova transportation administration fund. All administration fees collected from Area 1 and Area 2 pursuant to this chapter shall be placed in said fund and shall be expended by the City of Rancho Cordova or its successor agency solely to pay the costs associated with administering the City of Rancho Cordova transportation impact fee program.

B. Commencing with the updated nexus study adopted February 7, 2022, administrative costs are incorporated into the transportation development impact fee. The administrative portion of the transportation development impact fee shall be expended by the City of Rancho Cordova or its successor agency solely to pay the costs associated with administering the transportation development impact fee program.

C. The transportation administration fund shall be administered by the Director. [Ord. 3-2013 § 1; Ord. 6-2006 § 3; Ord. 33-2005 § 3; Ord. 24-2005 § 3].

16.84.050 Imposition of transportation impact fee.

No change in a land use zoning designation shall be approved within the City of Rancho Cordova unless payment of the transportation impact fees established by this chapter is required of the property owner as a condition of such approval. No building permit shall be approved for property within the City of Rancho Cordova unless the development fees for that property are paid as required by this chapter. [Ord. 3-2013 § 1; Ord. 6-2006 § 3; Ord. 33-2005 § 3; Ord. 24-2005 § 3].

16.84.060 Payment of transportation impact fees.

The transportation impact fees imposed pursuant to this chapter shall be paid by the property owner to the department, in an amount calculated pursuant to RCMC 16.84.100. The fees shall be calculated upon the approval of subdivision maps and shall be paid upon issuance of building permits. For projects that are subject to building permits, but not subdivision map approval, the fees shall be both calculated and paid upon issuance of the building permits. [Ord. 3-2013 § 1; Ord. 6-2006 § 3; Ord. 33-2005 § 3; Ord. 24-2005 § 3].

16.84.065 Payment of transportation impact fee – Deferral.

Notwithstanding any other requirement in RCMC 16.84.060, due to the continued effects of the nationwide slowdown in the housing market and the city's desire to encourage quality development, the city manager, or his/her designee, shall have the authority to consider and approve requests to defer payment of development impact fees imposed pursuant to this chapter to the earlier of 24 hours prior to scheduling a final inspection, issuance of a temporary or final certificate of occupancy, or one year from the date the deferral is approved. [Ord. 8-2019 § 2; Ord. 4-2016 § 2; Ord. 3-2015 § 2; Ord. 3-2013 § 1; Ord. 32-2010 § 3; Ord. 10-2009 § 3; Ord. 14-2008 § 2].

16.84.070 Adoption of the transportation system capital improvement plan and compliance with priority list of City of Rancho Cordova transportation impact fee program.

A. The Council shall by resolution adopt the City of Rancho Cordova transportation capital improvement plan of the City of Rancho Cordova transportation system development impact fee program. The Council shall review the transportation capital improvement plan not less than annually and may amend it by resolution at its discretion.

B. With the exception of facilities approved by the Director for construction by a property owner pursuant to RCMC 16.84.120, all facilities shall be funded in accordance with the Priority List established for the City of Rancho Cordova transportation development impact fee program. [Ord. 3-2013 § 1; Ord. 6-2006 § 3; Ord. 33-2005 § 3; Ord. 24-2005 § 3].

16.84.080 Establishment of transportation impact fees and creation of areas.

A. A separate transportation impact fee is hereby established for each of the following categories:

1. New development area transportation fee;
2. Infill area transportation fee;

ITEM 11.1.

Rancho Cordova Municipal Code
Chapter 16.84 DEVELOPMENT IMPACT FEES TO
FINANCE THE COST OF TRANSPORTATION
FACILITIES

B. There are hereby created two initial areas of the City of Rancho Cordova, as shown in the nexus study for the transportation development impact fee program and incorporated herein by reference.

C. Future areas of the transportation development impact fee program may be created as additional public facilities financing plans are implemented for remaining undeveloped areas outside of the City of Rancho Cordova that may be annexed to the City in the future. [Ord. 3-2013 § 1; Ord. 6-2006 § 3; Ord. 33-2005 § 3; Ord. 24-2005 § 3].

16.84.090 Establishment of costs per unit for land uses within the City of Rancho Cordova.

A. Fees per unit for various land uses identified in the fee resolution were established using an allocation of transportation system costs as identified in the transportation system capital improvement plan and total additional trip miles based on land use categories identified in the nexus study developed for the transportation impact fee program.

B. For specific land uses not identified in the fee resolution, the cost per dwelling unit equivalent established by the nexus study and the trip generation rates established by the Institute of Traffic Engineers or equivalent method shall be used to calculate the fee per dwelling unit. [Ord. 3-2013 § 1; Ord. 6-2006 § 3; Ord. 33-2005 § 3; Ord. 24-2005 § 3].

16.84.100 Calculation of transportation impact fee.

A. For residential development, the transportation impact fee shall be calculated by multiplying the number of units per land use category by a per unit cost as identified in the transportation impact fee program and fee resolution.

B. For nonresidential development, the transportation impact fee shall be calculated by multiplying the number of building square feet per land use category by a per square foot cost as identified in the transportation development impact fee program and fee resolution.

C. For the purpose of calculating the transportation impact fee for land use categories not specifically named in the transportation impact fee program and fee resolution, the planning director is hereby authorized to determine the land use category that corresponds most directly to the land use in question. Alternatively, the Planning Director can determine that no land use category adequately corresponds, and request the Public Works Director to determine the transportation impact fee. Said transportation impact fee will be determined using the applicable trip generation factors as found in the Institute of Transportation Engineers Trip Generation Manual or equivalent method.

D. For the purpose of calculating the regional fee, the regional fee shall be calculated as the difference between the transportation impact fee for Area 1 or Area 2 (depending on the location of the property at issue) and the transportation component of the specific plan fee, if any. If no specific plan fee exists, then the regional fee and the transportation impact fee are equivalent.

E. The transportation impact fees shall be paid by the property owner in the amount as calculated pursuant to subsections (A), (B), (C) and (D) of this section for the categories of facilities established by RCMC 16.84.080, and shall include an additional administrative fee per building permit which will be calculated as provided in the transportation development impact fee program nexus study.

F. For the purpose of calculating transportation impact fees pursuant to subsections (A), (B), (C), and (D) of this section for properties with an approved use permit which significantly changes the underlying use of the site or properties within a special planning area, the director is hereby authorized to determine the per-unit or per-square-foot costs for each fee category that corresponds most directly to the use and density.

G. For the purpose of calculating transportation impact fees pursuant to subsections (A), (B), (C), and (D) of this section for building permits for land use categories not specifically named in this chapter or the transportation development impact fee program, the Director is hereby authorized to determine the per-unit or per-square-foot costs for each fee category that corresponds most directly to the use and density. [Ord. 3-2013 § 1; Ord. 6-2006 § 3; Ord. 33-2005 § 3; Ord. 24-2005 § 3].

16.84.110 Credit for construction of transportation facilities.

A. Upon application by the property owner or his authorized agent, the Director may authorize the construction of any transportation facilities, or portions thereof, in order of priority as designated on the priority list for the

transportation development impact fee program in lieu of all, or a portion of, the transportation impact fee required by this chapter. If so authorized, the credit toward transportation impact fees, excluding the administrative fee, to be provided to the property owner for such in-lieu construction shall be equal to 80 percent of the programmed cost of the facility, as set forth in the transportation system development impact fee program in effect at the time when the in-lieu construction is so authorized, including, but not limited to, unit prices, quantities and project descriptions. Prior to credit being given and/or issuance of any of the approvals set forth in RCMC 16.84.060 (e.g., approvals of building permits, subdivisions or zoning amendments), the construction of any facility authorized by this section must either be accepted by the Department, or the property owner must post security for the complete performance of the construction in a form acceptable to the Director and the City Attorney.

B. Upon acceptance of the completed facility and after reconciliation of the final facility costs, the remaining 20 percent of the programmed cost as designated in the transportation system development impact fee program may be issued as a credit balance to the property owner that may be utilized within the City of Rancho Cordova as determined by the Director.

C. Where the amount of the credit is less than the amount of the transportation impact fee otherwise applicable to the development in question, the property owner must pay to the City the difference in accordance with RCMC 16.84.060.

D. Where the amount of the credit is greater than the amount of the transportation impact fee, the property owner shall be paid the difference only from the applicable transportation fund within a reasonable time after the project is accepted by the Department pursuant to RCMC 16.84.120 in order of priority on the priority list in the transportation system development impact fee program when funds are available.

E. Where a facility is proposed for construction by the property owner, the Director at his discretion may either (1) provide the property owner with a credit pursuant to this section, or (2) enter into a reimbursement agreement with the property owner pursuant to RCMC 16.84.120. [Ord. 3-2013 § 1; Ord. 6-2006 § 3; Ord. 33-2005 § 3; Ord. 24-2005 § 3].

16.84.120 Reimbursement for construction of transportation projects in advance of the transportation system development impact fee program priority list schedule.

A. Upon application by the property owner or his authorized agent, the Director may enter into a reimbursement agreement authorizing the construction of any transportation facilities, or portions thereof, designated in the transportation system development impact fee program. In addition to the requirements of subsection (D) of this section, the agreement shall set forth the amount to be reimbursed, the time and manner in which payments are to be made, and shall state that reimbursement by the City will only be made from the applicable transportation fund when funds are available.

B. The amount of reimbursement shall be the actual cost of the facility up to the programmed cost of the facility as set forth in the transportation system development impact fee program in effect at the time the construction contract is awarded for that specific facility. The time of reimbursement shall be the end of the fiscal year in which the facility is scheduled for construction, based on the priority list in the transportation system development impact fee program, or as different timing is otherwise authorized by the Director.

C. By entering into a reimbursement agreement, a property owner is not relieved of the obligation to pay the transportation impact fees in the manner and amount specified by this chapter.

D. If the Director enters into an agreement authorized by subsection (A) of this section, or credit agreement as authorized by RCMC 16.84.110(C), the agreement shall provide that:

1. The general fund of the City is not liable for payment of any obligations arising from the agreement;
2. The credit or taxing power of the City is not pledged for the payment of any obligations arising from the agreement;
3. The landowner shall not compel the exercise of the City taxing power or the forfeiture of any of its property to satisfy any obligations arising from the agreement; and

ITEM 11.1.

Rancho Cordova Municipal Code
 Chapter 16.84 DEVELOPMENT IMPACT FEES TO
 FINANCE THE COST OF TRANSPORTATION
 FACILITIES

4. The obligation arising from the agreement is not a debt of the city, nor a legal or equitable pledge, charge, lien, or encumbrance, upon any of its property, or upon any of its income, receipts, or revenues, and is payable only from the transportation impact fees deposited in the applicable transportation fund.

E. The property owner or his authorized agent shall apply for reimbursement as set forth in subsections (A), (B), (C) and (D) of this section no later than four years after the transportation project is constructed and accepted. The property owner shall waive the right of reimbursement for construction costs payable under this section when the reimbursement is not applied for within said four-year limitation. [Ord. 3-2013 § 1; Ord. 6-2006 § 3; Ord. 33-2005 § 3; Ord. 24-2005 § 3].

16.84.130 Annual program fee adjustment.

Commencing January 1, 2014, and thereafter each year no later than January 15th, the finance director, or his or her designee, shall authorize the adjustment of the program fee per development unit for each type of development in each fee category, which shall be adjusted according to the methodology described in the transportation development impact fee program nexus study.

The estimated cost of the facilities used in the transportation system capital improvement program and for calculating credits and reimbursements pursuant to RCMC 16.84.110 and 16.84.120 shall be adjusted annually using the same adjustment factor. [Ord. 3-2013 § 1; Ord. 5-2012 § 1; Ord. 3-2011 § 1; Ord. 5-2010 § 1; Ord. 7-2009 § 1; Ord. 6-2006 § 3; Ord. 33-2005 § 3; Ord. 24-2005 § 3].

16.84.140 Alternative method and compliance with other laws.

A. This chapter is intended to establish a supplemental method for funding the cost of certain facilities the need for which is expected to be generated by the level and type of development proposed in the City. Except as provided in Section 4 of the ordinance codified in this chapter (continuance in effect of roadway and transit development fees established by Sacramento County), the provisions of this chapter shall not be construed to limit the power of the Council to impose any other fees or exactions or to continue to impose existing ones on development within the City, but shall be in addition to any other fees, exactions or other requirements that the City is authorized to impose, or has previously imposed, as a condition of approving plans, rezonings or other entitlements within the City pursuant to state and local laws. In particular, individual property owners shall remain obligated to fund, construct, and/or dedicate the improvements, public facilities and/or pay other exactions authorized or required by, but not limited to: (1) the City Public Works Department improvement standards; (2) the Sacramento County municipal services agency improvement standards; (3) the Quimby Act (Section 66477 et seq. of the Government Code) and implementing ordinances (Chapter 22.40 RCMC); (4) school impact fees (Section 65970 et seq. of the Government Code) and implementing ordinances; and (5) Sacramento County drainage fees (county water agency Ordinance No. 1). Any credits or repayments pursuant to RCMC 16.84.110 and 16.84.120 shall not include credits or repayment for the funding, construction or dedications described in this section.

B. The construction of facilities by a private owner pursuant to RCMC 16.84.110 and 16.84.120 shall be performed and contracted for only as required by law, including, but not limited to, compliance with the Department's improvement standards and requirements for public works, if applicable to the particular facility. [Ord. 3-2013 § 1; Ord. 6-2006 § 3; Ord. 33-2005 § 3; Ord. 24-2005 § 3].

ORDINANCE NO. XX-XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RANCHO CORDOVA, CALIFORNIA, AMENDING TITLE 16 OF THE RANCHO CORDOVA MUNICIPAL CODE TO REPEAL SACRAMENTO COUNTY CODE (SCC) FLOODPLAIN MANAGEMENT ORDINANCE NO.SZC-2016-0023; TO ADOPT CHAPTER 16.96; TO ADOPT FLOOD HAZARD MAPS; TO DESIGNATE A FLOODPLAIN ADMINISTRATOR; AND FLOODPLAIN MANAGEMENT REQUIREMENTS FOR CITY OF RANCHO CORDOVA.

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

SECTION 1. Recitals.

WHEREAS, the Legislature of the State of California has, in Government Code Sections 65302, 65560, and 65800, conferred upon local governments the authority to adopt regulations designed to promote the public health, safety, and general welfare of its citizenry; and

WHEREAS, the Federal Emergency Management Agency has identified special flood hazard areas within the boundaries of **the City of Rancho Cordova** and such areas may be subject to periodic inundation which may result in loss of life and property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief, and impairment of the tax base, all of which adversely affect the public health, safety and general welfare; and

WHEREAS, the **City of Rancho Cordova** was accepted for participation in the National Flood Insurance Program on 09/15/2004 **and the City Council** desires to continue to meet the requirements of Title 44 Code of Federal Regulations, Parts 59 and 60, necessary for such participation; and

WHEREAS, pursuant to the California Health and Safety Code, Division 13, Part 1.5 and Part 2.5, the City of Rancho Cordova is required to administer and enforce the *California Building Standards Code*, and such building codes contain certain provisions that apply to the design and construction of buildings and structures in flood hazard areas.

SECTION 2. Findings.

This Ordinance is adopted pursuant to the following findings:

(1) To date, the City of Rancho Cordova has relied upon Sacramento County's Floodplain Management Ordinance.

(2) The City of Rancho Cordova was accepted for participation in the National Flood Insurance Program ("Program"). In consultation with the Federal Emergency Management Agency and the California Department of Water Resources, in order to continue participation in the Program, the City of Rancho Cordova has been advised to adopt its own floodplain management ordinance based upon the identification of certain special flood hazard areas within the boundaries of the City of Rancho Cordova.

(3) There are certain sections of the California Building Standards Code that apply to the design and construction of buildings and structures in flood hazard areas. For consistency with administering the California Building Standards Code, the City finds it is in the public interest to adopt floodplain management regulations that are coordinated and consistent with the California Building Standards Code.

(4) This Ordinance repeals and replaces the following ordinance(s) and regulation(s): SCC NO.SZC-2016-0023

SECTION 3. Repeal of SCC NO. SZC-2016-0023 and insert RCMC Chapter 16.96.

The City Council amends the Rancho Cordova Municipal Code by repealing Rancho Cordova Municipal Code Sections and Ordinance No. 75-2004 that adopted SCC NO. SZC-206-0023.

SECTION 4. Adoption of Floodplain Management Ordinance.

The City Council adds the following sections to the Rancho Cordova Municipal Code:

CHAPTER 16.96– FLOODPLAIN MANAGEMENT

PART I. – SCOPE AND ADMINISTRATION

ARTICLE 16.96.010 GENERAL PROVISIONS

Sec. 16.96.010-1. - Title. These regulations, in combination with the flood provisions of California Code of Regulations Title 24, the *California Building Standards Code* (hereinafter “building codes,” consisting of the Part 2 (building), Part 2.5 (residential), Part 10 (existing building), and related codes, shall be known as the *Floodplain Management Regulations of the City of Rancho Cordova* (hereinafter “these regulations”).

Sec. 16.96.010-2. - Statutory authority. The legislature of the State of California has, in Government Code Sections 65302, 65560, and 65800, conferred upon local governments the authority to adopt regulations designed to promote the public health, safety, and general welfare of its citizenry.

Sec. 16.96.010-3. - Scope. The provisions of these regulations, in combination with the flood provisions of the building codes, shall apply to all proposed development entirely or partially in flood hazard areas established in Section 16.96.020-2 of these regulations.

Sec. 16.96.010-4. – Purposes and objectives. The purposes and objectives of these regulations and the flood load and flood resistant construction requirements of the building codes are to promote the public health, safety and general welfare and to minimize public and private losses due to flood conditions in specific flood hazard areas through the establishment of comprehensive regulations for management of flood hazard areas, designed to:

- (1) Minimize unnecessary disruption of commerce, access and public service during times of flooding.
- (2) Require the use of appropriate construction practices in order to prevent or minimize future flood damage.

- (3) Manage the alteration of natural floodplains, stream channels and shorelines to minimize the impact of development on the natural and beneficial functions of the floodplain.
- (4) Manage filling, grading, dredging, mining, paving, excavation, drilling operations, storage of equipment or materials, and other development which may increase flood damage or erosion potential.
- (5) Prevent or regulate the construction of flood barriers which will divert floodwater or increase flood hazards.
- (6) Contribute to improved construction techniques in the floodplain.
- (7) Minimize damage to public and private facilities and utilities.
- (8) Help maintain a stable tax base by providing for the sound use and development of flood hazard areas.
- (9) Minimize the need for rescue and relief efforts associated with flooding.
- (10) Ensure that property owners, occupants, and potential owners are aware of property located in flood hazard areas.
- (11) Minimize the need for future expenditure of public funds for flood control projects and response to and recovery from flood events.
- (12) Meet the requirements of the National Flood Insurance Program for community participation as set forth in Title 44 Code of Federal Regulations, Section 59.22.

Sec. 16.96.010-5. - Coordination with California Building Standards Code. Pursuant to the requirement established in California Health and Safety Code, Division 13, Part 1.5 and Part 2.5 that **the City of Rancho Cordova** administer and enforce the California Building Standards Code, the **City Council of the City of Rancho Cordova** hereby acknowledges that the building codes contain certain provisions that apply to the design and construction of buildings and structures in flood hazard areas. Therefore, these regulations are intended to be administered and enforced in conjunction with the building codes.

Sec. 16.96.010-6. - Warning. The degree of flood protection required by these regulations and the building codes is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. Larger floods can and will occur. Flood heights may be increased by man-made or natural causes. Enforcement of these regulations and the building codes does not imply that land outside the special flood hazard areas, or that uses permitted within such flood hazard areas, will be free from flooding or flood damage. The flood hazard areas and base flood elevations contained in the Flood Insurance Study and shown on Flood Insurance Rate Maps ([Flood Maps | FEMA.gov](https://www.fema.gov/flood-maps)) and the requirements of Title 44 Code of Federal Regulations, Sections 59 and 60 may be revised by the Federal Emergency Management Agency, requiring the City of Rancho Cordova to revise these regulations to remain eligible for participation in the National Flood Insurance Program. No guaranty of vested use, existing use, or future use is implied or expressed by compliance with these regulations.

Sec. 16.96.010-7. - Disclaimer of liability. These regulations shall not create liability on the part of **the City Council**, any officer, employee, or agent thereof, the State of California, or the Federal

Emergency Management Agency, for any flood damage that results from reliance on these regulations or any administrative decision lawfully made hereunder. The Public Works Director of the City of Rancho Cordova or his/her designee charged with the enforcement of these regulations, while acting in his or her capacity for the City of Rancho Cordova, in good faith and without malice in the discharge of the duties required by these regulations or other pertinent law or ordinance, shall not thereby be rendered liable personally and is hereby relieved from personal liability for any damage accruing to persons or property as a result of any act or by reason of an act or omission in the discharge of official duties. Any suit instituted against an officer, employee, or agent, because of an act performed by that officer, employee, or agent in the lawful discharge of duties and under the provisions of these regulations shall be defended by counsel selected by the City until the final termination of the proceedings. The Public Works Director or his/her designee charged with the enforcement of these regulations shall not be liable for cost in any action, suit or proceeding that is instituted in pursuance of the provisions of these regulations.

Sec. 16.96.010-8. - Other laws. The provisions of these regulations shall not be deemed to nullify any provisions of local, State or federal law.

Sec. 16.96.010-9. - Abrogation and greater restrictions. These regulations supersede any ordinance in effect in flood hazard areas. However, these regulations are not intended to repeal, abrogate or impair any existing ordinances including land development regulations, subdivision regulations, zoning ordinances, general plan policies, stormwater management regulations, or building codes, nor any existing easements, covenants, or deed restrictions. In the event of an overlap or conflict between these regulations and any other ordinance, code, regulation, easement, covenant, or deed restriction, the more restrictive shall govern.

ARTICLE 16.96.020 APPLICABILITY

Sec. 16.96.020-1. - General applicability. These regulations, in conjunction with the building codes, provide minimum requirements for development located in flood hazard areas, including the subdivision of land; filling, grading and other site improvements; installation of utilities; installation, placement and replacement of manufactured homes; placement of recreational vehicles; installation of tanks; temporary structures and temporary or permanent storage; utility and miscellaneous Group U buildings and structures; certain building work exempt from permit under the building codes; and flood control projects.

Sec. 16.96.020-2. - Establishment of flood hazard areas. The Flood Insurance Study (FIS) for **Sacramento County**, California and Incorporated Areas dated August 16, 2012, and all subsequent amendments and revisions, and the accompanying Flood Insurance Rate Maps (FIRM), and all subsequent amendments and revisions to such maps, are hereby adopted by reference as a part of these regulations and serve as the basis for establishing flood hazard areas. Where the building code establishes flood hazard areas, such areas are established by this section. Additional maps and studies, when specifically adopted, supplement the FIS and FIRMs to establish additional flood hazard areas. Maps and studies that establish flood hazard areas are on file at the **FEMA Flood Map Service Center**, <https://msc.fema.gov/portal/home>.

Sec. 16.96.020-3. - Interpretation. In the interpretation and application of these regulations, all provisions shall be:

- (1) Considered as minimum requirements.

(2) Liberally construed in favor of the governing body.

(3) Deemed neither to limit nor repeal any other powers granted under state statutes.

ARTICLE 16.96.030 DUTIES AND POWERS OF THE FLOODPLAIN ADMINISTRATOR

Sec. 16.96.030-1. - Designation. The City of Rancho Cordova Public Works Director is designated the Floodplain Administrator. The Floodplain Administrator shall have the authority to delegate performance of certain duties to other employees.

Sec. 16.96.030-2. - General authority. The Floodplain Administrator is authorized and directed to administer and enforce these regulations. The Floodplain Administrator shall have the authority to render interpretations of these regulations and to establish policies and procedures in order to clarify the application of its provisions. Such interpretations, policies and procedures shall be consistent with the intent and purpose of these regulations and the flood provisions of the building code and shall not have the effect of waiving specific requirements without the granting of a variance pursuant to Article 16.96.070 of these regulations. The Floodplain Administrator is authorized to waive the submission of site plans, construction documents, and other data that are required by these regulations but that are not required to be prepared by a qualified California (CA) Licensed Land Surveyor or Civil Engineer when it is found that the nature of the proposed development is such that the review of such submissions is not necessary to ascertain compliance with these regulations.

Sec. 16.96.030-3. - Coordination. The Floodplain Administrator shall coordinate with and provide comments to the City's Chief Building Official to administer and enforce the flood provisions of the building code and to ensure compliance with the applicable provisions of these regulations. The Floodplain Administrator and the Chief Building Official have the authority to establish written procedures for reviewing applications and conducting inspections for buildings and for administering and documenting determinations of substantial improvement and substantial damage made pursuant to Section 16.96.030-5 of these regulations.

Sec. 16.96.030-4. - Duties. The Floodplain Administrator, in coordination with other pertinent City departments, shall:

- (1) Review all permit applications and plans to determine whether proposed development is located in flood hazard areas.
- (2) Review all applications and plans for development in flood hazard areas for compliance with these regulations.
- (3) Review, in coordination with the Chief Building Official, required design certifications and documentation of elevations specified by the building code to determine that such certifications and documentations are complete.
- (4) Review applications and plans for modification of any existing development in flood hazard areas for compliance with these regulations.
- (5) Require development in flood hazard areas to be reasonably safe from flooding and to be designed and constructed with methods, practices and materials that minimize flood damage.

- (6) Interpret flood hazard area boundaries and provide available flood elevation and flood hazard information.
- (7) Determine whether additional flood hazard data shall be obtained from other sources or developed by the applicant.
- (8) Complete the appropriate section of the Department of Housing and Community Development Floodplain Ordinance Compliance Certification for Manufactured Home/Mobil home Installations when submitted by applicants.
- (9) Review requests submitted to the Chief Building Official seeking approval to modify the strict application of the flood load and flood resistant construction requirements of the building code, to determine whether such requests require consideration as a variance pursuant to Article 16.96.070 of these regulations.
- (10) Coordinate with the Chief Building Official and others to identify and investigate damaged buildings located in flood hazard areas and inform owners of the requirement to obtain permits for repairs.
- (11) Require applicants who submit hydrologic and hydraulic engineering analyses to support permit applications to submit to FEMA the data and information necessary to maintain the Flood Insurance Rate Maps when the analyses indicate changes in base flood elevations, flood hazard area boundaries, or floodway designations; such submissions shall be made within 6 months of such data becoming available.
- (12) Require applicants who propose alteration of a watercourse to notify adjacent communities and the NFIP State Coordinating Agency, and to submit copies of such notifications to the Federal Emergency Management Agency (FEMA).
- (13) Inspect development in accordance with Article 16.96.060 of these regulations and inspect flood hazard areas to determine when development is undertaken without issuance of permits.
- (14) Prepare comments and recommendations for consideration when applicants seek variances for development other than buildings in accordance with Article 16.96.070 of these regulations.
- (15) Cite violations in accordance with Article 16.96.080 of these regulations.
- (16) Notify FEMA when the corporate boundaries of the **City of Rancho Cordova** have been modified and provide a map and legal description of the changes in the corporate boundaries.

Sec. 16.96.030-5. - Substantial improvement and substantial damage determinations. For applications for building permits to improve buildings and structures, including alterations, movement, enlargement, replacement, repair, additions, rehabilitations, renovations, substantial improvements, repairs of substantial damage, and any other improvement of or work on such buildings and structures, the Floodplain Administrator, in coordination with the Chief Building Official, shall:

- (1) Estimate the market value or require the applicant to obtain an appraisal of the market

value prepared by a qualified independent appraiser, of the building or structure before the start of construction of the proposed work; in the case of repair, the market value of the building or structure shall be the market value before the damage occurred and before any repairs are made.

- (2) Compare the cost to perform the improvement, the cost to repair the damaged building to its pre-damaged condition, or the combined costs of improvements and repairs, when applicable, to the market value of the building or structure.
- (3) Determine and document whether the proposed work constitutes substantial improvement or repair of substantial damage.
- (4) Notify the applicant when it is determined that the work constitutes substantial improvement or repair of substantial damage and that compliance with the flood resistant construction requirements of the building code is required and notify the applicant when it is determined that work does not constitute substantial improvement or repair of substantial damage.

Sec. 16.96.030-6. - Department records. In addition to the requirements of the building code and these regulations, and regardless of any limitation on the period required for retention of public records, the Floodplain Administrator shall maintain and permanently keep and make available for public inspection all records that are necessary for the administration of these regulations and the flood provisions of the building codes, including Flood Insurance Studies and Flood Insurance Rate Maps; documents from FEMA that amend or revise FIRMs; records of issuance of permits and denial of permits; determinations of whether proposed work constitutes substantial improvement or repair of substantial damage; required certifications and documentation specified by the building codes and these regulations; notifications to adjacent communities, FEMA, and the State related to alterations of watercourses; assurance that the flood carrying capacity of altered waterways will be maintained; documentation related to variances, including justification for issuance or denial; and records of enforcement actions taken pursuant to these regulations and the flood resistant provisions of the building codes.

ARTICLE 16.96.040 PERMITS FOR FLOODPLAIN DEVELOPMENT

Sec. 16.96.040-1. - Permits required. Any person, owner or authorized agent who intends to conduct any development in a flood hazard area shall first make an application to the Floodplain Administrator and shall obtain the required permit for floodplain development. No permit shall be issued until compliance with the requirements of these regulations and all other applicable codes and regulations has been satisfied. No building permit shall be issued based on Conditional Letters of Map Revision issued by FEMA. Depending on the nature and extent of proposed development that includes a building or structure, the Floodplain Administrator may determine a permit for floodplain development is required in addition to a building permit.

Sec. 16.96.040-2. - Application for permit. The applicant shall file an application in writing on a form furnished by the Floodplain Administrator. The information provided shall:

- (1) Identify and describe the development to be covered by the permit.
- (2) Describe the land on which the proposed development is to be conducted by legal description, street address or similar description that will readily identify and definitely locate the site.

- (3) Indicate the use and occupancy for which the proposed development is intended.
- (4) Be accompanied by a site plan and construction documents as specified in Article 16.96.050 of these regulations, including grading, excavation and filling plans and other information deemed appropriate by the Floodplain Administrator.
- (5) State the valuation of the proposed work.
- (6) Be signed by the applicant or the applicant's authorized agent.
- (7) Include such other data and information required by the Floodplain Administrator to demonstrate compliance with these regulations.

A fee shall be paid by the applicant to the City of Rancho Cordova for plan checking and review, site inspections, processing, issuance and other services performed by the Floodplain Administrator in connection with the review of an application for a Floodplain Management Permit. The fees for these services shall be in the amount of the actual costs incurred by the City of Rancho Cordova based on the hourly rate of the personnel performing the services, including all overhead costs, and as determined by the Building and Safety Division and adopted by resolution of the City Council. The permit fees shall be paid in advance at the time the floodplain management activity is requested and those fees will be adjusted each January. No services(s) will be performed for an applicant until the applicant has paid the estimated fees attributable to such service(s). If the service(s) are greater than the estimated fee, the applicant shall pay the balance of any fees and interest owed prior to issuance of a permit.

Sec. 16.96.040-3. - Validity of permit. The issuance of a permit for floodplain development under these regulations or the building codes shall not be construed to be a permit for, or approval of, any violation of these regulations, the building code, or any other ordinance of the community. The issuance of a permit for floodplain development based on submitted documents and information shall not prevent the Floodplain Administrator from requiring the correction of errors and omissions. The Floodplain Administrator is authorized to prevent occupancy or use of a structure or site which is in violation of these regulations.

Sec. 16.96.040-4. - Other permits required. The applicant shall obtain all other required state and federal permits prior to initiating work authorized by these regulations and shall provide documentation of such permits to the Floodplain Administrator. Such permits include but are not limited to the California State Water Resources Control Board for activities that affect wetlands and alter surface water flows, in conjunction with the U.S. Army Corps of Engineers; Section 404 of the Clean Water Act.

Sec. 16.96.040-5. - Expiration. A permit for floodplain development shall become invalid when the proposed development is not commenced within 180 days after its issuance, or when the work authorized is suspended or abandoned for a period of 180 days after the work commences. Extensions shall be requested in writing and justifiable cause demonstrated. The Floodplain Administrator is authorized to grant, in writing, one or more extensions of time, for periods not more than 180 days each unless FEMA has issued notification of revision to the Flood Insurance Rate Study and Flood Insurance Rate Maps that alter the flood hazard area or floodway boundaries, flood zones, or base flood elevations, in which case the permit is invalid.

Sec. 16.96.040-6. - Suspension or revocation. The Floodplain Administrator is authorized to suspend or revoke a permit for floodplain development issued under these regulations wherever

the permit is issued in error or on the basis of incorrect, inaccurate or incomplete information, or in violation of these regulations or any ordinance or code of this community.

Sec. 16.96.040-7. - Appeals of decisions. When it is alleged there is an error in any decision or determination made by the Floodplain Administrator in the interpretation or enforcement of these regulations, such decision or determination may be appealed to the City Manager, and/or the City Council by filing a written appeal setting forth the reasons of the appeal. Any appeal shall follow the procedures set forth in Rancho Cordova Municipal Code Section 16.44.300.

ARTICLE 16.96.050 SITE PLANS AND CONSTRUCTION DOCUMENTS

Sec. 16.96.050-1. - Information for development in flood hazard areas. The site plan or construction documents for any development subject to the requirements of these regulations shall be drawn to scale and shall include, as applicable to the proposed development:

- (1) Delineation of flood hazard areas; floodway boundaries and flood zone(s); base flood elevation(s); ground elevations; proposed filling, grading, and excavation; and drainage patterns and facilities when necessary for review of the proposed development.
- (2) Where base flood elevations or floodway data are not included on the FIRM or in the Flood Insurance Study, they shall be established in accordance with Section 16.96.050-2 or Section 16.96.050-3 of these regulations.
- (3) Where the parcel on which the proposed development will take place will have more than 50 lots or is larger than 5 acres and base flood elevations are not included on the FIRM or in the Flood Insurance Study, such elevations shall be established in accordance with Section 16.96.050-2 of these regulations.
- (4) Location of the proposed activity and proposed structures; locations of water supply, sanitary sewer, and other utilities; and locations of existing buildings and structures.
- (5) Location, extent, amount, and proposed final grades of any filling, grading, or excavation.
- (6) Where the placement of fill is proposed, the amount, type, and source of fill material; compaction specifications; a description of the intended purpose of the fill areas; and evidence that the proposed fill areas are the minimum necessary to achieve the intended purpose. If a site is filled above the base flood elevation, then buildings constructed within special or local flood hazard areas must be constructed on compacted fill in accordance with the Construction Specifications or at least 90% density per ASTM-01557 (known as Modified Proctor) and extending at least five feet beyond the building foundation walls before dropping below the base flood elevation and shall include appropriate protection from erosion and scour.
- (7) Existing and proposed alignment of any proposed alteration of a watercourse.

Sec. 16.96.050-2. - Information in flood hazard areas without base flood elevations (approximate Zone A). Where flood hazard areas are delineated on the FIRM and base flood elevation data have not been provided, the Floodplain Administrator is authorized to:

- (1) Require the applicant to include base flood elevation data prepared by a qualified CA

Licensed Civil Engineer in accordance with currently accepted engineering practices. Such analyses shall be performed and sealed by a qualified CA Licensed Civil Engineer. Studies, analyses and computations shall be submitted in sufficient detail to allow review and approval by the Floodplain Administrator. The accuracy of data submitted for such determination shall be the responsibility of the applicant.

- (2) Obtain, review, and provide to applicants base flood elevation and floodway data available from a federal or state agency or other source or require the applicant to obtain and use base flood elevation and floodway data available from a federal or state agency or other source.
- (3) Where base flood elevation and floodway data are not available from another source, where the available data are deemed by the Floodplain Administrator to not reasonably reflect flooding conditions, or where the available data are known to be scientifically or technically incorrect or otherwise inadequate:
 - (a) Require the applicant to include base flood elevation data in accordance with Section 16.96.050-2(1) of these regulations; or
 - (b) Specify that the base flood elevation is 1.5 feet above the highest adjacent grade at the location of the development, provided there is no evidence indicating flood depths have been or may be greater than two (2) feet.
- (4) Where the base flood elevation data are to be used to support a request for a Letter of Map Change from FEMA, advise the applicant that the analyses shall be prepared by a qualified CA Licensed Civil Engineer in a format required by FEMA, and that it shall be the responsibility of the applicant to satisfy the submittal requirements and pay the processing fees.

Sec. 16.96.050-3. - Additional analyses and certifications. As applicable to the location and nature of the proposed development activity, and in addition to the requirements of these regulations, the applicant shall have the following analyses signed and sealed by a qualified CA Licensed Civil Engineer for submission with the site plan and construction documents:

- (1) For development activities proposed to be located in a floodway, a floodway encroachment analysis that demonstrates that the encroachment of the proposed development will not cause any increase in base flood elevations; where the applicant proposes to undertake development activities that do increase base flood elevations, the applicant shall submit such analysis to FEMA as specified in Section 16.96.050-4 of these regulations and shall submit the Conditional Letter of Map Revision, when issued by FEMA, with the site plan and construction documents.
- (2) For development activities proposed to be located in a riverine flood hazard area where base flood elevations are included in the Flood Insurance Study or on the FIRM but floodways have not been designated, hydrologic and hydraulic analyses that demonstrate that the cumulative effect of the proposed development, when combined with all other existing and anticipated flood hazard area encroachments, will not increase the base flood elevation at any point within the community. This requirement does not apply in isolated flood hazard areas not connected to a riverine flood hazard area or in flood hazard areas identified as Zone AO or Zone AH.

- (3) For alteration of a watercourse, an engineering analysis prepared in accordance with standard engineering practices that demonstrates the flood-carrying capacity of the altered or relocated portion of the watercourse will not be decreased, and certification that the altered watercourse shall be maintained in a manner which preserves the channel's flood-carrying capacity. The applicant shall submit the analysis to FEMA as specified in Section 16.96.050-4 of these regulations. The applicant shall notify the chief executive officer of adjacent communities and the California Department of Water Resources. The Floodplain Administrator shall maintain a copy of the notification in the permit records and shall submit a copy to FEMA.
- (4) Provide a drainage system report in accordance with the Sacramento County Improvement Standards with a narrative describing the existing and proposed stormwater management system, including all discharge points, collection, conveyance, overland flow path and stormwater storage facilities.
- (5) Provide a drainage system map including, but not limited to, sub-watershed boundaries and the property's location within the larger watershed, predevelopment, and post-development terrain at 1-foot contour intervals and the location of all existing and proposed drainage features. Applicant shall include a plan of the parcel showing applicable proposed revisions to pre-development and post development surface drainage flows.

Sec. 16.96.050-4. - Submission of additional data. When additional hydrologic, hydraulic or other engineering data, studies, and additional analyses are submitted to support an application, the applicant has the right to seek a Letter of Map Change from FEMA to change the base flood elevations, change floodway boundaries, or change boundaries of flood hazard areas shown on FIRMs, and to submit such data to FEMA for such purposes. The analyses shall be prepared by a qualified CA Licensed Civil Engineer in a format required by FEMA. Submittal requirements and processing fees shall be the responsibility of the applicant. Provided FEMA issues a Conditional Letter of Map Revision, construction of proposed flood control projects and land preparation for development are permitted, including clearing, excavation, grading, and filling. Permits for construction of buildings shall not be issued until the applicant satisfies the FEMA requirements for issuance of a Letter of Map Revision.

ARTICLE 16.96.060 INSPECTIONS

Sec. 16.96.060-1. - Inspections, in general. Development for which a permit for floodplain development is required shall be subject to inspection. Approval as a result of an inspection shall not be construed to be an approval of a violation of the provisions of these regulations or the building code. Inspections presuming to give authority to violate or cancel the provisions of these regulations or the building code or other ordinances shall not be valid.

Sec. 16.96.060-2. - Inspections of development other than buildings and structures. The Floodplain Administrator shall make or cause to be made, inspections of all development other than buildings and structures that is authorized by issuance of a permit for floodplain development under these regulations. The Floodplain Administrator shall inspect flood hazard areas from time to time to determine when development is undertaken without issuance of a permit.

Sec. 16.96.060-3. - Inspections of manufactured homes installations. The Floodplain Administrator shall make or cause to be made, inspections of installation and replacement of manufactured homes in flood hazard areas authorized by issuance of a permit for floodplain development under these regulations. Upon installation of a manufactured home and receipt of the elevation certification, the Floodplain Administrator shall inspect the installation or have the installation inspected.

Sec. 16.96.060-4. - Buildings and structures. The Chief Building Official shall make or cause to be made, inspections for buildings and structures in flood hazard areas authorized by permit, in accordance with the building code:

- (1) **Lowest floor elevation.** Upon placement of the lowest floor, including the basement, and prior to further vertical construction, certification of the elevation required in the building code shall be prepared by a CA Licensed Land Surveyor or Civil Engineer and submitted to the Chief Building Official.
- (2) **Final inspection.** Prior to the final inspection, certification of the elevation required in the building code shall be prepared by a CA Licensed Land Surveyor or Civil Engineer and submitted to the Chief Building Official.

ARTICLE 16.96.070 VARIANCES

Sec. 16.96.070-1. - Nature of variances. The considerations and conditions for variances set forth in this article are based on the general principle of zoning law that variances pertain to a piece of property and are not personal in nature. A variance may be issued for a parcel of property with physical characteristics so unusual that complying with the requirements of these regulations would create an exceptional hardship to the applicant or the surrounding property owners. The characteristics must be unique to the property and not be shared by adjacent parcels. The unique characteristic must pertain to the land itself, not to the structure, its inhabitants, or the property owners. The issuance of a variance is for floodplain management purposes only. Federal flood insurance premium rates are determined by the National Flood Insurance Program according to actuarial risk and will not be modified by the granting of a variance.

It is the duty of the **City Council** to promote public health, safety and welfare and minimize losses from flooding. This duty is so compelling and the implications of property damage and the cost of insuring a structure built below flood level are so serious that variances from the elevation or other requirements in the building codes should be quite rare. The long-term goal of preventing and reducing flood loss and damage, and minimizing recovery costs, inconvenience, danger, and suffering, can only be met when variances are strictly limited. Therefore, the variance requirements in these regulations are detailed and contain multiple provisions that must be met before a variance can be properly issued. The criteria are designed to screen out those situations in which alternatives other than a variance are more appropriate.

Sec. 16.96.070-2. – Variances; general. The **Planning Commission** shall hear and decide requests for variances from the strict application of these regulations. The standards for variances from these regulations in this Article shall be the only standards for variances applied to floodplain management matters and supersede any other standards for variances found in the Rancho Cordova Municipal Code.

Sec. 16.96.070-3. - Limitations on authority. The **Planning Commission** shall base its determination on technical justifications submitted by applicants, the considerations and conditions set forth in this article, the comments and recommendations of the Floodplain Administrator and Chief Building Official, as applicable, and has the right to attach such conditions to variances as it deems necessary to further the purposes and objectives of these regulations and the building code.

Sec. 16.96.070-4. - Records. The Floodplain Administrator shall maintain a permanent record of all variance actions, including justification for issuance.

Sec. 16.96.070-5. - Historic structures. A variance is authorized to be issued for the repair, improvement, or rehabilitation of a historic structure upon determination that the proposed repair, improvement, or rehabilitation will not preclude the structure's continued designation as a historic structure, and the variance is the minimum necessary to preserve the historic character and design of the structure. When the proposed work precludes the structure's continued designation as a historic building, a variance shall not be granted and the structure and any repair, improvement, and rehabilitation shall be subject to the requirements of the building code.

Sec. 16.96.070-6. - Restrictions in floodways. A variance shall not be issued for any proposed development in a floodway when any increase in flood levels would result during the base flood discharge, as evidenced by the applicable analyses required in Section 16.96.050-3(1) of these regulations.

Sec. 16.96.070-7. - Functionally dependent uses. A variance is authorized to be issued for the construction or substantial improvement necessary for the conduct of a functionally dependent use provided the criteria in Section 1612 of the building code (CCR Title 24 Part 2) or Section R322 of the residential code (CCR Title 24 Part 2.5) are met, as applicable, and the variance is the minimum necessary to allow the construction or substantial improvement, and that all due consideration has been given to use of methods and materials that minimize flood damages during the base flood and create no additional threats to public safety.

Sec. 16.96.070-8. - Agricultural structures. A variance is authorized to be issued for the construction or substantial improvement of agricultural structures that are not elevated or dry floodproofed, provided the requirements of this section are satisfied and:

- (1) A determination has been made that the proposed agricultural structure:
 - (a) Is used exclusively in connection with the production, harvesting, storage, raising, or drying of agricultural commodities and livestock, or storage of tools or equipment used in connection with these purposes or uses, and will be restricted to such exclusive uses.
 - (b) Has low damage potential.
 - (c) Does not increase risks and pose a danger to public health, safety, and welfare if flooded and contents are released, including but not limited to the effects of flooding on manure storage, livestock confinement operations, liquified natural gas terminals, and production and storage of highly volatile, toxic, or water-reactive materials.
 - (d) Complies with the wet floodproofing construction requirements of Section 16.96.070-8(2), below.

(2) Wet floodproofing construction requirements.

- (a) Anchored to resist flotation, collapse, and lateral movement.
- (b) When enclosed by walls, walls have flood openings that comply with the flood opening requirements of ASCE 24, Chapter 2.
- (c) Flood damage-resistant materials are used below the base flood elevation.
- (d) Mechanical, electrical, and utility equipment are elevated above the base flood elevation.

Sec. 16.96.070-9. - Considerations for issuance of variances. In reviewing applications for variances, all technical evaluations, all relevant factors, all other requirements of these regulations and the building code, as applicable, and the following shall be considered:

- (1) The danger that materials and debris may be swept onto other lands resulting in further injury or damage.
- (2) The danger to life and property due to flooding or erosion damage.
- (3) The susceptibility of the proposed development, including contents, to flood damage and the effect of such damage on current and future owners.
- (4) The importance of the services provided by the proposed development to the community.
- (5) The availability of alternate locations for the proposed development that are not subject to flooding or erosion and the necessity of a waterfront location, where applicable.
- (6) The compatibility of the proposed development with existing and anticipated development.
- (7) The relationship of the proposed development to the comprehensive plan and floodplain management program for that area.
- (8) The safety of access to the property in times of flood for ordinary and emergency vehicles.
- (9) The expected heights, velocity, duration, rate of rise and debris and sediment transport of the floodwater and the effects of wave action, if applicable, expected at the site.
- (10) The costs of providing governmental services during and after flood conditions including maintenance and repair of public utilities and facilities such as sewer, gas, electrical and water systems, streets and bridges.

Sec. 16.96.070-10. - Conditions for issuance of variances. Variances shall only be issued upon:

- (1) Submission by the applicant of a showing of good and sufficient cause that the unique characteristics of the size, configuration or topography of the site limit compliance with any provision of these regulations or renders the elevation standards of the building

code inappropriate.

- (2) A determination that failure to grant the variance would result in exceptional hardship due to the physical characteristics of the land that render the lot undevelopable.
- (3) A determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, nor create nuisances, cause fraud on or victimization of the public or future property owners, or conflict with existing local laws or ordinances.
- (4) A determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.
- (5) When the request is to allow construction of the lowest floor of a new building or substantial improvement of a building below the base flood elevation, notification to the applicant in writing over the signature of the Floodplain Administrator specifying the difference between the base flood elevation and the proposed elevation of the lowest floor, stating that issuance of a variance to construct below the elevation required in the building code will result in increased premium rates for federal flood insurance up to amounts as high as \$25 for \$100 of insurance coverage, and that such construction below the required elevation increases risks to life and property.

ARTICLE 16.96.080 VIOLATIONS

Sec. 16.96.080-1. - Violations. Any development in any flood hazard area that is being performed without an issued permit or that is in conflict with an issued permit shall be deemed a violation. A building or structure without the documentation of the elevation of the lowest floor, other required design certifications, or other evidence of compliance required by these regulations or the building code, is presumed to be a violation until such time as required documentation is submitted. Violation of the requirements shall constitute a misdemeanor.

Sec. 16.96.080-2. - Authority. The Floodplain Administrator is authorized to serve notices of violation or stop work orders to owners of property involved, to the owner's agent, or to the person or persons doing the work, for development that is not within the scope of the building codes, but is regulated by these regulations and that is determined to be a violation.

Sec. 16.96.080-3. - Unlawful continuance. Any person who shall continue any work after having been served with a notice of violation or a stop work order, except such work as that person is directed to perform to remove or remedy a violation or unsafe condition, shall be subject to penalties as prescribed by law.

PART II. – DEFINITIONS

ARTICLE 16.96.100 DEFINITIONS

Sec. 16.96.100-1. - General. The following words and terms shall, for the purposes of these regulations, have the meanings shown herein. Where terms are not defined in these regulations and are defined in the building code (CCR Title 24 Part 2) and used in the residential code (CCR Title 24 Part 2.5), such terms shall have the meanings ascribed to them in those codes. Where terms are not defined in these regulations or the building code, such terms shall have ordinarily accepted meanings such as the context implies.

Sec. 16.96.100-2. - Definitions

“Accessory Structure” means a structure on the same parcel of property as a principal structure and the use of which is incidental to the use of the principal structure. For floodplain management purposes, the term includes only accessory structures used for parking and storage.

“Agricultural Structure” means a walled and roofed structure used exclusively for agricultural purposes or uses in connection with the production, harvesting, storage, raising, or drying of agricultural commodities and livestock, including aquatic organisms. Structures that house tools or equipment used in connection with these purposes or uses are also considered to have agricultural purposes or uses.

“Alteration of a watercourse” means a dam, impoundment, channel relocation, change in channel alignment, channelization, or change in cross-sectional area of the channel or the channel capacity, or any other form of modification which may alter, impede, retard or change the direction and/or velocity of the riverine flow of water during conditions of the base flood.

“ASCE 24” means the standard *Flood Resistant Design and Construction*, referenced by the building code, developed and published by the American Society of Civil Engineers, Reston, VA. Where cited, ASCE 24 refers to the edition of the standard that is referenced by the building code.

“Base flood” means the flood having a 1-percent chance of being equaled or exceeded in any given year. [Also defined in CCR Title 24 Part 2.]

“Base flood elevation” means the elevation of the base flood, including wave height, relative to the National Geodetic Vertical Datum (NGVD), North American Vertical Datum (NAVD) or other datum specified on the Flood Insurance Rate Map (FIRM). [Also defined in CCR Title 24 Part 2.] **The base flood elevation shall be defined using the National Geodetic Survey Vertical Datum North American Vertical Datum 1988 (NAVD88) used in Sacramento County for floodplain mapping.**

“Basement” means, for the purpose of floodplain management, the portion of a building having its floor subgrade (below ground level) on all sides. [Also defined in CCR Title 24 Part 2.]

“Building code” means California Code of Regulations Title 24, the *California Building Standards Code*, the family of building codes specifically adopted by the State of California and composed of:

- (1) Part 2, applicable to buildings and structures other than dwellings within the scope of this part.
- (2) Part 2.5, applicable to one- and two-family dwellings and townhouses not more than three stories, and accessory structures.
- (3) Part 10, applicable to existing buildings (as defined in that code).
- (4) Other specified codes.

“Design flood” means the flood associated with the greater of the following two areas: [Also

defined in CCR Title 24 Part 2.]

- (1) Area with a floodplain subject to a 1-percent or greater chance of flooding in any year.
- (2) Area designated as a flood hazard area on a community's flood hazard map, or otherwise legally designated.

"Design flood elevation" means the elevation of the "design flood," including wave height, relative to the datum specified on the community's legally designated flood hazard map. In areas designated as Zone AO, the design flood elevation shall be the elevation of the highest existing grade of the building's perimeter plus the depth number (in feet) specified on the flood hazard map.

"Development" means any manmade change to improved or unimproved real estate, including but not limited to, buildings or other structures, temporary structures, temporary or permanent storage of materials, mining, dredging, filling, grading, paving, excavations, drilling operations, flood control projects, and other land-disturbing activities.

"Encroachment" means the placement of fill, excavation, buildings, permanent structures or other development into a flood hazard area which may impede or alter the flow capacity of riverine flood hazard areas.

"Exceptional hardship" means, for the purpose of variances from these regulations or the building code, the exceptional difficulty that would result from a failure to grant a requested variance. Mere economic or financial hardship is not exceptional. Inconvenience, aesthetic considerations, physical handicaps, personal preferences, or the disapproval of one's neighbors do not, as a rule, qualify as exceptional hardships. All of these circumstances can be resolved through other means without granting variances, even when the alternatives are more expensive or require the property owner to build elsewhere or put the parcel to a different use than originally intended.

"Existing manufactured home park or subdivision" means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) was completed before August 16, 2012.

"Expansion to an existing manufactured home park or subdivision" means the preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads).

"Flood or flooding" means a general and temporary condition of partial or complete inundation of normally dry land from:

- (1) The overflow of inland or tidal waters.
- (2) The unusual and rapid accumulation or runoff of surface waters from any source.
- (3) Mudslides (i.e., mudflows) which are proximately caused by flooding.

“Flood control project” means a dam or barrier designed and constructed to keep water away from or out of a specified area, including but not limited to levees, floodwalls, and channelization.

“Flood damage-resistant materials” means any construction material capable of withstanding direct and prolonged contact with floodwaters without sustaining any damage that requires more than cosmetic repair. [Also defined in CCR Title 24 Part 2.]

“Flood hazard area” means the greater of the following two areas: [Also defined in CCR Title 24 Part 2.]

- (1) The area within a floodplain subject to a 1-percent or greater chance of flooding in any year.
- (2) The area designated as a flood hazard area on the community’s flood hazard map, or otherwise legally designated.

“Flood Insurance Rate Map (FIRM)” means an official map of a community on which the Federal Emergency Management Agency (FEMA) has delineated both the special flood hazard areas and the risk premium zones applicable to the community. [Also defined in CCR Title 24 Part 2.]

“Flood Insurance Study” means the official report provided by the Federal Emergency Management Agency containing the Flood Insurance Rate Map (FIRM), the Flood Boundary and Floodway Map (FBFM), the water surface elevation of the base flood and supporting technical data. [Also defined in CCR Title 24 Part 2.]

“Floodplain Administrator” means the Public Works Director of the City of Rancho Cordova, or his/her designee.

“Floodway” means the channel of the river, creek or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height. [Also defined in CCR Title 24 Part 2.]

“Fraud or victimization” means, for the purpose of variances from these regulations or the building code, the intentional use of deceit to deprive another of rights or property, making a victim of the deprived person or the public. As it pertains to buildings granted variances to be constructed below the elevation required by the building code, future owners or tenants of such buildings and the community as a whole may bear the burden of increased risk of damage from floods, increased cost of flood insurance, and increased recovery costs, inconvenience, danger, and suffering.

“Functionally dependent use” means a use that cannot perform its intended purpose unless it is located or carried out in close proximity to water, including only docking facilities, port facilities necessary for the loading or unloading of cargo or passengers, and shipbuilding or ship repair facilities. The term does not include long-term storage, manufacture, sales or service facilities.

“Highest adjacent grade” means the highest natural elevation of the ground surface prior to construction next to the proposed walls or foundation of a structure.

"Historic structure" means any structure that is:

- (1) Listed individually in the National Register of Historic Places (a listing maintained by the Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;
- (2) Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;
- (3) Individually listed on the inventory of historic places maintained by the California Office of Historic Preservation; or
- (4) Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified by the California Office of Historic Preservation.

"Letter of Map Change (LOMC)" means an official determination issued by FEMA that amends or revises an effective Flood Insurance Rate Map or Flood Insurance Study. Letters of Map Change include:

- (1) Letter of Map Amendment (LOMA): An amendment based on technical data showing that a property was incorrectly included in a designated special flood hazard area. A LOMA amends the current effective Flood Insurance Rate Map and establishes that a specific property, portion of a property, or structure is not located in a special flood hazard area.
- (2) Letter of Map Revision (LOMR): A revision based on technical data that may show changes to flood zones, flood elevations, special flood hazard area boundaries and floodway delineations, and other planimetric features.
- (3) Letter of Map Revision Based on Fill (LOMR-F): A determination that a structure or parcel of land has been elevated by fill above the base flood elevation and is, therefore, no longer located within the special flood hazard area. In order to qualify for this determination, the fill must have been permitted and placed in accordance with these regulations.
- (4) Conditional Letter of Map Revision (CLOMR): A formal review and comment as to whether a proposed flood protection project or other project complies with the minimum NFIP requirements for such projects with respect to delineation of special flood hazard areas. A CLOMR does not revise the effective Flood Insurance Rate Map or Flood Insurance Study; upon submission and approval of certified as-built documentation, a Letter of Map Revision may be issued by FEMA to revise the effective FIRM.

"Light-duty truck" means, as defined in 40 C.F.R. 86.082-2, any motor vehicle rated at 8,500 pounds Gross Vehicular Weight Rating or less which has a vehicular curb weight of 6,000 pounds or less and which has a basic vehicle frontal area of forty-five (45) square feet or less, which is:

- (1) Designed primarily for purposes of transportation of property or is a derivation of such a vehicle; or

- (2) Designed primarily for transportation of persons and has a capacity of more than twelve (12) persons; or
- (3) Available with special features enabling off-street or off-highway operation and use.

“Lowest floor” means the lowest floor of the lowest enclosed area, including basement, but excluding any unfinished or flood-resistant enclosure, usable solely for vehicle parking, building access or limited storage provided that such enclosure is not built so as to render the structure in violation of the non-elevation requirements of the building codes. [Also defined in CCR Title 24 Part 2.]

“Manufactured home” means a structure that is transportable in one or more sections, built on a permanent chassis, designed for use as a single-family dwelling with or without a permanent foundation when connected to the required utilities, and constructed to the Manufactured Home Construction and Safety Standards promulgated by the U.S. Department of Housing and Urban Development. Also see definitions in Health and Safety Code sections 18000.(a)(2) and 18001.(a). For the purposes of floodplain management, the term also includes mobile homes and recreational vehicles, park trailers, travel trailers and similar transportable structures that are placed on a site for 180 consecutive days or longer.

“Manufactured home park or subdivision” means a parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale.

“Market value” means the price at which a property will change hands between a willing buyer and a willing seller, neither party being under compulsion to buy or sell and both having reasonable knowledge of relevant facts. As used in these regulations, the term refers to the market value of buildings and structures, excluding the land and other improvements on the parcel. Market value may be established by one of the following methods: (1) Actual Cash Value (replacement cost depreciated for age and quality of construction), (2) tax assessment value adjusted to approximate market value by a factor provided by the Property Appraiser, or (3) a qualified independent appraiser.

“New manufactured home park or subdivision” means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) was completed on or after August 16, 2012.

“Nuisance” means that which is injurious to safety or health of an entire community or neighborhood, or any considerable number of persons, or unlawfully obstructs the free passage or use, in the customary manner, of any navigable lake, or river, bay, stream, canal, or basin.

“Permit for floodplain development” means an official document or certificate issued by the community, or other evidence of approval or concurrence, which authorizes performance of specified development activities that are located in flood hazard areas and that are determined to be compliant with these regulations. A grading permit, or approval of improvement plans meet the intent of this definition.

“Recreational vehicle” means a vehicle that is built on a single chassis, 400 square feet (37.16 m²) or less when measured at the largest horizontal projection, designed to be self-propelled or permanently towable by a light-duty truck, and designed primarily not for use as a

permanent dwelling but as temporary living quarters for recreational, camping, travel or seasonal use. A recreational vehicle is ready for highway use when it is on its wheels or jacking system, is attached to the site only by quick disconnect type utilities and security devices and has no permanently attached additions. Also see definitions in Health and Safety Code section 18010.

"Riverine" means relating to, formed by, or resembling a river (including tributaries), stream, brook, etc.

"Special flood hazard area (SFHA)" means the land area subject to flood hazards and shown on a Flood Insurance Rate Map or other flood hazard map as Zone A, AE, A1-30, A99, AR, AO, AH, V, VO, VE, or V1-30. [Also defined in CCR Title 24 Part 2.]

"Substantial damage" means damage of any origin sustained by a structure whereby the cost of restoring the structure to its before-damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred. [Also defined in CCR Title 24 Part 2.]

"Substantial improvement" means any repair, reconstruction, rehabilitation, alteration, addition or other improvement of a building or structure, the cost of which equals or exceeds 50 percent of the market value of the structure before the improvement or repair is started. When the structure has sustained substantial damage, any repairs are considered substantial improvement regardless of the actual repair work performed. The term does not, however, include either: [Also defined in CCR Title 24 Part 2.]

- (1) Any project for improvement of a building required to correct existing health, sanitary or safety code violations identified by the building official and that are the minimum necessary to assure safe living conditions.
- (2) Any alteration of a historic structure provided that the alteration will not preclude the structure's continued designation as a historic structure.

"Utility and Miscellaneous Group U" means buildings and structures of an accessory character and miscellaneous structure not classified in any special occupancy, as described in the building code.

"Variance" means a grant of relief from the requirements of these regulations which permits construction in a manner otherwise prohibited and where specific enforcement would result in exceptional hardship.

"Violation" means a development that is not fully compliant with these regulations or the flood provisions of the building code, as applicable.

"Watercourse" means a river, creek, stream, channel or other topographic feature in, on, through, or over which water flows at least periodically.

PART III. – FLOOD RESISTANT DEVELOPMENT

ARTICLE 16.96.200 BUILDINGS AND STRUCTURES

Sec. 16.96.200-1. - Requirements for buildings and structures in flood hazard areas.

Applications for building and structures within the scope of the building code that are proposed in flood hazard areas shall comply with the applicable requirements of the CCR Title 24, Part 2 building code, and local amendments to the building code specified in the City of Rancho Cordova Municipal Code Title 16, Chapter 2, Section 5.

Sec. 16.96.200-2. - Local Technical Amendments to CCR Title 24 Part 2.

CCR Title 24, Part 2, Section 1612.2 is adopted by reference, in addition to adding a new section 1612.2.1 as follows:

1612.2.1 Modification of ASCE 24: Non-Residential Elevation requirements. The minimum floor elevation requirements for new or substantially improved non-residential structures shall be as specified in ASCE 24, the base flood elevation plus 1.5 feet, or together with attendant utility and sanitary facilities be dry flood-proofed in accordance with FEMA technical bulletin(s) and the following:

- a. Watertight below 1.5 ft above the base flood elevation so that the building walls are substantially impermeable to the passage of water;
- b. Have structural components capable of resisting hydrostatic and hydrodynamic loads including the effects of buoyance; and
- c. Be certified by a registered professional engineer or architect that the standards of this section are satisfied. Such certification shall be provided to the Floodplain Administrator.

CCR Title 24, Part 2.5, Section R322.2.1 is adopted by reference, in addition to the following:

R322.2.1 Residential Elevation requirements.

1. Buildings and structures in flood hazard areas shall have the lowest floors (including basement) elevated to or above the base flood elevation plus **1.5 feet** or the design flood elevation, whichever is higher.
 - a. In areas of shallow flooding (AO Zones), buildings and structures shall have the lowest floor (including basement) elevated at least as high above the highest adjacent grade as the depth number specified in feet on the FIRM plus 1.5 feet, or not less than 3 feet, if a depth number is not specified.
 - b. In Zone A where there is no BFE or depth on the FIRM, elevate at least 1.5 feet above the highest value determined by: the historic high water data interpreted by the Floodplain Administrator; the elevation shown on a City study; the elevation of the floodplain is plotted on the topography map; or the elevation determined using the detailed method from the FEMA publication, FEMA 265, "Managing Floodplain Development in Approximate Zone A Areas – A guide for Obtaining and Developing Base (100-year) Flood Elevations" dated July 1995.
 - c. In Zone AE, Zone AH, and in local flood hazard areas, building pads for slab-on-grade construction shall be at least 1.5 feet above the BFE.
 - d. In Zone AR as established by the effective Flood Insurance Rate Map, the BFE shall be the elevation shown on the FIRM or 3 feet above the highest adjacent grade (before grading occurred), whichever is lower. In areas not designated as developed areas where the AR flood depth is equal to or less than 5 feet above the highest adjacent grade, use the lower of either the AR BFE or the elevation

that is 3 feet above the highest adjacent grade; or where the AR flood depth is greater than 5 feet above the highest adjacent grade, use AR BFE.

- e. In areas affected by dual zones, such as AE or local flood hazard, A-99 regulations or the BFE for the underlying zone, whichever is higher, shall apply.
- 2. Attached garages for residential buildings shall be constructed at least 1.5 feet above the base flood elevation and all building materials below the residential building floor elevation shall be flood resistant per ASCE 24. Garage space under a house must be elevated at least 1 foot above the base flood elevation.

Sec. 16.96.200-3. – Detached garages and accessory storage structures. Detached garages and accessory storage structures used only for parking or storage must be constructed per the amended CCR Title 24, Part 2.5, Section 101. At the discretion of the Floodplain Administrator, minor detached structures not meeting these requirements may be allowed with proper venting and an executed and recorded declaration of land use restriction in a form approved by Public Works Director or his/her designee, provided they are constructed at or above the base flood elevation.

Sec. 16.96.200-4. - Utility and Miscellaneous Group U. Utility and miscellaneous Group U includes buildings that are accessory in character and miscellaneous structures not classified in any specific occupancy in the building code, including, but not limited to, agricultural buildings, aircraft hangars (accessory to a one- or two-family residence), carports, fences more than 6 feet (1829 mm) high, grain silos (accessory to a residential occupancy), greenhouses, livestock shelters, private garages, retaining walls, sheds, stables, and towers. In addition to the building code requirements for fire and life safety, the following shall apply to utility and miscellaneous Group U buildings and structures in flood hazard areas:

- (1) New construction and substantial improvement of such buildings and structures shall be anchored to prevent flotation, collapse or lateral movement resulting from flood loads, including the effects of buoyancy, during conditions of the design flood.
- (2) New construction and substantial improvement of such buildings and structures, when fully enclosed by walls, shall be elevated such that the lowest floor, including basement, is elevated to or above the design flood elevation in accordance with ASCE 24 or shall be dry floodproofed in accordance with ASCE 24.
- (3) Unless dry floodproofed, fully enclosed areas below the design flood elevation shall be constructed in accordance with ASCE 24 and limited to parking, storage, and building access.
- (4) When fully enclosed by walls, flood openings shall be installed in accordance with ASCE 24.
- (5) Flood damage-resistant materials shall be used below the design flood elevation.
- (6) Mechanical, plumbing and electrical systems, including plumbing fixtures, shall be located or installed in accordance with ASCE 24.

Sec. 16.96.200-5. – Non-Structural Elevation and Flood-Proofing.

- (1) Any new built-in swimming pool deck, filter, and pump equipment must be elevated at least 1.5-feet above the base flood elevation unless the property owners execute and

record a declaration of land use restriction in a form acceptable to.

- (2) For new or substantially improved structures, heating, plumbing fixtures, air conditioning equipment, furnaces, ductwork, electrical panels, solar panels, outlets, switches, fixtures serving new or substantially improved structures shall be at least 1.5-feet above the base flood elevation or the finished floor, whichever is lower or may be flood-proofed to 1.5-feet above the base flood elevation.
- (3) New solar panels and appurtenances, except as described in (2) above, shall be elevated or flood-proofed safely above the base flood elevation.

ARTICLE 16.96.210 SUBDIVISIONS

Sec. 16.96.210-1. - Minimum requirements. Subdivision proposals in flood hazard areas, including proposals for manufactured home parks and subdivisions, shall be reviewed to determine that:

- (1) Such proposals are consistent with the need to minimize flood damage and will be reasonably safe from flooding.
- (2) All public utilities and facilities, such as sewer, gas, electric, communications, and water systems are located and constructed to minimize or eliminate flood damage in accordance with Section 16.96.220-2 and Section 16.96.220-3 of these regulations, as applicable, and appropriate codes.
- (3) Adequate drainage is provided to reduce exposure to flood hazards; in Zones AH and AO, adequate drainage paths shall be provided to guide floodwater around and away from proposed structures.

Sec. 16.96.210-2. - Subdivision requirements. In addition to the requirements of Section 16.96.220-1 of these regulations, where any portion of proposed subdivisions, including proposals for manufactured home parks and subdivisions, lies within a flood hazard area, the following shall be required:

- (1) The flood hazard area, including floodways, as appropriate, shall be delineated on preliminary subdivision plats.
- (2) Where the subdivision has more than 50 lots or is larger than 5 acres, and base flood elevations are not included in the FIRM, the base flood elevation shall be determined in accordance with Section 16.96.050-2(1) of these regulations.
- (3) When, as part of a proposed subdivision, fill will be placed to support buildings, the fill shall be placed in accordance with the building code and approval of the subdivision shall require submission of as-built elevations for each filled pad certified by a licensed land surveyor or registered civil engineer.

ARTICLE 16.96.220 SITE IMPROVEMENTS, UTILITIES AND LIMITATIONS

Sec. 16.96.220-1. - Minimum requirements. All proposed development in flood hazard areas shall be reviewed to determine that:

- (1) Such proposals are consistent with the need to minimize flood damage and will be reasonably safe from flooding.
- (2) Where the proposed development has more than 50 lots or is larger than 5 acres, and base flood elevations are not included in the FIRM, the base flood elevation shall be determined in accordance with Section 16.96.050-2(1) of these regulations.
- (3) All public utilities and facilities, such as sewer, gas, electric, communications, and water systems are located and constructed to minimize or eliminate flood damage.
- (4) Adequate drainage is provided to reduce exposure to flood hazards; in Zones AH and AO, adequate drainage paths shall be provided to guide floodwater around and away from proposed structures.

Sec. 16.96.220-2. - Sanitary sewer facilities. All new and replaced sanitary sewer facilities, private sewage treatment plants (including all pumping stations and collector systems) and on-site waste disposal systems shall be designed in accordance with Chapter 7, ASCE 24, to minimize or eliminate infiltration of floodwaters into the facilities and discharge from the facilities into flood waters, and impairment of the facilities and systems.

Sec. 16.96.220-3. - Water supply facilities. All new and replaced water supply facilities shall be designed in accordance with the provisions of Chapter 7, ASCE 24, to minimize or eliminate infiltration of floodwaters into the systems.

Sec. 16.96.220-4. - Development in floodways. Development, site improvements and land disturbing activity involving fill or regrading shall not be authorized in the floodway unless the floodway encroachment analysis required in Section 16.96.050-3(1) of these regulations demonstrates the proposed work will not result in any increase in the base flood level during occurrence of the base flood discharge.

Sec. 16.96.220-5. - Limitations on placement of fill. Subject to the limitations of these regulations, fill shall be designed to be stable under conditions of flooding including rapid rise and rapid drawdown of floodwaters, prolonged inundation, and protection against flood-related erosion and scour. In addition to these requirements, when intended to support buildings and structures, fill shall comply with the requirements of the building code. The placement of fill intended to change base flood elevations, change floodway boundaries, or change boundaries of flood hazard areas shown on FIRMs shall be subject to the requirements of Section 16.96.050-4 of these regulations.

ARTICLE 16.96.230 INSTALLATION OF MANUFACTURED HOMES

Sec. 16.96.230-1. - Installation. All manufactured homes installed in flood hazard areas shall be installed by an installer that is licensed pursuant to the Business and Professions Code and shall comply with the requirements of the Department of Housing and Community Development (HCD) if they are located in a mobile home park. Permits from the HCD are required where the HCD is the enforcement agency for installation of manufactured homes. Upon completion of installation and prior to the final inspection by the Floodplain Administrator, the installer shall submit certification of the elevation of the manufactured home, prepared by a licensed land surveyor or registered civil engineer, to the Floodplain Administrator.

Sec. 16.96.230-2. - Foundations. All new and replacement manufactured homes, that are not

part of a mobile home park, including substantial improvement of manufactured homes installed in flood hazard areas shall be installed on permanent, reinforced foundations that are designed in accordance with the foundation requirements of Section R322.2 of the residential code (CCR Title 24 Part 2.5) and these regulations.

Sec. 16.96.230-3. - Anchoring. All new and replacement manufactured homes (that are not part of a mobile home park) to be placed or substantially improved in a flood hazard area shall be installed using methods and practices which minimize flood damage and shall be securely anchored to an adequately anchored foundation system to resist flotation, collapse and lateral movement. Methods of anchoring are authorized to include, but are not limited to, use of over-the-top or frame ties to ground anchors. This requirement is in addition to applicable State and local anchoring requirements for resisting wind loads and seismic loads.

Sec. 16.96.230-4. - General elevation requirement. All manufactured homes that are placed, replaced, or substantially improved on sites located outside of a manufactured home park or subdivision; shall be elevated such that the lowest floor, or bottom of the lowest horizontal member of the lowest floor, as applicable to the flood hazard area, is 1.5 feet above the base flood elevation.

Sec. 16.96.230-5. - Flood damage-resistant materials. Materials below elevated manufactured homes shall comply with the flood-damage resistant materials requirements of Section R322 of the residential code (CCR Title 24 Part 2.5).

Sec. 16.96.230-6. - Enclosures. Fully enclosed areas below elevated manufactured homes shall comply with the enclosed area requirements of Section R322 of the residential code (CCR Title 24 Part 2.5).

Sec. 16.96.230-7. - Protection of mechanical equipment and outside appliances. Mechanical equipment and outside appliances shall be elevated to or above the lowest floor or bottom of the lowest horizontal structural member of the manufactured home, as applicable to the flood hazard area.

Exception. Where such equipment and appliances are designed and installed to prevent water from entering or accumulating within their components and the systems are constructed to resist hydrostatic and hydrodynamic loads and stresses, including the effects of buoyancy, during the occurrence of flooding up to the elevation required by Section 16.96.230, the systems and equipment shall be permitted to be located below that elevation. Electrical wiring systems shall be permitted below the design flood elevation provided they conform to the provisions of NFPA 70 (National Electric Code).

ARTICLE 16.96.240 RECREATIONAL VEHICLES

Sec. 16.96.240-1. - Temporary placement. Recreational vehicles in flood hazard areas, shall be placed on a site for less than 180 consecutive days or shall be fully licensed and ready for highway use. Ready for highway use means the recreational vehicle is on wheels or jacking system, is attached to the site only by quick disconnect type utilities and security devices, and has no permanently attached additions, such as rooms, stairs, decks and porches.

Sec. 16.96.240-2. - Permanent placement. Recreational vehicles that do not meet the limitations in Section 16.96.240-1 for temporary placement shall meet the requirements of Article 16.96.230 for manufactured homes.

ARTICLE 16.96.250 OTHER DEVELOPMENT

Sec. 16.96.250-1. - General requirements for other development. All development, including man-made changes to improved or unimproved real estate for which specific provisions are not specified in these regulations or the building code, shall:

- (1) Be located and constructed to minimize flood damage.
- (2) Meet the limitations of Section 16.96.220-4 of these regulations when located in a regulated floodway.
- (3) Be anchored to prevent flotation, collapse or lateral movement resulting from hydrostatic loads, including the effects of buoyancy, during conditions of the design flood.
- (4) Be constructed of flood damage-resistant materials.
- (5) Have mechanical, plumbing, and electrical systems above the design flood elevation or meet the requirements of ASCE 24, except that minimum electric service required to address life safety and electric code requirements is permitted below the design flood elevation provided it conforms to the provisions of the electrical part of the building code for wet locations.

Sec. 16.96.250-2. - Tanks. Tanks that serve buildings shall comply with the requirements of the building code. Underground and above-ground tanks that serve other purposes shall be designed, constructed, installed and anchored in accordance with ASCE 24. Tank inlets, fill openings, outlets, and vents shall be installed 1-foot above the base flood elevation or fitted with covers designed to prevent the inflow of floodwater and outflow of the contents of the tank during the base flood. Water tanks for agricultural operations may be exempted from this elevated venting requirement per the Floodplain Administrator.

Sec. 16.96.250-3. - Requirements for temporary structures and temporary storage in flood hazard areas. Temporary structures shall be erected for a period of less than 180 days and temporary storage of goods and materials shall be permitted for a period of less than 180 days. Extensions may be granted in accordance with Section 16.96.040-5 of these regulations. In addition, the following apply:

- (1) Temporary structures shall be anchored to prevent flotation, collapse or lateral movement resulting from hydrostatic loads, including the effects of buoyancy, during conditions of the design flood. Fully enclosed temporary structures shall have flood openings that are in accordance with ASCE 24 to allow for the automatic entry and exit of flood waters.
- (2) Temporary stored materials shall not include hazardous materials.
- (3) The requirements of Section 16.96.220-4 of these regulations, when located in floodways.

Sec. 16.96.250-4. - Fences in floodways. Fences in floodways that have the potential to block the passage of floodwaters, such as stockade fences and wire mesh fences, shall meet the limitations of Section 16.96.220-4 of these regulations.

Sec. 16.96.250-5. - Oil derricks. Oil derricks located in flood hazard areas shall be designed in conformance with flood loads required by the building code.

Sec. 16.96.250-6. - Retaining walls, sidewalks and driveways in floodways. Retaining walls and sidewalks and driveways that involve placement of fill in floodways shall meet the limitations of Section 16.96.220-4 of these regulations and the requirements for site grading in Chapter 18 of the building code.

Sec. 16.96.250-7. - Roads and watercourse crossings in floodways. Roads and watercourse crossings that encroach into floodways or riverine waterways with base flood elevations where floodways have not been designated, including roads, bridges, culverts, low-water crossings and similar means for vehicles or pedestrians to travel from one side of a watercourse to the other side shall meet the limitations of Section 16.96.220-4 of these regulations. Alteration of a watercourse that is part of work proposed for a road or watercourse crossing shall meet the requirements of Section 16.96.050-3(3) of these regulations.

Sec. 16.96.250-8. - Swimming pools. Above-ground swimming pools, on-ground swimming pools, and in-ground swimming pools that involve placement of fill in floodways shall meet the requirement of Section 16.96.220-4 of these regulations.

ARTICLE 16.96.260 FLOOD CONTROL PROJECTS

Sec. 16.96.260-1. - Flood control projects; general. In addition to applicable Federal, State and other local permits, a permit for floodplain development is required for construction of flood control projects. The purpose for the permit is to examine the impact on flood hazard areas, floodways, and base flood elevations shown on the FIRM. Unless otherwise authorized by separate regulations, issuance of this permit does not address the sufficiency of the structural elements of the proposed flood control project. Permits for floodplain development and building permits in areas affected by proposed flood control projects shall not be issued based on Conditional Letters of Map Revision issued by FEMA.

Sec. 16.96.260-2. - Flood control projects; applications. Applications for permits for flood control projects shall include documentation including but not limited to:

- (1) Site plan or document showing the existing topography and the boundaries of the flood hazard areas, floodway boundaries, and base flood elevations shown on the FIRM.
- (2) Site plan or document showing the proposed topography and the proposed changes to the boundaries of the flood hazard areas, floodway boundaries, and base flood elevations.
- (3) The documentation submitted to FEMA for a Conditional Letter of Map Revision (CLOMR) and, if issued, the Conditional Letter of Map Revision. Submittal requirements and processing fees shall be the responsibility of the applicant. A CLOMR is required when a proposed flood control project alters a floodway and results in any increase in the base flood elevations greater than 0.00 feet (vertical), or alters a watercourse, a riverine flood hazard area for which base flood elevations are included in the Flood Insurance Study or on the FIRM and floodways have not been designated and increases base flood elevations more than 1.0 foot.

SECTION 5. APPLICABILITY.

For the purposes of jurisdictional applicability, this ordinance shall apply in the City of Rancho Cordova. This Ordinance shall apply to all applications for development, including building permit applications and subdivision proposals, submitted on or after the effective date of this Ordinance.

SECTION 6. CEQA COMPLIANCE.

Adoption of this Ordinance is exempt from the California Environmental Quality Act ("CEQA") under Section 15061(b)(3) of the CEQA Guidelines, which provides that CEQA only applies to projects that have the potential for causing a significant effect on the environment. It can be seen with certainty that there is no possibility that adoption of this ordinance, amending existing sections to the City's Municipal Code to align with state and federal guidelines, will have a significant effect on the environment. Therefore, adoption of this Ordinance is not subject to CEQA.

SECTION 7. SEVERABILITY.

If any section, subsection, sentence, clause or phrase of this Ordinance is, for any reason, declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the ordinance as a whole, or any part thereof, other than the part so declared.

SECTION 8. EFFECTIVE DATE.

Within fifteen (15) days after adoption, a Summary of this Ordinance shall be published once in the Grapevine Independent, or the Sacramento Bee, a newspaper of general circulation printed and published in Sacramento County and circulated in the City of Rancho Cordova, in accordance with Government Code Section 36933. This Ordinance shall take effect and be enforced thirty (30) days after its adoption. **PASSED and ADOPTED** by the City Council of the City of Rancho Cordova on the _____ day of _____ 2023 by the following vote:

AYES:**NOES:****ABSENT:****ABSTAIN:**

Linda Budge, Mayor

ITEM 11.1.

**ATTACHMENT 3
Exhibit B to the Ordinance**

ATTEST:

Stacy Leitner, CMC
City Clerk

5409476.1

Chapter 3.60**PURCHASING SYSTEM**

Sections:

- 3.60.010 Adoption of purchasing system.
- 3.60.020 Purchasing agent designated.
- 3.60.030 Limitations of purchasing agent.
- 3.60.040 Purchase procedures.
- 3.60.050 Purchase orders.
- 3.60.060 Availability of sufficient funds.
- 3.60.070 Multiyear contracts.
- 3.60.080 Splitting purchase and projects prohibited.
- 3.60.090 Inspection and review.
- 3.60.100 Surplus supplies and equipment.
- 3.60.110 Public projects.
- 3.60.120 Exemptions.

3.60.010 Adoption of purchasing system.

A purchasing system is adopted in order to:

- A. Establish efficient procedures for the purchase of supplies, services and equipment;
- B. Secure supplies, services and equipment at cost commensurate with the level of quality required;
- C. Exercise financial control over purchases; and
- D. Clearly define authority for the purchasing function. [Ord. 9-2012 § 1].

3.60.020 Purchasing agent designated.

The city manager is designated as the city's purchasing agent and shall be responsible for the purchase of all supplies, services and equipment for all departments and divisions of the city. The city manager may delegate all or a portion of the purchasing duties to any city staff member. In accordance with the limitations imposed by RCMC 3.60.030, the purchasing agent shall have the authority to:

- A. Purchase or contract for supplies, services and equipment required by the city in accordance with purchasing procedures outlined in this chapter;
- B. Negotiate and recommend execution of contracts for the purchase of supplies, services and equipment;
- C. Act to procure for the city the necessary quality in supplies, services, and equipment at the lowest cost to the city;
- D. Prepare and recommend to the city council revisions and amendments to the purchasing rules;
- E. Establish and maintain such forms as reasonably necessary to the operation of purchasing guidelines;
- F. Supervise the inspection of all supplies, services, and equipment purchased to ensure conformance with specifications;
- G. Recommend the sale or disposal of all supplies and equipment which cannot be used by the city, or which have become unsuitable for city use;
- H. Maintain records necessary for the efficient acquisition of supplies, equipment and services; and
- I. Award contracts for public projects and approve change orders to contracts for public projects in accordance with the provisions of this chapter. [Ord. 9-2012 § 1].

3.60.030 Limitations of purchasing agent.

A. Unless otherwise directed by the city council, the city manager shall have authority to purchase supplies, services and equipment, and approve and execute payment of all warrants in the amount of \$100,000 or less, on an annual basis; drawn upon the city treasury without presentation to the city council, except as provided for in RCMC 3.60.110 and 3.60.120. The purchase of supplies, services, ~~public contracts and~~, equipment, and payment of warrants in excess of \$100,000, on an annual basis, which have not been authorized pursuant to a specific contract or other instrument previously approved by the city council, shall be presented to the city council for approval.

B. The city manager shall have the authority to extend or renew contracts, previously approved by the city council, for the purchase of supplies, services, and equipment, so long as no other amendments to the terms of the applicable contract are made, without city council approval. [Ord. 1-2014 § 2; Ord. 9-2012 § 1].

3.60.040 Purchase procedures.

A. Except as otherwise provided in RCMC 3.60.110 and 3.60.120, the purchasing agent or designee shall secure favorable pricing for the procurement of supplies, equipment, and nonprofessional services. This shall include obtaining at least three bids based upon identical specifications from different vendors prior to purchasing supplies, equipment and nonprofessional services costing over \$20,000. Bids may be received by informal price checking, in writing, in person, or via the telephone and shall be documented and maintained in a file with the final awarded contract. The competitive bidding procedures as described in Section 20161 et seq. of the Public Contract Code may be utilized when not otherwise required, at the discretion of the purchasing agent or designee. Award shall be made to the vendor offering the lowest acceptable bid. This requirement shall not apply to the purchase of supplies and equipment for which less than three vendors exist.

B. The purchase of professional services, such as architectural, landscape architectural, engineering, environmental, land surveying, legal, financial consultants or construction project management contractors shall be made on the basis of demonstrated competence and on the professional qualifications necessary for the satisfactory performance of the services required.

C. Without complying with the bidding requirements contained in this section, the purchasing agent may participate in, sponsor, conduct or administer a cooperative purchasing agreement for the procurement of any supplies, equipment, and services with one or more public entities in accordance with an agreement entered into between the participants. Such cooperative purchasing may include, but is not limited to, joint or multiparty contracts between public entities and open-ended state public procurement unit contracts which are made available to the city. [Ord. 9-2012 § 1].

3.60.050 Purchase orders.

All purchases requiring a contract shall be documented by a purchase order prepared by the purchasing agent or designee. [Ord. 9-2012 § 1].

3.60.060 Availability of sufficient funds.

No purchase order shall be issued until it has been ascertained that there is to the credit of the department of the city for whose benefit such purchase is to be made a sufficient unappropriated balance in excess of all unpaid obligations to defray the amount of the purchase order. [Ord. 9-2012 § 1].

3.60.070 Multiyear contracts.

A contract for equipment, supplies or services may be entered into for any period of time deemed to be in the best interest of the city; provided, that the term of the contract and renewal provisions are included in the contract. Adequate funds must be available to fulfill the first fiscal year's obligation at the time of contract execution. Appropriations for subsequent years are subject to authorization by the city council. The purchasing agent shall have the authority to enter into multiyear contracts pursuant to this section in amounts not to exceed \$100,000 on an annual basis. [Ord. 9-2012 § 1].

3.60.080 Splitting purchase and projects prohibited.

It shall be unlawful to split or separate into smaller purchases or projects any purchase or project for the purpose of evading the provisions of this chapter or the provisions of the Public Contract Code requiring competitive bidding. [Ord. 9-2012 § 1].

3.60.090 Inspection and review.

The purchasing agent or designee shall require the inspection of supplies and equipment delivered, and contractual services performed, to determine their conformance with the specifications and requirements set forth in the order or contract as applicable. [Ord. 9-2012 § 1].

3.60.100 Surplus supplies and equipment.

At such times as determined by the purchasing agent, reports shall be prepared showing all supplies and equipment which are no longer used or which have become obsolete or worn out. The purchasing agent shall have the authority to sell, trade or exchange all said supplies and equipment. Any such sales shall be in accordance with RCMC 3.60.040(A). [Ord. 9-2012 § 1].

3.60.110 Public projects.

A. The provisions contained in Section 20161 et seq. of the Public Contract Code establish contract procedures that the city is required to follow for public projects, where the expenditure required for the public project exceeds the limit set by Section 20162 of the Public Contract Code. The term "public project" is defined by Section 20161 of the Public Contract Code as the following: (1) a project for the erection, improvement, painting, or repair of public buildings and works; (2) work in or about streams, bays, waterfronts, embankments, or other work for protection against overflow; (3) street or sewer work except maintenance or repair; and (4) furnishing supplies or materials for any such project, including maintenance or repair of streets or sewers. The definition of public project contained in Section 20161 of the Public Contract Code provided above may be amended from time to time by the state Legislature and such amendments shall be incorporated herein.

1. Subsection (A) of this section shall not apply in instances where the city elects to follow the alternative procedures established in Chapter 3.70 RCMC under the Uniform Public Construction Cost Accounting Act.

B. The city manager shall have the authority to award contracts for public projects in the amount specified in RCMC 3.60.030 (A) ~~of \$100,000~~ or less. Contracts for public projects in excess of ~~\$100,000~~ the current amount specified in RCMC 3.60.030 (A) shall be awarded by the city council.

C. The city manager shall have authority to approve change orders for public project contracts up to a cumulative and final contract amount ~~of up to \$100,000 as specified in RCMC 3.60.030 (A).~~ ~~For contracts over originally totaling \$100,000 the current maximum amount as specified in RCMC 3.60.030 (A), or less, the city manager shall have authority to approve change orders and~~ up to a cumulative total of 10 percent of the latest city council approved contract ~~amount for contracts of over \$100,000~~. Change orders which exceed these amounts shall be presented to the city council for approval. [Ord. 24-2016 § 2; Ord. 9-2012 § 1].

3.60.120 Exemptions.

A. Emergencies. The bidding requirements for supplies, services and equipment contained in this chapter may be dispensed with when an emergency exists involving a sudden, unexpected occurrence or discovery of a condition or circumstance that poses a clear and imminent danger requiring immediate action to prevent or mitigate the loss or impairment of life, health, property, or essential public services. In such an emergency the purchasing agent may procure supplies, services and equipment in an amount greater than the current amount as specified in RCMC 3.60.030 (Aa) ~~\$100,000~~; provided, that any such procurement be reported to the city council at the next city council meeting. The procurement of supplies, services and equipment pursuant to this chapter shall not extend beyond the period of the emergency. Notwithstanding the foregoing, Section 22050 of the Public Contract Code shall apply to expenditures made for public projects in an emergency.

B. Grants. Notwithstanding the foregoing, any contract which is paid with grant monies shall strictly adhere to those purchasing provisions set forth in the applicable grant agreement and pursuant to any applicable state or federal law or regulation. [Ord. 9-2012 § 1].

Chapter 3.70

INFORMAL BIDDING PROCEDURES

Sections:

[3.70.010 Uniform Public Construction Cost Accounting Act.](#)

[3.70.020 Definitions.](#)

[3.70.030 Methods for bidding – Size of project.](#)

[3.70.040 Informal bidding procedures.](#)

[3.70.050 Award of contract.](#)

3.70.010 Uniform Public Construction Cost Accounting Act.

The ~~C~~city ~~C~~ouncil elects to become subject to the **Uniform Public Construction Cost Accounting Act**, **Public Contract Code** Section [22000](#) et seq., and to establish informal bidding procedures for **public** projects. [Ord. 24-2016 § 3].

3.70.020 Definitions.

A. “Commission” means the California **Uniform Construction Cost Accounting Commission** under **Public Contract Code** Section [22010](#) et seq.

B. “**Public project**” means a project defined in Section [22002](#) of the **Public Contract Code**, as that section may be amended or renumbered from time to time. Pursuant to Section 22002, “**public project**” means any of the following:

1. Construction, reconstruction, erection, alteration, renovation, improvement, demolition, and repair work involving any **publicly** owned, leased, or operated facility.
2. Painting or repainting of any **publicly** owned, leased, or operated facility.
3. In the case of a **publicly** owned utility system, “**public project**” shall include only the construction, erection, improvement, or repair of dams, reservoirs, power plants, and electrical transmission lines of 230,000 volts and higher.
4. “**Public project**” does not include maintenance work. For purposes of this section, “maintenance work” includes all of the following:
 - a. Routine, recurring, and usual work for the preservation or protection of any **publicly** owned or **publicly** operated facility for its intended purposes.
 - b. Minor repainting.
 - c. Resurfacing of streets and highways at less than one inch.
 - d. Landscape maintenance, including mowing, watering, trimming, pruning, planting, replacement of plants, and servicing of irrigation and sprinkler systems.

e. Work performed to keep, operate, and maintain **publicly** owned water, power, or waste disposal systems, including, but not limited to, dams, reservoirs, power plants, and electrical transmission lines of 230,000 volts and higher. [Ord. 24-2016 § 3].

3.70.030 Methods for bidding – Size of project.

A. A **public** project ~~up to or less than~~ up to or the greater of \$4560,000 (or the amount authorized by Article 3, Chapter 2 of Part 3 of Division 2, Section 22032(a) of the Public Contract Code as amended), or less may be performed by Ceity force account, by negotiated contract, or by purchase order, or the city may elect to follow the informal bidding procedures prescribed in RCMC 3.70.040 and California Contract Code Section 22034.

B. A **public** project greater than \$4560,000 (or the amounts authorized by Article 3, Chapter 2 of Part 3 of Division 2, Section 22032(a) of the Public Contract Code) and less than or equal to the greater of \$175200,000 (or the current maximum amount authorized as specified in Article 3, Chapter 2 of Part 3 of Division 2, Section 22032(b) of the Public Contract Code as amended), the City may elect to follow may be let to contract by informal bid procedures, as established in RCMC 3.70.040 and California Contract Code Section 22034.

C. A **public** project of more than \$175200,000 (or otherwise in amounts authorized by Article 3, Chapter 2 of Part 3 of Division 2, Section 22032(c) of the Public Contract Code as amended) shall, except as otherwise provided in this chapter, be let to contract by formal bidding procedure in accordance with all applicable provisions of the California **Public** Contract Code, and RCMC 3.60.110, particularly Section 22034.

D. Emergencies. In compliance with **Public** Contract Code Sections 22035 and 22050, in cases of emergency when repair or replacements are necessary, the Ceity Ceouncil may proceed at once to replace or repair any **public** facility without adopting plans, specifications, strain sheets, or working details, or by giving notice for bids. [Ord. 24-2016 § 3].

3.70.040 Informal bidding procedures.

A. Mailing of Notice. Where a **public** project of \$200175,000 (or otherwise in amounts authorized by in Article 3, Chapter 2 of Part 3 of Division 2, Section 22032(b) of the Public Contract Code) or less is to be performed, the Ceity Manager or designee shall mail a written notice inviting informal bids to (1) all contractors for the category of work to be bid as shown on the contractors list developed in accordance with subsection (D) of this section and/or (2) all construction trade journals designated by the Commission under **Public** Contract Code Section 22036. Additional contractors and construction trade journals may be notified at the discretion of the Ceity Manager or designee.

B. Timing of Notice. All notices shall be mailed not less than 10 calendar days before bids are due.

C. Contents of Notice. The notice inviting bids shall describe the project in general terms, set forth how to obtain more detailed information about the project, state the time and place for submission of bid, and whether any bonds will be required.

D. Qualified Contractors List - Informal Bidding List~~Contractors List~~. The Ceity Manager or designee(s) shall develop and maintain a list of qualified contractors identified according to categories which comply with Section 22034 of the **Public** Contract Code and criteria adopted by the Commission.

E. No Qualified Contractors. If there is no list of qualified contractors for the particular category of work to be performed, the notice inviting bids shall be sent only to the construction trade journals specified by the Commission.

F. If the product or service is proprietary in nature such that it can be obtained only from a certain contractor or contractors, the notice inviting bids may be sent exclusively to such contractor or contractors.

G. It shall be unlawful to split or separate into smaller work orders or projects any project for the purpose of evading the provisions of this chapter requiring work to be done by contract after competitive bidding. [Ord. 24-2016 § 3].

3.70.050 Award of contract.

A. The Ccity Manager shall have the authority to award contracts for **public** projects ~~up to in the amount of \$100,000 (or up to the amount authorized in RCMC 3.60.030 (A).) or less.~~ Contracts for **public** projects in excess of the amount authorized in RCMC 3.60.030 (A), shall be awarded by the Ccity Council.

B. If all bids received on a **public** project under this procedure set forth in this section are in excess of ~~\$175,200,000~~ (or the current maximum amount authorized by Article 3, Chapter 2 of Part 3 of Division 2, Section 22034(d) of the Public Contract Code), the Ccity Council may award the contract at ~~\$187,212,500~~ (or the current maximum amount authorized by Article 3, Chapter 2 of Part 3 of Division 2, Section 22034(d) of the Public Contract Code) or less to the lowest responsible bidder if the City Council determines by adopting a resolution by at least four-fifths vote that the Ccity's original **cost** estimate was reasonable. [Ord. 24-2016 § 3].

5376249.1

Chapter 6.20 SOLID WASTE MANAGEMENT

Sections:

- 6.20.010 Purpose and declarations.
- 6.20.020 Definitions.
- 6.20.030 Collection or transportation prohibited.
- 6.20.035 Mandatory service.
- 6.20.040 Public agency exemption.
- 6.20.045 Mandatory service exemption.
- 6.20.050 Franchise requirement.
- 6.20.055 Exempt collection or transportation.
- 6.20.060 City council authority to grant franchise.
- 6.20.070 Franchise terms and conditions.
- 6.20.080 Application for commercial or residential franchise.
- 6.20.090 Commercial franchise application review process.
- 6.20.095 Residential franchise application review process.
- 6.20.100 Appeal upon denial of award.
- 6.20.110 Awarding of franchise.
- 6.20.120 Requirements for franchise effectiveness.
- 6.20.130 Franchise fees.
- 6.20.140 Recycling facility reporting requirements.
- 6.20.150 Restrictions on franchisees.
- 6.20.160 Medical waste.
- 6.20.170 Enforcement.
- 6.20.180 Abatement proceedings.
- 6.20.190 Notices.
- 6.20.200 On-site storage.
- 6.20.210 Solid waste disposal restrictions.
- 6.20.220 Use of containers.
- 6.20.230 Rules and regulations.
- 6.20.240 Vehicle inspection.
- 6.20.250 Vehicle requirements.
- 6.20.260 Covered load requirement.
- 6.20.270 Rights reserved to city.
- 6.20.280 Other franchise provisions.
- 6.20.290 Criminal penalties for violations.
- 6.20.300 Civil penalties for violations.
- 6.20.310 Settlement process.
- 6.20.320 Hearing officer.
- 6.20.330 Appeals.
- 6.20.340 Appeal hearing.

6.20.010 Purpose and declarations.

A. It is hereby declared and determined that the business of collecting and subsequently transporting, transferring, disposing and/or recycling of residential and commercial solid waste generated, kept or accumulated within the incorporated limits of the city of Rancho Cordova affects the health, safety, public welfare and quality of life of the inhabitants of the city. The city further declares that the business of collecting and disposing of residential and commercial solid waste is a public service and should be regulated by the city to ensure reliability and adequacy of service. The use of any public street or public property in connection with such business is of great concern to the city and should be regulated by the city. Therefore, it is the purpose of this chapter to provide such regulation.

The city further declares that residential collection service will be most efficient, and at a lower cost, when collection routes provide door-to-door service uninterrupted by competition in the same area; and that exclusive residential collection services allow for energy conservation in fuel consumed by collection equipment, for the reduction of traffic congestion on roads and streets, and for fewer adverse effects on public streets and rights-of-way due to less truck traffic.

B. It is the further purpose of this chapter to regulate such business in order to ensure its orderly operation and to minimize the adverse effects it may have on the local environment. It is also the purpose of this chapter, aside and apart from regulation, to require compensation for the value of the franchise issued by the city.

C. It is the further purpose of this chapter to provide for the uniform regulation of residential and commercial solid waste collection, removal and transportation within the geographical area of the city.

D. The city hereby elects to have the grant of franchises governed by this chapter, and any ordinances amendatory thereof, and these provisions shall constitute the exclusive procedure applicable to the granting of franchises for the conduct of the business of collecting, transporting or disposing of residential and commercial solid waste. [Ord. 17-2020 § 3 (Exh A)].

6.20.020 Definitions.

Unless the context otherwise requires, the definitions set forth in this section shall govern the interpretation of this chapter.

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

B. "City council" means the city council of the city of Rancho Cordova.

C. "City clerk" means the city clerk of the city of Rancho Cordova.

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

E. "City limits" means the territorial jurisdiction of the city of Rancho Cordova.

F. "Collection" means the act of picking up and removing solid waste or recyclable material at the place of waste generation.

G. "Commercial hauler" means any person who loads, collects, hauls, or transports commercial solid waste for a fee by use of any means, including, but not limited to, a dumpster truck; roll-off truck; a side-load, front-load, or rear-load garbage truck; or a trailer.

H. "Commercial solid waste" means all solid waste, as defined in this chapter, that is generated by and at commercial and industrial sources, multifamily residential property, and construction and demolition activities that is collected by a commercial hauler.

I. "Franchise" or "commercial franchise" means a commercial solid waste and recyclables collection franchise issued under the provisions of this chapter to a commercial hauler within the city.

J. "Franchisee" means a person or entity holding a franchise issued pursuant to this chapter.

"Garbage" means those elements of the Solid Waste stream designated for the "Garbage Container", and excludes hazardous waste, materials designated for the "Organics Container" or "Recycling Container" or materials which have been separated for reuse.

"Garbage Container" has the same meaning as "Gray Container" in 14 CCR Section 18982(a)(28) and shall be used for the purpose of storage and collection of Garbage.

K. "Garbage" means all putrescible and nonputrescible solid, semisolid, and liquid wastes, including trash, refuse, paper, rubbish, ashes, industrial wastes, demolition and construction wastes, discarded home and industrial appliances, dewatered, treated or chemically fixed sewage sludge which is not hazardous waste, manure, vegetable or animal solid and semisolid wastes, and other discarded solid and semisolid wastes. "Garbage" does not include hazardous waste or low level radioactive waste regulated under Chapter 7.6 (commencing with Section 25800) of Division 20 of the California Health and Safety Code or medical waste. "Garbage" does not include recyclable materials or organic recyclable materials set out for separate collection for the purposes of recycling and that are not landfilled.

~~Note: The distinction between garbage and solid waste is that solid waste includes garbage, recyclable materials, and organic recyclable materials while “garbage” does not.~~

L. “Materials recovery facility” or “MRF” means any facility designed, operated, and legally permitted for the purpose of receiving, sorting, processing, storing, or preparing recyclable materials for sale and which has obtained and maintains a valid permit(s) to accept, process or store recyclable materials. This definition shall apply only within the framework of materials recovery facility services and reporting of this chapter.

M. “Multifamily residential property” means five or more individual living units located on a single parcel of land and any mobile home park located within the city.

Organics Container” has the same meaning as “Green Container” in 14 CCR Section 18982(a)(29) and shall be used for the purpose of storage and collection of Source Separated Organic Waste designated for Compost processing, including Food Waste and landscape and pruning waste accepted in the City’s Organic Waste Collection program, and other organic materials as determined by the City as acceptable for the Organics Container

“Organic Waste” or “Organic Recyclable Material” means Solid Waste containing material originated from living organisms and their metabolic waste products, including but not limited to Food Scraps, food soiled paper, green material, landscape and pruning waste, organic textiles and organic carpets, lumber, wood, paper products, printing and writing paper, manure, biosolids, digestate, and sludges or as otherwise defined in 14 CCR Section 18982(a)(46). Organic Waste does not include Rigid Compostable Plastic.

N. “Person” means an individual, firm, limited liability company, association, partnership, industry, public or private corporation, or any other entity whatsoever.

O. “Police chief” means the chief of police of the city of Rancho Cordova.

P. “Public works director” means the public works director of the city of Rancho Cordova, California.

Q. “Recycling” means the process of collecting, sorting, cleansing, treating and reconstituting materials that would otherwise become solid waste and returning them for use or reuse in the form of raw materials for new, used or reconstituted products which meet the quality standard necessary to be used in the marketplace. “Recycling” does not include transformation as defined in Section 40201 of the Public Resources Code.

R. “Recycling facilities” means those facilities or operations that receive, process, and transfer to market recyclable materials that have been source separated from the solid waste stream.

S. “Recyclable material” or “recyclables” means materials that have been separated from the solid waste stream prior to disposal for the purpose of returning them for use or reuse in the form of raw materials for new, used or reconstituted products which meet the quality standard necessary to be used in the marketplace, and that are not landfilled. This Recyclable material or recyclables- includes those materials that can be placed in the Recycling Container including but not limited to, glass and plastic bottles, aluminum, tin and steel cans, metals, unsoiled paper products, printing and writing paper, and cardboard, and any other items as determined by the City.

“Recycling Container” has the same meaning as “Blue Container” in 14 CCR Section 18982.2(a)(5) and shall be used for the purpose of storage and collection of source separated Recyclable Materials.

T. “Removal” means the act of taking solid wastes or recyclable materials from the place of generation.

U. “Residential dwelling unit” means an individual living unit in a single-family dwelling, condominium, townhouse, mobile home, duplex (two units), triplex (three units), fourplex (four units) or building of four or less total individual living units intended for, or capable of being utilized for, residential living other than a hotel or motel.

V. “Residential hauler” means any person who loads, collects, hauls, or transports residential solid waste for a fee by use of any means, including, but not limited to, a dumpster truck; roll-off truck; a side-load, front-load, or rear-load garbage truck; or a trailer.

W. “Residential solid waste” means all solid waste, as defined in this chapter, that is generated by and at a residential dwelling unit.

X. “Residential franchise” means a residential solid waste collection franchise issued under the provisions of this chapter to a residential hauler within the city.

Y. “Solid waste” means all putrescible and nonputrescible solid, semisolid, and liquid wastes, including garbage, trash, refuse, paper, rubbish, ashes, industrial wastes, construction and demolition debris, discarded home and industrial appliances, dewatered, treated or chemically fixed sewage sludge which is not hazardous waste, manure, vegetable or animal solid and semi-solid wastes, and other discarded solid and semi-solid wastes. “Solid waste” does not include hazardous waste or low-level radioactive waste regulated under Chapter 7.6 (commencing with Section 25800) of Division 20 of the Health and Safety Code, or medical waste. “Solid waste” includes recyclable materials set out for separate collection for the purposes of recycling, and that are not landfilled.

Z. “Source separate” or “source separated” means the process of removing recyclable materials from solid waste for the purpose of recycling.

AA. “Treated medical waste” means medical waste as defined in subsection (a) of Section 25023.5 of the Health and Safety Code.

BB. “Construction and demolition debris” means used or discarded materials resulting from construction, renovation, remodeling, repair or demolition operations on any pavement, house, commercial building, or other structure and such other materials as may be removed during the normal cleanup process of such construction, renovation, remodeling, repair, or demolition operations. This includes mixed construction and demolition debris and source separated recyclable construction and demolition material. [Ord. 17-2020 § 3 (Exh A)].

6.20.030 Collection or transportation prohibited.

Except as authorized by RCMC 6.20.040 and 6.20.050, it shall be unlawful for any person to engage in the business of collecting, removing or transporting residential or commercial solid waste, or otherwise organizing, directing, sponsoring, brokering or causing the collection, removal or transportation of commercial residential or solid waste within the city without possessing a valid franchise or valid residential franchise granted by the city. [Ord. 17-2020 § 3 (Exh A)].

6.20.035 Mandatory service.

Except as otherwise expressly provided by this chapter, the owner, tenant, or occupant of every improved parcel (parcel with one or more business and/or residential buildings approved for occupancy) located within the city shall subscribe to ~~a garbage container, recycling container and organics container solid waste~~ collection service from a residential or commercial franchisee operating pursuant to this chapter. Each business (DBA) and/or residential building with a separate address and each separate business unit and each separate residential unit (under separate rental agreement) with a common address located on such parcel shall subscribe to such ~~a three container waste collection~~ service. The owner, tenant or occupant of a parcel with a residential dwelling unit shall subscribe to a collection service from a residential franchisee operating according to this chapter. The owner, tenant, or occupant of a parcel with a commercial or multifamily property shall subscribe to a ~~three container~~ collection service from a commercial franchisee operating according to this chapter. The owner, tenant or occupant shall comply with the relevant sections of this chapter, state law and local ordinances; and pay for the collection and disposal of such containers, unless a Commercial Business Owner receives an exemption or waiver as provided in RCMC 6.21. 140 Subscription to such required service does not preclude Single Family Residents or Commercial Businesses from self-hauling their own waste in their own vehicles if they meet the self-haul requirements noted in of this chapter.

6.20.040 Public agency exemption.

The provisions of RCMC 6.20.035 shall not be applicable to the United States, the state of California, the county, a city, a special district or any other local public agency with respect to the accumulation, collection or transportation of refuse resulting from operations of such agency. [Ord. 17-2020 § 3 (Exh A)].

~~6.20.045 Mandatory service exemption.~~

~~The public works director, and/or his or her designee shall, upon application, grant a written exemption from the mandatory collection service requirements established by RCMC 6.20.035 for any property utilized for commercial purposes which does not generate solid waste, and may grant such an exemption for any residential dwelling unit (but not multifamily residential properties) if it determines that the occupant has made adequate and appropriate arrangements for the disposal of solid waste and required subscription to collection service would constitute an unreasonable hardship or impractical burden. [Ord. 17 2020 § 3 (Exh A)].~~

6.20.050 Franchise requirement.

It is unlawful for any person to engage in the business of collecting, transporting or disposing of residential or commercial solid waste kept, accumulated or generated in the city, or to engage in the business of soliciting accounts or invoicing customers for residential or commercial solid waste service in the city unless:

A. A commercial franchise or residential franchise therefor has first been granted pursuant to the provisions of this chapter and such franchise is in full force and effect and a written franchise agreement therefor has been executed between such person and the city and such agreement is in full force and effect. [Ord. 17-2020 § 3 (Exh A)].

6.20.055 Exempt collection or transportation.

The following persons shall be authorized to organize, direct or sponsor the collection, removal or transportation of residential or commercial solid waste within the city, or collect, remove or transport such solid waste, without a franchise or a residential franchise:

A. The United States, the state of California, a city, a special district or other local public agency, or any employee or member of the Armed Forces thereof, or any individual or employee of such individual who has entered into a contract for solid waste collection with a federal or state agency, when collecting or transporting solid waste produced by operation of the public entity under a system of solid waste collection and transportation operated and maintained by the public agency;

B. The owner, operator or occupant or employee of a farm or ranch consisting of five acres or more, when transporting for off-site disposal solid waste accumulated as a result of operation of the farm or ranch;

C. An owner or occupant of a residential or multifamily residential property, when collecting or transporting recyclable materials and/or organic recyclable materials, not containing garbage, from his or her residential premises to a lawful point of disposal;

D. A residential construction contractor, commercial or residential gardener and those engaged in the business of cleaning residential, commercial and multifamily residential properties and employees thereof, when collecting or transporting solid waste consisting of by-products of the services provided to a lawful disposal location;

E. A person or employee thereof, when collecting or transporting dead animals, bones, meat scraps or food waste resulting from food processing plants for tallow or fertilizer, or other waste material to be used as raw material in manufacturing, or solid waste that is collected without charging a fee to the customer for purposes of salvage; provided, that such persons shall reuse or recycle or cause to be reused or recycled all materials collected, and shall not transport or arrange for the transport of any collected materials to a disposal site;

F. An operator or employee thereof of one or more industrial plants which are under single ownership, when collecting or transporting wastes which cannot be handled by standard solid waste collection equipment or which involve significant health, operating or handling hazards, including but not limited to rice hulls, tomato pulp, chemical residues, explosives, and other toxic, noxious or hazardous substances; provided, that all such wastes shall be deposited at an appropriate disposal area permitted pursuant to California State solid or hazardous waste management standards.

Any transportation of solid waste authorized by this section shall be conducted in strict compliance with any and all requirements of this chapter relating to transportation and any regulations issued hereunder;

G. Any person collecting or transporting hazardous waste, medical waste and designated waste, as defined in law, regardless of its source;

H. Any person collecting or transporting by-products of sewage treatment, including sludge, sludge ash, grit, and screenings;

I. Any person collecting or transporting residue or nonprocessable waste from a solid waste management facility, including material recovery, composting, and transformation facilities;

J. Municipal corporations and other governmental agencies using their own vehicles engaged in the collection, transportation, or disposal of solid waste within the city; and

K. Any commercial edible food recovery organization collecting edible food from commercial establishments resulting in the recovery and redistribution of edible food for consumption. [Ord. 17-2020 § 3 (Exh A)].

6.20.060 City council authority to grant franchise.

A. The city council may and is hereby empowered to grant to a qualified applicant a nonexclusive franchise to engage in the business of collecting, transporting or disposing of commercial solid waste, accumulated or generated in the city, or to delegate the authority, by resolution, to the public works director, and/or his or her designee, to grant the franchise.

B. The city council may and is hereby empowered to grant to a qualified applicant an exclusive residential franchise to engage in the business of collecting, transporting or disposing of residential solid waste and recyclable materials kept, accumulated or generated in the city, or to delegate the authority, by resolution, to the public works director, and/or his or her designee, to grant the franchise according to the procedures set forth in RCMC 6.20.080 and 6.20.095.

C. The city council may grant a commercial franchise or a residential franchise to an applicant based on compliance with this chapter. Any grant of a commercial franchise or a residential franchise by the city council may be subject to such terms, conditions, rules, regulations, restrictions, and limitations as the city council deems necessary to protect the public health, safety, or welfare.

D. The city council hereby empowers and grants to the public works director, and/or his or her designee, the authority to administer and negotiate nonsubstantive changes to the commercial franchise and residential franchise agreements. The city council may delegate authority by resolution to the public works director, and/or his or her designee, to administer, negotiate and execute franchise agreements. [Ord. 17-2020 § 3 (Exh A)].

6.20.070 Franchise terms and conditions.

A. All franchises and residential franchises shall be subject to the terms and conditions specified in this chapter, in the franchise agreement and in all other applicable federal, state and local laws and regulations.

B. In granting any franchise or residential franchise, the city council may prescribe such other additional terms and conditions, not in conflict with this chapter, as in the judgment of the city council are in the public interest.

C. Each franchisee shall provide residential or commercial solid waste collection, removal, recycling, and transportation services consistent with the provisions of this chapter, the terms and conditions of the franchise issued to the franchisee, and any applicable federal, state, or local statute, ordinance, rule or regulation.

D. Each franchisee shall provide services without undue interruptions caused by mechanical failures or other inadequacies of equipment and shall utilize equipment in quantities and of an age and quality adequate for the provisions of reliable service and to provide preventive and repair maintenance of such equipment sufficient to ensure reliability. [Ord. 17-2020 § 3 (Exh A)].

6.20.080 Application for commercial or residential franchise.

A. All applications for commercial or residential franchises pursuant to this chapter shall be in writing and shall be filed with the public works director, and/or his or her designee.

B. Each application for a commercial or residential franchise from a company that has never held a commercial or residential franchise in the city shall be submitted by the applicant on a form provided by the public works director, and/or his or her designee. The application shall contain all attachments with the following information:

1. Identification.

- a. The name and address of the applicant.
- b. Business address and telephone number of the applicant.
- c. Address where all vehicles and operating equipment used within the city will be kept.
- d. If the applicant is a partnership, the applicant shall include the name and address of each partner, general, limited or otherwise, owning more than 10 percent ownership in the partnership and their percentage of ownership.
- e. If the applicant is a corporation, the application shall state the names and addresses of the corporation's directors, date and place of incorporation, main offices, major stockholders and associates, and the names and addresses of the parent and subsidiary companies.
- f. If the applicant is an affiliate or a franchised operation of another corporation (not to be confused in this instance with a solid waste franchisee of the city), the applicant shall list the names and addresses of the parent or subsidiary companies, together with a description of their business interests and/or ownership.
- g. If the applicant is a joint venture or other combination of persons and corporations, identify separately the names and addresses of each member of the joint venture or combined effort, together with their percentage interest.

2. Business Operations. The names of the executive, operational and financial managers to be used in connection with the solid waste collection services, together with documentation that such persons and the applicant have sufficient experience in solid waste handling to perform solid waste collection services in the city.

- a. Attestation that books and accounts of all revenue and income arising out of its operations will be kept in a manner that conforms to generally accepted accounting principles.
- b. A statement that the applicant shall obtain insurance prior to commencing business subject to the franchise agreement.
- c. A statement that the applicant shall maintain and report on a timely basis all operational information and data elements reasonably required by the city to comply with its reporting requirements such as those established under AB 939, and as defined in the franchise agreement.
- d. A complete listing and explanation of any civil or criminal rulings or judgments in excess of \$5,000, or convictions against applicant, any of applicant's partners, major stockholders, corporate directors or parent or subsidiary companies, occurring within the last five years. Applicants that are subject to the periodic reporting requirements of Section 13(a) of the Securities Exchange Act may, in lieu of the information required by this subsection, submit the information reported pursuant to 17 CFR 229.103 (Legal proceedings) and 229.403 (Security ownership of certain beneficial owners and management) on the most recent form 10-K filed by the applicant with the Securities and Exchange Commission.

3. Facilities and Equipment.

- a. A description of all vehicles and equipment that the applicant owns, has control of, or intends to acquire for the collection, transportation, or disposal of commercial waste in the city and which are subject to the provisions of the franchise agreement. A statement as to whether said vehicles and equipment are self-unloading and equipped with audible automatic backup warning devices. The minimum vehicle

description for existing vehicles shall include Vehicle Identification Number (VIN) and license plate number.

b. Evidence demonstrating that the applicant owns or will have access to suitable facilities for keeping vehicles and equipment clean and in good repair, and that the applicant owns or will have access to reasonable office and billing facilities.

c. Evidence demonstrating that the applicant owns or will have the legally enforceable right to use at least two collection vehicles, the bodies of which are closed, leak-resistant, and constructed for the purpose of solid waste collection, transportation, and disposal. In the alternative, for the purposes of this provision, an applicant may demonstrate by the evidence that they service and transport open-top roll-off boxes for the collection, transportation, and disposal of nonputrescible waste and/or roll-off compaction boxes which are closed, leak-resistant, and are constructed for the purpose of solid waste collection, transportation, and disposal.

4. Financial Resources. Applicant shall provide proof satisfactory to the public works director, and/or his or her designee, that the applicant has adequate financial resources to conduct commercial solid waste collection services.

5. Diversion Plans. Each franchisee shall submit a diversion plan with their franchise application. The diversion plan shall provide a detailed description of how the franchisee intends to divert recyclable materials from commercial solid waste in order to assist the city in meeting the city's AB 939 reporting requirements.

6. Application for Police Chief Review.

a. The city may request that the police chief review each franchise application prior to the city issuing a franchise. The public works director, and/or his or her designee, may refer all franchise applications or renewals pursuant to this chapter to the police chief who, in conjunction with city staff, shall make such investigation of the applicant as the police chief deems necessary in order to determine whether the applicant's character or the business responsibility of the firm the applicant represents is satisfactory. The requirements of this section apply to all pending or future applications or proposals for issuance or renewal of such franchise pursuant to this chapter. The police chief's investigation may include, but is not limited to, obtaining the fingerprints and a photograph of the applicant, or any other person connected with the firm which the applicant represents, and the obtaining of reports from the state and federal law enforcement agencies and reports from any other appropriate sources.

b. If requested to review an application, the police chief shall evaluate each franchise application or proposal to determine whether the operation of the business which the applicant or party submitting the proposal represents would involve an unreasonable risk to the health, safety or general welfare of the public. In making such a determination, the police chief shall consider the character of the applicant or party submitting the proposal and each director, officer, manager and other person who exercises policy control over the operations of the applicant or proponent, the business responsibility of the firm which the applicant or party submitting the proposal represents, and the manner in which the firm intends to conduct its business.

c. The police chief shall notify the public works director, and/or his or her designee, of the results of the investigation conducted pursuant to this section. If the police chief recommends disapproval of the application or proposal, the reasons for disapproval shall be specified in writing. The police chief shall forward a copy of the statement of reasons to the public works director, and/or his or her designee, and shall provide a copy to the applicant or party submitting the application.

7. Other.

a. Any other evidence that demonstrates that the applicant is able to render collection and subsequent transportation and/or disposal services in accordance with applicable federal, state and local statutes.

b. Such additional information as may be reasonably requested by the public works director, and/or his or her designee.

c. During the application or proposal period and during the full term of any franchise, all information contained in the franchise application shall be kept up to date by the applicant who shall file a new verified statement within 48 hours of any change indicating in detail the nature of any change in the information.

C. Each application for a commercial or residential franchise from a company holding a valid, current commercial or residential franchise which is set to expire shall be submitted by the applicant on a form provided by the public works director, and/or his or her designee. The application shall include all attachments required by the public works director, and/or his or her designee.

D. The application shall be signed by the person applying for the commercial or residential solid waste and recyclables collection franchise or, in the case of a partnership or corporation, by a person authorized to bind the partnership or corporation. [Ord. 17-2020 § 3 (Exh A)].

6.20.090 Commercial franchise application review process.

A. The city council may award franchises for the collection of commercial solid waste within the city to applicants meeting all of the qualifications of this chapter.

B. Applicants may submit their completed application for a commercial franchise, as provided in RCMC 6.20.080, to the public works director, and/or his or her designee, for review and consideration at any time. The public works director, and/or his or her designee, shall review such submittals and either make a recommendation to the city council to award such franchise or notify applicant of denial within 60 days of receiving a completed application.

C. The public works director, and/or his or her designee, shall take into consideration all components of the completed application, including but not limited to:

1. The ability of the applicant to meet all terms of the agreement;
2. Any history of civil or criminal convictions that may compromise the public's interests; and
3. The completeness, accuracy, and validity of the application.

The public works director, and/or his or her designee, shall also have the authority to verify independently any and all statements made and implied in the application. The public works director, and/or his or her designee, may also request clarification from applicant of any or all elements of the submitted application.

D. After the 60-day review period, the public works director, and/or his or her designee, shall either:

1. Deny an award and notify the applicant in writing of the reasons why the award was denied; or
2. Recommend to the city council that a franchise be awarded.

E. Upon concurrence with a positive recommendation, the city council will award the franchise or will delegate authority to the public works director, and/or his or her designee, to award the franchise within a reasonable period of time. The public works director, and/or his or her designee, will notify applicant in writing of an award. [Ord. 17-2020 § 3 (Exh A)].

6.20.095 Residential franchise application review process.

A. The city council may award an exclusive franchise for the collection of residential solid waste and recyclables within the city to an applicant meeting all of the qualifications of this chapter.

B. Applicants may submit their completed application for a residential franchise, as provided in RCMC 6.20.080, to the public works director, and/or his or her designee, for review and consideration when the city has noticed its desire to receive such applications and according to the deadlines set forth by such notice. The public works director, and/or his or her designee, shall review applications and either make a recommendation to the city council to award such franchise or notify applicant of denial within 60 days of receiving a completed application.

C. The public works director, and/or his or her designee, shall take into consideration all components of the completed application, including but not limited to:

1. The ability of the applicant to meet all terms of the agreement;
2. Any history of civil or criminal convictions that may compromise the public's interests;
3. The completeness, accuracy, and validity of the application; and
4. The applicant's ability to provide the most efficient and cost-effective collection service to city residents while minimizing the adverse effects of such service on the residents, city streets and rights-of-way, and the environment.

The public works director, and/or his or her designee, shall also have the authority to verify independently any and all statements made and implied in the application. The public works director, and/or his or her designee, may also request clarification from applicant of any or all elements of the submitted application.

D. After the 60-day review period, the public works director, and/or his or her designee, shall either:

1. Deny an award and notify the applicant in writing of the reasons why the award was denied; or
2. Recommend to the city council that a franchise be awarded to a particular applicant; or
3. Recommend to the city council a group of finalists from which the city council may select an applicant to award an exclusive franchise to.

E. Upon concurrence with a positive recommendation, the city council will award the franchise or will delegate authority to the public works director, and/or his or her designee, to award the franchise within a reasonable period of time. The public works director, and/or his or her designee, will notify applicant in writing of an award. [Ord. 17-2020 § 3 (Exh A)].

6.20.100 Appeal upon denial of award.

A. Within 30 days of written notification of award denial or within 60 days of the public works director, and/or his or her designee's failure to act on the commercial or residential franchise application, the applicant has the right to meet with the public works director, and/or his or her designee, to review the items cited in the written notice and provide any additional evidence to support an award. Within 15 days of such meeting, the public works director, and/or his or her designee, will make a final, written determination of the application, based on the reviews of additional evidence, together with the original application. The public works director, and/or his or her designee, will send a copy of all final, written determinations, including reasons for denial, if any, to both applicant and the city council.

B. Applicant may, within 10 days after receiving the public works director, and/or his or her designee's final denial, request a public hearing before the city council by submitting to the city clerk a written petition for an appeal hearing. If a public hearing is requested, the city clerk shall set the matter for hearing at the next regularly scheduled city council meeting or any later date as agreed upon by the applicant and clerk of the city council. At such hearing, applicant may present evidence in writing and through testimony of its employees and others relevant to the application. During such hearing, the city council may demand from the applicant such additional information as the city council may deem relevant and necessary. Standard rules of evidence are not in effect at such public hearing, and the applicant shall have the burden of proof to show facts demonstrating that the applicant does in fact meet the requirements of this chapter. Any hearing may be continued or adjourned to a stated time and place without the giving of further notice. The city council will provide applicant with a written explanation of its determination on the application within 30 days of such hearing. The city council's decision is final.

C. If the term of an applicant's existing franchise expires while the application is under city review, the city council or the public works director, and/or his or her designee, may administratively extend the term for such period of time as is required to complete the appeal process. [Ord. 17-2020 § 3 (Exh A)].

6.20.110 Awarding of franchise.

A. A commercial or residential franchise shall become effective only once the applicant and the city have signed a written agreement, and upon applicant's satisfying all of the requirements and conditions set forth in both this chapter and the franchise agreement.

B. The franchisee must provide to the city copies of all required certificates of insurance, and bonds as may be enumerated in the franchise agreement and this chapter. Should franchisee fail to maintain all such insurance and bonding requirements, uninterrupted for the term of the agreement, the city will immediately suspend or terminate the commercial or residential franchise.

C. If the franchisee's description of vehicles and equipment, as required under RCMC 6.20.080, has changed between the application date and the effective date of the franchise agreement, franchisee must submit to the public works director, and/or his or her designee, an amended description, including all identification elements required under RCMC 6.20.080, prior to commencing services authorized in the agreement. [Ord. 17-2020 § 3 (Exh A)].

6.20.120 Requirements for franchise effectiveness.

A franchise granted pursuant to this chapter shall not become effective unless and until all of the following requirements have been satisfied:

A. The ordinance granting the residential or commercial franchise, or the resolution granting the public works director, and/or his or her designee, the authority to grant the franchise, is effective.

B. The applicant and the city have executed a franchise agreement.

C. Within 20 days from the date of adoption of the ordinance granting the commercial or residential franchise, or within 20 days of the date of adoption of the resolution delegating authority to the public works director, and/or his or her designee, to grant the franchise, the applicant to whom a franchise has been granted has filed with the city clerk evidence of compliance with the insurance requirements specified in the franchise agreement. [Ord. 17-2020 § 3 (Exh A)].

6.20.130 Franchise fees.

A. Each person engaging in the business of collecting, transporting or disposing of commercial or residential solid waste accumulated or generated in the city shall pay a franchise fee to the city. The city council shall set the franchise fee by resolution, or shall delegate the authority to set the franchise fee to the city manager.

B. The payment of franchise fees to the city pursuant to this section shall be in addition to any license fee or business tax prescribed by any local jurisdictions for the same period.

C. Commercial and residential solid waste franchise fees shall be payable on all gross collection revenues by a franchisee from its commercial or residential solid waste collection customers located within the city. The franchise fee shall be calculated based on gross collection revenues prior to franchisee imposing the franchise fee on its customers. Nonexclusive franchisees shall also pay franchise fees on revenues received from federal and state government entities within the city.

D. Franchise fees shall be payable by any person providing commercial or residential solid waste services within the city after the effective date of the ordinance codified in this chapter, even where no franchise has been granted. [Ord. 17-2020 § 3 (Exh A)].

6.20.140 Recycling facility reporting requirements.

A. All recycling facilities within the city shall provide bi-annual written reports to the public works director, and/or his or her designee, due 45 days after the close of the six-month reporting period, and including the following information for the previous six months:

1. The total aggregate tonnage of recyclable material received from generators located within the city;
2. The aggregate tonnage of recyclable material received from waste management and recycling operations in the city;
3. The aggregate tonnage of recyclable material received from franchises operating within the city; and

4. The total aggregate amount of residuals generated at the facility and disposed of at a permitted solid waste disposal facility, expressed as a percentage of total tonnage received.

B. To the extent permitted by the California Public Records Act, any report or other information required by this chapter shall be deemed confidential and shall not be subject to public disclosure except for aggregate totals for all facilities.

C. Recycling facilities receiving only scrap metals, agricultural waste, inert materials, and/or discarded, white-coated major appliances that are not normally disposed of and thus cannot be counted towards the state's diversion requirements are exempt from the reporting requirements of this chapter. [Ord. 17-2020 § 3 (Exh A)].

6.20.150 Restrictions on franchisees.

The following restrictions shall be applicable to franchisees:

A. Except to meet the two-truck requirement of RCMC 6.20.080(B)(3)(c), no franchisee shall, by contract, subcontract, or otherwise, share with another franchisee any office space associated with operations under a franchise.

B. No franchisee, by contract, express understanding or indirectly, shall, in cooperation with another franchisee, divide, segregate or apportion any territory within the city for the purpose of restricting competition within a particular territory.

C. No franchisee shall, directly or indirectly, enter into any contract, express understanding or other transaction with another franchisee for the purpose of fixing customer rates or charges or otherwise maintaining rates or charges at a particular level.

D. No franchisee or any director, officer, partner, joint venturer, sole proprietor or corporate owner thereof shall be a controlling shareholder of, be a partner, joint venturer or sole proprietor, owner, have any other interest in or be employed by another franchisee. No franchisee which is owned in whole or in part by a corporation shall be effectively controlled by a person or entity by virtue of that person or entity's ownership of shares in the corporation, if the same person or entity otherwise controls another franchisee. The sole remedy for violation of the provisions of this subsection shall be revocation or refusal to renew a franchise.

E. Each franchisee shall provide to the public works director, and/or his or her designee, such information as the public works director, and/or his or her designee, determines is reasonably necessary to facilitate effective administration of the franchise under the provisions of this chapter. Diversion information may be provided consistent with the framework for materials recovery facility (MRF) services and reporting of RCMC 6.20.140.

F. Notwithstanding any other provisions of this chapter, it shall be allowable for a franchisee having an interest in a materials recovery facility (MRF) to provide a reporting service, a solid waste processing service to another franchisee consistent with the framework for MRF services and reporting of RCMC 6.20.140. [Ord. 17-2020 § 3 (Exh A)].

6.20.160 Medical waste.

A. Commercial franchisees shall not be required to divert treated medical waste.

B. No treated medical waste from commercial or residential solid waste generators shall be delivered by a permittee to a materials recovery facility for the purpose of recycling. [Ord. 17-2020 § 3 (Exh A)].

6.20.170 Enforcement.

Except as otherwise expressly provided, the provisions of this chapter shall be administered and enforced within the city by the public works director, and/or his or her designee, or other staff and enforcement officials designated by the public works director, and/or his or her designee. [Ord. 17-2020 § 3 (Exh A)].

6.20.180 Abatement proceedings.

Any operation or activity contrary to the provisions of this chapter or a franchise agreement, including the terms and conditions of any franchise, is unlawful and shall constitute a public nuisance. The public works director, and/or his

or her designee, is authorized to commence in the name of the city actions or proceedings to abate and enjoin any such operation or activity. [Ord. 17-2020 § 3 (Exh A)].

6.20.190 Notices.

A. Whenever a provision of this chapter authorizes or requires a public hearing to be conducted by the city council, notice of the time, date, place and purpose of the hearing shall be published at least once not later than 10 calendar days in advance of the date of such hearing in a newspaper of general circulation which is published within the city, and shall be served upon each franchisee who is affected by such hearing.

B. Any written notice or other communication to a franchisee which is authorized or required by this chapter shall be deemed served and effective for all purposes when deposited in the United States mail, postage prepaid, and addressed to the latest address of the franchisee shown in the city records pertaining to the franchise. [Ord. 17-2020 § 3 (Exh A)].

6.20.200 On-site storage.

Every owner, tenant or occupant of a residential dwelling unit or multifamily residential property and every owner, operator or keeper of any business with a fixed location in the city which generates solid waste shall provide and at all times keep within an enclosure, or conveniently located near an enclosure or building, water-tight containers for garbage and suitable containers for recyclable materials and organic recyclable materials, and shall cause to be deposited in such containers, and not elsewhere, all solid waste which accumulates on the premises. The containers shall have tightly fitted covers and shall not leak or permit the escape of odors. Notwithstanding the requirements of this section, generators shall not be required to set out or store recyclable materials and/or organic recyclable materials together with garbage and generators shall be allowed to appropriately store recyclable materials and/or organic recyclable materials for collection separate from garbage. It shall be unlawful for any person to fail to comply with the requirements of this section. Containers shall be clearly identified with the name of the franchisee. [Ord. 17-2020 § 3 (Exh A)].

6.20.210 Solid waste disposal restrictions.

A. It shall be unlawful for any franchisee to do any of the following:

1. To operate or have an interest in a solid waste disposal site, other than a transfer, receiving and/or processing station, within the city;
2. To operate a solid waste disposal area in the city; or
3. To dump any solid waste upon, or permit the same to fall upon, any property, road or highway other than the areas designated by this chapter for the disposal or dumping of solid waste.

B. It shall be unlawful for any person to dump, deposit, or release any solid waste in or on any public or private property, including streets, sidewalks, gutters, highways, or easements, except when acting in accordance with the solid waste collection regulations set forth in this chapter. [Ord. 17-2020 § 3 (Exh A)].

6.20.220 Use of containers.

No person other than a customer who has contracted for service with a franchisee, or a person with such customer's consent, shall deposit solid waste into a solid waste bin, drop box or compactor placed in the city by a franchisee for the purpose of receiving solid waste. [Ord. 17-2020 § 3 (Exh A)].

6.20.230 Rules and regulations.

A. The collection and subsequent transportation and disposal of commercial solid waste within the city is under the supervision of the public works director, and/or his or her designee, who shall have the power to promulgate rules and regulations regulating such collection and subsequent transportation and disposal, including but not limited to:

1. Commercial solid waste generation, storage, recycling, recovery, accumulation, collection, removal, transportation and disposal;
2. The manner in which commercial solid waste collection services are provided;
3. Types of commercial solid waste and vehicles used therefor;

4. The operation and maintenance of sanitary methods of commercial solid waste disposal;
5. Reporting requirements for recycling facilities.

B. A copy of said rules and regulations and all amendments thereto shall be sent by registered or certified mail, postage prepaid, to all affected franchisees addressed to their last place of business. To the extent not otherwise provided by law, it shall be unlawful for a franchisee to collect and subsequently transport or dispose of commercial solid waste contrary to any regulation, order, permit or requirement promulgated by the public works director, and/or his or her designee.

C. All such rules and regulations shall be consistent with the provisions of this chapter and shall be effective on the thirtieth day following the filing of any such rules and regulations with the city clerk.

D. Any person who asserts that he or she is aggrieved by the terms or application of a regulation issued pursuant to this section may appeal the issuance of such regulation by filing a written notice of appeal with the city clerk. The notice of appeal shall specifically identify the regulation or regulations from which the appeal is taken and the reasons for the appeal. Upon receipt of such notice, the city clerk shall schedule the appeal for a public hearing by the city council, notice of which shall be given in the manner prescribed by RCMC 6.20.340(A). At the conclusion of the public hearing, the city council shall be vested with jurisdiction to deny the appeal or to rescind or modify the regulation. The city council's determination in this regard shall be final.

E. Any regulation from which an appeal is filed prior to its effective date shall not become effective until the date of a determination by the city council of the appeal. Any regulation from which an appeal is filed on or subsequent to the effective date thereof shall remain in full force and effect during the pendency of the appeal, and any decision that rescinds or modifies the regulation shall apply prospectively.

F. It shall be unlawful and constitute a violation of this chapter for any person to violate or otherwise fail to comply with any rule or regulation issued pursuant to this section. [Ord. 17-2020 § 3 (Exh A)].

6.20.240 Vehicle inspection.

All trucks and containers used in the collection, removal, transportation or storage of commercial solid waste in the city shall be subject to inspection by the city engineer for the purpose of determining whether or not the trucks and containers comply with Title 14, Sections 17341 through 17345 of the California Code of Regulations. [Ord. 17-2020 § 3 (Exh A)].

6.20.250 Vehicle requirements.

The bodies of vehicles used in the collection, removal or transportation of commercial solid waste in the city shall have beds of metal or other impervious material which can be cleaned, and shall otherwise be of a type approved by the city engineer's department adopted pursuant to Title 14, Section 17341.B of the California Code of Regulations. The city engineer shall be authorized to issue administrative regulations pertaining to specifications for vehicles and containers, the cleansing and disinfecting thereof, and other sanitary measures in connection therewith. [Ord. 17-2020 § 3 (Exh A)].

6.20.260 Covered load requirement.

A. All franchisee vehicles and all privately owned or operated vehicles using solid waste disposal facilities in the city shall have their vehicle loads covered, with a tarp or equivalent cover, to ensure protection from littering during transportation from the origin of the trip to any waste disposal facility located in the city.

B. All vehicles hauling materials with the load originating in the city to a waste disposal facility located outside of the city shall have their loads covered while in transit within the city.

C. Every permitted or nonpermitted waste disposal facility located within the city shall post signs notifying the public that it is illegal to haul uncovered loads to the facility. These facilities shall cooperate with the city enforcement staff by providing covered load education and promotion information to their customers to help assure the effectiveness of this chapter. [Ord. 17-2020 § 3 (Exh A)].

6.20.270 Rights reserved to city.

In addition to all other rights reserved to the city under this chapter, the following shall apply:

A. There is hereby reserved to the city every right and power, and the exercise thereof, which is reserved or authorized by any provision of any lawful ordinance or resolution of the city, whether enacted before or after the effective date of the ordinance codified in this chapter.

B. Neither the granting of any franchise nor any provision of any franchise shall constitute a waiver of or a bar to the exercise of any governmental right or power of the city.

C. The franchisee shall have no recourse whatsoever against the city, its officers, employees or agents or any of the city member entities, their officers, employees, or agents for any loss, cost, expense or damage arising out of any provision or requirement of this chapter or of any franchise issued under this chapter or because of the enforcement of this chapter.

D. There is hereby expressly reserved to the city the power and authority to amend any section of this chapter so as to require additional or greater standards on the part of the franchisee and the power and authority to increase the franchise fees to be paid by the franchisee pursuant to RCMC 6.20.130. [Ord. 17-2020 § 3 (Exh A)].

6.20.280 Other franchise provisions.

The city council may expand or contract the scope of franchise agreements over time due to changes in law or interpretations of law. [Ord. 17-2020 § 3 (Exh A)].

6.20.290 Criminal penalties for violations.

The following criminal penalties apply to violations of this chapter:

A. Violation as Misdemeanor. Unless otherwise specified by this chapter, violations of the provisions of this chapter or failure to comply with any of its requirements, including violations of terms and conditions established in connection with franchises issued pursuant to this chapter, shall constitute a misdemeanor.

B. Penalty for Misdemeanor. Unless otherwise specified in this chapter, any person, whether as principal, agent, employee or otherwise, who violates this chapter or fails to comply with any of its requirements shall upon conviction thereof be fined not more than \$1,000 or imprisoned for not more than six months in the county jail, or by both such fine and imprisonment. Each day such violation continues shall be considered a separate offense. Such penalties shall be in addition to any late fees, civil penalties, administrative civil penalties, or other charges payable to the city by a franchisee for the same period of time or for the same violations.

C. Violation as Infraction. Unless otherwise specified by this chapter or the franchise agreement, the following violations by a franchisee are infractions:

1. Delinquent Payment of Franchise Fee. A delinquent payment of a franchise fee that is not received by the city before the first day of the month following the due date established under the franchise agreement is a violation and a separate violation for every month the payment remains delinquent thereafter.

2. Delinquent Payment of Franchise Fee Late Charge. A delinquent payment of a late payment charge and/or interest charges for a late franchise fee payment (under the franchise agreement) that is not received by the city before the first day of the month following the due date is a violation and a separate violation for every month the payment remains delinquent thereafter.

3. Delinquent Payment of Late Report Charge. A delinquent payment of a late charge for a delinquent quarterly report of diversion (under the franchise agreement) that is not received before the first day of the month following the due date is a violation and a separate violation for every month the payment remains delinquent thereafter.

4. Delinquent Payment of Audit Fee. A delinquent payment of an audit fee (under the franchise agreement) that is not received by the city before the first day of the month following the due date is a violation and a separate violation for every month the payment remains delinquent thereafter.

5. Delinquent Diversion Report. A delinquent quarterly report of diversion (under the franchise agreement) that is not received by the city before the first day of the third month following the end of the quarter reporting is a violation and a separate violation for every month the report remains delinquent thereafter.

6. Incomplete Diversion Report. If a quarterly report of diversion (under the franchise agreement) that is received by the city is incomplete, the inadequacy must be remedied or corrected by the franchisee before the first day of the third month following the end of the quarter or it is a violation and a separate violation for every month the report remains incomplete thereafter. A complete quarterly report of diversion includes all information as may be required by the public works director, and/or his or her designee. Partial quarterly reports of diversion will be considered incomplete.

D. Penalty for Infraction. Unless otherwise specified by this chapter or in the franchise agreement, an infraction is punishable by a fine not exceeding \$200.00 for a first violation of any offense under subsection (C) of this section within the preceding 12-month period; a fine of \$500.00 for a second violation of the same offense under subsection (C) of this section within the preceding 12-month period; and a fine of \$1,000 for each additional violation of the same offense under subsection (C) of this section within the preceding 12-month period. The public works director, and/or his or her designee, or the city attorney shall also have the discretion to elevate any infraction under subsection (C) of this section to a misdemeanor, punishable under subsection (B) of this section. Such penalties shall be in addition to any late fees, civil penalties, administrative civil penalties, or other charges payable to the city by a franchisee for the same period of time or for the same violation.

E. Separate Remedies. Each civil, criminal, or administrative civil penalty imposed pursuant to this chapter for any separate violation shall be separate from, and in addition to, any other provision of law and does not supersede or limit any and all other legal remedies and penalties, civil, administrative or criminal, which may be applicable under other laws. [Ord. 17-2020 § 3 (Exh A)].

6.20.300 Civil penalties for violations.

The following administrative civil penalties apply to violations of this chapter:

A. Administrative Civil Penalties. In addition to any other remedies provided by this chapter, any person who violates any provision of this chapter shall be liable for an administrative civil penalty to be imposed by the public works director, and/or his or her designee. The amount of the penalty shall not be more than \$1,000 for each day of violation. Any person who knowingly violates any provision of this chapter, after reasonable notice of the violation, is liable for an administrative civil penalty of not more than \$1,000 for each day of violation. In determining the civil, criminal, and administrative civil penalties imposed pursuant to this chapter, all relevant circumstances shall be considered, including but not limited to the extent of harm or potential harm caused by the violation, the nature of the violation and the period of time over which it occurred, the frequency of past violations, and the corrective action, if any, taken by the violator.

B. Administrative Civil Penalty Procedure.

1. Notice of Violation. The public works director, and/or his or her designee, shall notify the violator in writing of the time within which an alleged violation must be remedied or corrected. The notice shall provide that an administrative civil penalty will be imposed if the continuing violation is not remedied or corrected within the time stated.

2. Notice of Penalty and Opportunity for Hearing. Notice of any administrative civil penalty shall set forth the alleged acts or failures to act that constitute a basis for liability and the amount of the proposed administrative civil penalty. The notice of administrative civil penalty shall be served by personal service or certified mail and shall inform the person so served that the administrative civil penalty imposed may be administratively reviewed by a city-designated hearing officer before it is enforced if a request for hearing is timely filed. The notice shall also specify the procedure for requesting a hearing before the hearing officer.

3. Administrative Review. If a person desires administrative review of the administrative civil penalty imposed by the public works director, and/or his or her designee, he or she shall request a hearing by timely filing a written request pursuant to the provisions of RCMC 6.20.330. The written request for an appeal must be accompanied by an administrative hearing fee, as established by the city council. Any such appeal shall be in

writing, shall state the specific reasons therefor and grounds asserted for relief, and shall be filed with the public works director, and/or his or her designee, not later than 15 calendar days after the date of service of any such decision. A hearing shall be conducted by the hearing officer pursuant to RCMC 6.20.340 unless the person has waived the right to a hearing or has entered into a settlement agreement with the public works director, and/or his or her designee. A person waives the right to a hearing by so stating in writing or by failure to file with the public works director, and/or his or her designee, a written request for hearing within 15 days after service of the notice of opportunity for hearing.

4. **Effective Date.** Where the person has waived the right to a hearing or where the person has entered into a settlement agreement, the administrative civil penalty shall not be subject to review by any court, the hearing authority, or any other agency and shall be effective 15 days after notice of the penalty is served. Where a hearing has been held, the penalty shall be effective 20 days after the decision of the hearing authority becomes final.

5. **Judicial Review.** The manner of contesting the final order of the hearing officer concerning any administrative civil penalty is governed by Section 53069.4 of the Government Code, or any successor provision thereto. Service of the notice of appeal authorized by Section 53069.4 of the Government Code upon the city shall be by service upon the city clerk.

6. **Payment of Costs of Enforcement/Collection.** In addition to any penalty, sanction, fine or imprisonment, each person who violates this chapter shall be required to pay any and all expenses of enforcement including costs necessary to bring the person into compliance with this chapter. In addition to all remedies contained herein, the city may pursue all reasonable and legal means in collecting those sums authorized and due.

7. **Collection.** Payment of the penalty shall be made within 30 days from when the penalty became effective. In addition to all remedies herein contained, the city may pursue all reasonable and legal means in collecting administrative civil penalties. [Ord. 17-2020 § 3 (Exh A)].

6.20.310 Settlement process.

The public works director, and/or his or her designee, may adopt a written settlement agreement process for the settlement of violations of this chapter, which shall take into consideration the penalty factors set forth in RCMC 6.20.300. [Ord. 17-2020 § 3 (Exh A)].

6.20.320 Hearing officer.

Whenever the term “hearing officer” is utilized in this chapter, it shall be deemed to refer to one or more qualified persons assigned the responsibility of conducting a hearing by the city manager. [Ord. 17-2020 § 3 (Exh A)].

6.20.330 Appeals.

Any decision of the public works director, and/or his or her designee, may be appealed to a hearing officer appointed by the city manager. Any such appeal shall be in writing, shall state the specific reasons therefor and grounds asserted for relief, and shall be filed with the public works director, and/or his or her designee, not later than 15 days after the date of service of any such decision. If an appeal is not filed within the time or in the manner prescribed above, the right to review of the action against which complaint is made shall be deemed to have been waived. [Ord. 17-2020 § 3 (Exh A)].

6.20.340 Appeal hearing.

A. Not later than 30 days following the date of filing an appeal within the time and in the manner prescribed by RCMC 6.20.330, the hearing officer shall conduct a hearing for the purpose of determining whether the appeal should be granted. Written notice of the time, date and place of the hearing shall be mailed to the appellant not later than 10 days preceding the date of the hearing.

B. The provisions of the California Administrative Procedure Act (commencing at Section 11500 of the Government Code) shall not be applicable to such hearings; nor shall formal rules of evidence in civil or criminal judicial proceedings be so applicable. Testimony shall be given under oath, and the parties to the hearing shall have the right to cross-examine witnesses. Any relevant evidence shall be admitted if it is the type of evidence upon which responsible persons are accustomed to rely in the conduct of serious affairs, regardless of the existence of any common law or statutory rules which make improper the admission of such evidence over objection in civil actions

in courts of competent jurisdiction in this state. Hearsay evidence may be admitted for the purpose of supplementing or explaining any direct evidence but shall not be sufficient in itself to support a finding unless it would be admissible over objection in civil actions. The rules of privilege shall be effective to the same extent that they are now or hereafter may be recognized in civil actions. Irrelevant and unduly repetitious evidence shall be excluded.

1. Record. A record of the entire hearing proceedings shall be made by either a certified court reporter or tape recorder operated by the hearing officer. A transcript of the proceedings shall be made available to all parties upon request and upon payment of the fee prescribed therefor. Such fees may be established and revised from time to time by the city council.

2. Scope. Only those matters or issues specifically raised by the appellant(s) in the written appeal shall be considered in the hearing on appeal.

3. Oaths and Certification. The hearing officer has the power to administer oaths and affirmations and to certify official acts.

4. Oral Evidence. Oral evidence shall only be taken on oath or affirmation.

5. Rights of Parties. Each party shall have the right to call and examine witnesses, to introduce exhibits, to cross-examine opposing witnesses on any matter relevant to the issues of the hearing even though the matter was not raised in the direct examination, to impeach any witness regardless of which party first called him or her to testify, to present rebuttal evidence and to represent himself or herself or to be represented by anyone of his or her choice who is lawfully permitted to do so. No appellant shall be required to testify without his or her consent.

6. At the conclusion of the hearing, the hearing authority shall prepare a written decision that either grants or conditionally grants or denies the appeal, and contains findings of fact and conclusions. Notice of the written decision, including a copy thereof, shall be filed with the public works director, and/or his or her designee, and served not later than 30 days following the date on which the hearing is closed on the appellant and on other persons who appeared at the hearing and requested a copy. Service shall be by personal delivery or certified mail.

C. City and appellant shall jointly pay for the costs of the hearing. [Ord. 17-2020 § 3 (Exh A)].

Chapter 6.21 BUSINESS AND MULTIFAMILY RECYCLING AND ORGANICS RECYCLING

Sections:

- 6.21.010 Purpose and declarations.
- 6.21.020 Definitions.
- 6.21.030 Threshold for covered generators.
- 6.21.040 Requirements for covered generators.
- 6.21.050 Special requirements.
- 6.21.060 Designation of recyclable materials and organic recyclable materials.
- 6.21.070 Ownership of recyclable materials and organic recyclable materials.
- 6.21.080 Requirements for franchised waste haulers.
- 6.21.090 Requirements for service agreements.
- 6.21.100 Process for addressing covered generator noncompliance.
- 6.21.110 Requirements for multifamily residential properties.
- 6.21.120 Requirements for self-hauling.
- 6.21.125 SB 1383 regulatory compliance.
- 6.21.130 Reporting.
- 6.21.140 Exemptions from recycling standards.
- 6.21.150 City rules and regulations.
- 6.21.160 Rights reserved to city.
- 6.21.170 Administration and costs.
- 6.21.180 Unlawful acts.
- 6.21.190 Implementation and enforcement.
- 6.21.200 Posting of notices.
- 6.21.210 Notice of violation.
- 6.21.220 Notice of violation – Content.
- 6.21.230 Administrative enforcement order.
- 6.21.240 Administrative enforcement order – Content.
- 6.21.250 Delivery of notice or order.
- 6.21.260 Administrative appeals.
- 6.21.270 Hearing officer.
- 6.21.280 Hearing procedure.
- 6.21.290 Form and contents of decision – Finality of decision.
- 6.21.300 Procedures for collection of administrative civil penalty.
- 6.21.310 Actions not prohibited.

6.21.320 Penalties.

6.21.010 Purpose and declarations.

A. It is the intent and purpose of this chapter to promote recycling and organics recycling by:

1. Requiring covered generators in the city of Rancho Cordova to keep recyclable materials separate from all other garbage for recycling;
2. Requiring covered generators in the city of Rancho Cordova to keep organic recyclable materials separate from all other garbage for organics recycling;
3. Requiring covered generators to provide city-approved signs and labeled containers for the storage and collection of recyclable materials and organic recyclable materials;
4. Requiring covered generators to self-haul recyclable materials and/or organic recyclable materials with written approval from the public works director, and/or his or her designee, or enter into a written service agreement for the collection and subsequent delivery of recyclable materials and organic recyclable materials to a recycling facility; and
5. Prohibiting the collection of garbage to covered generators that are not subscribed to recyclable material and organic recyclable material collection services with the same franchised waste hauler or who have not received written approval from the public works director, and/or his or her designee, for an exemption or waiver.

B. It is further the purpose of this chapter to provide a mechanism to require the implementation of recycling programs and organics recycling programs for covered generators within the city to thereby enable the city to meet and maintain the 50 percent waste diversion requirements set forth in Section 41780(a)(2) of the California Public Resources Code. [Ord. 17-2020 § 4 (Exh B)].

6.21.020 Definitions.

A. “AB 341” means the California Jobs and Recycling Act of 2011 (Chapter 476, Statutes of 2011 [Chesbro, AB 341]), also commonly referred to as “AB 341,” as amended, supplemented, superseded, and replaced from time to time.

B. “AB 827” means the Solid Waste: Commercial and Organic Waste: Recycling Bins Act of 2019.

C. “AB 1826” means the Organic Waste Recycling Act of 2014 (Chapter 727, Statutes of 2014 modifying Division 30 of the California Public Resources Code), also commonly referred to as “AB 1826,” as amended, supplemented, superseded, and replaced from time to time.

D. “Alternative compliance and exemption form” means the form provided by the public works director, and/or his or her designee, on which a covered generator may request an exemption or waiver from the recycling and organics materials collection requirements.

~~E. “Business” means:~~

~~1. A commercial entity, proprietorship, firm, partnership, person in representative or fiduciary capacity, association, venture, trust, or corporation that is organized for financial gain or profit, including, but not limited to, offices, retail stores, markets, manufacturing facilities, warehouse and distribution facilities, restaurants, motels and hotels, theaters, medical offices, and gas stations and automotive facilities; and~~

~~2. Not for profit organizations, including, but not limited to, churches, hospitals, and social service organizations.~~

F. “City” means the city of Rancho Cordova, California.

G. “Collection” means the act of picking up and removing garbage, recyclable materials or organic recyclable materials at the place of generation.

H. “Commercial hauler” or “hauler” means any person who collects, hauls, or transports commercial garbage, recyclables and/or organics for a fee by use of any means, including, but not limited to, a dumpster truck, roll-off truck, a side-load, front-load, or rear-load garbage truck, or a trailer.

I. “Commercial solid waste” means all solid waste as defined in subsection (GG) of this section that is generated by and at commercial and industrial sources, multifamily residential properties, and construction and demolition activities that is collected by a commercial hauler.

“Commercial Business” or “Commercial” means a firm, partnership, proprietorship, joint-stock company, corporation, or association, whether for-profit or nonprofit, strip mall, industrial facility, or a Multi-Family Residential Dwelling, or as otherwise defined in 14 CCR Section 18982(a)(6). A Multi-Family Residential Dwelling that consists of fewer than five (5) units is not a Commercial Business for purposes of implementing this chapter.

“Commercial Edible Food Generator” includes a Tier One or a Tier Two Commercial Edible Food Generator as defined in 14 CCR Section 18982(a)(73) and (a)(74).

J. “Covered generator” means all single family, commercial businesses and multifamily residential properties (which are a type of Commercial Business for the purposes of implementing this chapter)~~that are subject to the requirements of this chapter~~. The public works director, and/or his or her designee, shall specify the minimum weekly solid waste collection service threshold that defines covered generators for the purposes of this chapter and shall include such designation in the commercial franchise agreement and shall also be designated in RCMC.

6.21.030, “Threshold for Single Family, Commercial Business and Multifamily Property Generators” covered generators. A covered generator may include a single family, business or multifamily residential property owner or generator and is dependent on who ever executes a contract(s) for solid waste, recycling, and organics recycling removal and collection services.

K. “Customer” means a single family, business or multifamily residential property owner or generator who contracts for solid waste removal services and enters into a service agreement with a franchised waste hauler. Where several businesses or multifamily residential properties share garbage containers and service, “customer” refers only to the party who enters into a contract for garbage, recycling and organic collection services.

L. “Designated green materials” (or “green materials”) means materials that are required to be separated from garbage and designated recyclable materials prior to disposal and returned for use or reuse in the form of raw materials for new, used or reconstituted products. Green materials include, but are not limited to: yard trimmings, grass, weeds, leaves, branches, dead plants, brush, tree trimmings, dead trees, small wood pieces and other types of organic yard waste. Green material excludes food scraps and paper contaminated with food scraps.

M. “Designated organic recyclable materials” (or “organic recyclable materials”) means materials that are required to be separated from garbage and designated recyclable materials prior to disposal and returned for use or reuse in the form of raw materials for new, used or reconstituted products. Organic recyclable materials include, but are not limited to: yard trimmings and food scraps such as green trimmings, grass, weeds, leaves, prunings, branches, dead plants, brush, tree trimmings, dead trees, small wood pieces, other types of organic yard waste, vegetable waste, fruit waste, dairy waste, meat waste, fish waste, paper products and food-soiled paper products and/or as otherwise specified by the public works director and/or his or her designee.

N. “Designated recyclable materials” (or “recyclable materials”) means materials that are required to be separated from garbage and designated organic recyclable materials prior to disposal and returned for use or reuse in the form of raw materials for new, used or reconstituted products. Recyclable materials include, but are not limited to: clean cardboard, paper, plastic, scrap metal, beverage containers, and clean (untreated and unpainted) wood.

O. “Designee” means a person or entity that the City Manager or Public Works Director designates, contracts with, or otherwise arranges to carry out any of the Jurisdiction’s responsibilities of this chapter authorized by 14 CCR Section 18981.2. A Designee may be a government employee or entity, a private entity, a Franchised Collector, or a combination of those entities.

P. “Edible Food” means food intended for human consumption, or as otherwise defined in 14 CCR Section 18982(a)(18). For the purposes of this chapter or as otherwise defined in 14 CCR Section 18982(a)(18), “Edible Food” is not Solid Waste if it is recovered and not discarded. Nothing in this chapter or in 14 CCR, Division 7, Chapter 12 requires or authorizes the recovery of Edible Food that does not meet the food safety requirements of the California Retail Food Code.

Q. “Food Recovery Organization” means an entity that engages in the collection or receipt of Edible Food from Commercial Edible Food Generators and distributes that Edible Food to the public for Food Recovery either directly or through other entities or as otherwise defined in 14 CCR Section 18982(a)(25), including, but not limited to:

- A food bank as defined in Section 113783 of the Health and Safety Code;
- A nonprofit charitable organization as defined in Section 113841 of the Health and Safety Code;
- and,
- A nonprofit charitable temporary food facility as defined in Section 113842 of the Health and Safety Code.

R. “Food Recovery Service” means a person or entity that collects and transports Edible Food from a Commercial Edible Food Generator to a Food Recovery Organization or other entities for Food Recovery, or as otherwise defined in 14 CCR Section 18982(a)(26). A Food Recovery Service is not a Commercial Edible Food Generator for the purposes of this chapter and implementation of 14 CCR, Division 7, Chapter 12 pursuant to 14 CCR Section 18982(a)(7).

S. “Food Scraps” means all edible or inedible food such as, but not limited to, fruits, vegetables, meat, poultry, seafood, shellfish, bones, rice, beans, pasta, bread, cheese, coffee grounds, and eggshells. Food Scraps excludes fats, oils, and grease when such materials are Source Separated from other Food Scraps.

T. “Food Service Provider” is a Tier 1 Commercial Edible Food Generator and means an entity primarily engaged in providing food services to institutional, governmental, Commercial, or industrial locations of others based on contractual arrangements with these types of organizations, or as otherwise defined in 14 CCR Section 18982(a)(27).

U. “Food Waste” means Food Scraps and food soiled paper.

OV. “Franchise” or “commercial franchise” means a commercial garbage, organics and recyclables collection franchise issued to a commercial hauler by the city of Rancho Cordova.

PW. “Franchisee” or “franchised waste hauler” means a person or entity holding a commercial or residential franchise issued by the city pursuant to Chapter 6.20 RCMC.

Q. “Garbage” means all putrescible and nonputrescible solid, semisolid, and liquid wastes, including trash, refuse, paper, rubbish, ashes, industrial wastes, demolition and construction wastes, discarded home and industrial appliances, dewatered, treated or chemically fixed sewage sludge which is not hazardous waste, manure, vegetable or animal solid and semisolid wastes, and other discarded solid and semisolid wastes. “Garbage” does not include hazardous waste or low level radioactive waste regulated under Chapter 7.6 (commencing with Section 25800) of Division 20 of the California Health and Safety Code, or medical waste. “Garbage” does not include recyclable materials or organic recyclable materials set out for separate collection for the purposes of recycling and that are not landfilled.

X. “Garbage” means those elements of the Solid Waste stream designated for the “Garbage Container”, and excludes hazardous waste, Excluded Waste, materials designated for the “Organics Container” or “Recycling Container” or materials which have been separated for reuse.

Note: The distinction between garbage and solid waste is that solid waste includes garbage, recyclable materials, and organic recyclable materials while “garbage” does not.

Y. “Garbage Container” has the same meaning as “Gray Container” in 14 CCR Section 18982(a)(28) and shall be used for the purpose of storage and collection of Garbage.

ZR. “Generator” means each single family, business or multifamily residential property that is responsible for the initial creation of Garbage, Organic Waste or Recyclable Materials ~~generates one or more designated recyclable materials or one or more designated organic recyclable materials as a result of its business activities or multifamily residential property activities.~~

AA. “Grocery Store” ~~is a Tier 1 Commercial Edible Food Generator and~~ means a store primarily engaged in the retail sale of canned food; dry goods; fresh fruits and vegetables; fresh meats, fish, and poultry; and any area that is not separately owned within the store where the food is prepared and served, including a bakery, deli, and meat and seafood departments, or as otherwise defined in 14 CCR Section 18982(a)(30).

BBS. “Multifamily residential property” means five or more individual living units located on a single parcel of land and any mobile home park located within the city.

CCF. “National contracts” means contracts between waste management companies and multi-sited waste-generating companies that operate currently throughout the United States, in more than one state.

U. ~~“Organics recycling” means the process of collecting, sorting and treating designated organic recyclable materials and/or designated green materials that would have otherwise become garbage and returning them to a safe, nuisance free compost product by treating the materials to a controlled biological decomposition.~~

DD. “Organics Container” has the same meaning as “Green Container” in 14 CCR Section 18982(a)(29) and shall be used for the purpose of storage and collection of Source Separated Organic Recyclable Material designated for Compost processing, including Food Waste and landscape and pruning waste accepted in the City’s Organic Waste Collection program, and other organic materials as determined by the City as acceptable for the Organics Container

EE. “Organic Waste or Organic Recyclable Material” means Solid Waste containing material originated from living organisms and their metabolic waste products, including but not limited to food, Food Scraps, food soiled paper, green material, landscape and pruning waste, organic textiles and ~~organic~~ carpets, lumber, wood, paper products, printing and writing paper, manure, biosolids, digestate, and sludges or as otherwise defined in 14 CCR Section 18982(a)(46). Organic Waste does not include Rigid Compostable Plastic.

FF. “Organic Waste Generator” means a person or entity that is responsible for the initial creation of Organic Recyclable Material, or as otherwise defined in 14 CCR Section 18982(a)(48).

GGV. “Owner” means the person who owns a business or multifamily residential property. An owner may also be a generator.

HHW. “Person” means an individual, firm, limited liability company, association, partnership, industry, public or private corporation, or any other entity whatsoever.

IIX. “Public works director” means the public works director of the city of Rancho Cordova, California.

JJY. “Recycling” means the process of collecting, sorting, cleansing, treating and reconstituting materials that would otherwise become garbage and returning them for use or reuse in the form of raw materials for new, used or reconstituted products which meet the quality standard necessary to be used in the marketplace. Recycling does not include transformation as defined in Section 40201 of the California Public Resources Code. The term “recycling” may be used to include source separated materials.

KKZ. “Recycling facility” means those facilities or operations that receive, process, and transfer to market recyclable materials or organic recyclable materials that have been source separated from the solid waste stream.

LL. “Recyclable material” or “recyclables” means materials that have been separated from the solid waste stream prior to disposal for the purpose of returning them for use or reuse in the form of raw materials for new, used or reconstituted products which meet the quality standard necessary to be used in the marketplace, and that are not landfilled. Recyclable material or recyclables This includes those materials that can be placed in the Recycling Container including but not limited to, glass and plastic bottles, aluminum, tin and steel cans, metals, unsoiled paper products, printing and writing paper, and cardboard, and any other items as determined by the City.

MM. “Recyclable materials container” or “Recycling Container” has the same meaning as “Blue Container” in 14 CCR Section 18982.2(a)(5) and shall be used for the purpose of storage and collection of source separated Recyclable Materials.

~~means any box, tub, cart, or other container placed inside each individual multifamily residential unit and in maintenance or work areas on the premises of covered generators that is made of metal, hard plastic or other similar material and is suitable for the collection of designated recyclable materials and designated organic recyclable materials pursuant to this chapter. Recycling materials containers must be approved by the city.~~

NNBB. “Recycling plan” means the plan to be presented to all covered generators by their franchised waste hauler to document understanding of the requirements of this chapter and record the selected compliance option for each designated recyclable material or each designated organic recyclable material.

OO. “Removal” means the act of taking garbage, recyclable materials, or organic recyclable materials from the place of generation.

PP. “SB 1383” means the Short-Lived Climate Pollutants: Methane Emissions: Dairy and Livestock: Organic Waste: Landfills Act of 2016. Article 4 Title 14, Division 4, Chapter 12 of the California Code of Regulations.

QQ. “Single-Family” means, of, from, or pertaining to any residential premises with fewer than five (5) units for the purposes of implementing this chapter.

RR. “Self-haul,” when used in reference to a covered generator, means a covered generator, or employee designated by the covered generator, who collects, transports and hauls recyclable materials and/or organic recyclable materials from the business or multifamily residential property in a vehicle owned by either an employee or the entity to a recycling facility rather than hiring a franchised waste hauler to perform this function. Self-hauler also includes a person who back-hauls waste.

1. “Back-haul” means generating and transporting organic waste to a destination owned and operated by the generator using the generator’s own employees and equipment.

SS. “Service agreement” means a written agreement between a franchised waste hauler and a covered generator concerning the collection of designated recyclable materials and/or designated organic recyclable materials.

TT. “Solid waste” means all putrescible and nonputrescible solid, semisolid, and liquid wastes, including garbage, trash, refuse, paper, rubbish, ashes, industrial wastes, demolition and construction wastes, discarded home and industrial appliances, dewatered, treated or chemically fixed sewage sludge which is not hazardous waste, manure, vegetable or animal solid and semisolid wastes, and other discarded solid and semisolid wastes. “Solid waste” does not include hazardous waste or low-level radioactive waste regulated under Chapter 7.6 (commencing with Section 25800) of Division 20 of the California Health and Safety Code, or medical waste. “Solid waste” includes recyclable materials or organic recyclable materials set out for separate collection for the purposes of recycling and that are not landfilled.

WW. “Source separate” or “source separated” means the process of removing recyclable materials and/or organic recyclable materials from garbage for the purpose of recycling and/or organics recycling.

XX. “Subcontract” is a contract assigning some of the obligations of a contract to a third party.

~~YYY~~. Tier 1 and Tier 2 Commercial Edible Food Covered Generators.

1. “Tier one Commercial Eedible Ffood Generator” means a Commercial Eedible Ffood Generator that is one of the following:

a. Supermarket. “Supermarket” means a full-line, self-service retail store with gross annual sales of \$2,000,000, or more, and which sells a line of dry grocery, canned goods, or nonfood items and some perishable items.

b. Grocery Store with a total facility size equal to or greater than 10,000 square feet. ~~“Grocery store” means a store primarily engaged in the retail sale of canned food; dry goods; fresh fruits and vegetables; fresh meats, fish, and poultry; and any area that is not separately owned within the store where the food is prepared and served, including a bakery, deli, and meat and seafood departments.~~

c. Food Service Provider. ~~“Food service provider” means an entity primarily engaged in providing food services to institutional, governmental, commercial, or industrial locations of others based on contractual arrangements with these types of organizations.~~

d. Food Distributor. “Food Distributor” means a company that distributes food to entities including, but not limited to, supermarkets and grocery stores.

e. Wholesale Food Vendor. “Wholesale Food Vendor” means a business or establishment engaged in the merchant wholesale distribution of food, where food (including fruits and vegetables) is received, shipped, stored, prepared for distribution to a retailer, warehouse, distributor, or other destination.

2. “Tier two Commercial Eedible Ffood Generator” means a Commercial Eedible Ffood Generator that is one of the following:

a. Restaurant with 250 or more seats, or a total facility size equal to or greater than 5,000 square feet. “Restaurant” means an establishment primarily engaged in the retail sale of food and drinks for on-premises or immediate consumption.

b. Hotel with an on-site food facility and 200 or more rooms. “Hotel” has the same meaning as in Section 17210(a) of the Business and Professions code.

c. Health Facility with an on-site food facility and 100 or more beds. “Health Facility” has the same meaning as in Section 1250 of the Health and Safety Code.

d. Large Venue. “Large Venue” means a permanent venue facility that annually seats or serves an average of more than 2,000 individuals within the grounds of the facility per day of operation of the venue facility. For the purposes of this chapter, a venue facility includes, but is not limited to, a public, nonprofit, or privately owned or operated stadium, amphitheater, arena, hall, amusement park, conference or civic center, zoo, aquarium, airport, racetrack, horse track, performing arts center, fairground, museum, theater, or other public attraction facility. For the purposes of this chapter, a site under common ownership or control that includes more than one large venue that is contiguous with other large venues in the site, is a single large venue.

e. Large Event. “Large Event” means an event, including, but not limited to, a sporting event or a flea market, that charges an admission price, or is operated by a local agency, and serves an average of more than 2,000 individuals per day of operation of the event, at a location that includes, but is not limited to, a public, nonprofit, or privately owned park, parking lot, golf course, street system, or other open space when being used for an event.

f. A state agency with a cafeteria with 250 or more seats or a total cafeteria facility size equal to or greater than 5,000 square feet.

g. A Local Education Agency with an on-site food facility. “Local Education Agency” means a school district, charter school, or county office of education that is not subject to the control of city or county regulations related to solid waste. [Ord. 17-2020 § 4 (Exh B)].

6.21.030 Threshold for Single Family, Commercial Business and Multifamily Property Generatorcovered generators.

A. Recycling Requirements. All AB 341 single family, commercial business and multifamily residential property ~~covered~~ generators, and any other covered generators as defined in state law, must subscribe to ~~and receive~~ recyclable a sufficient number of recyclable material containers to adequately store all source separated recyclable materials generated in connection with the residence or business between the times designated for collection material collection services from a franchised waste hauler unless they receive alternative compliance and exemption from the city as provided for in RCMC 6.21.040. The City shall have the right to review the number and size of such containers to evaluate the adequacy of capacity provided for each type of collection service and to require additional or larger containers (or additional service days) and to review the separation and containment of materials. Generators shall adjust service levels for their collection services as requested by the City in order to meet the standards set forth in this chapter.

B. Business Organics Recycling Requirements. All single family, commercial business and multifamily residential property generators~~AB 1826 and/or SB 1383 business covered generators~~, and any other covered generators as defined in state law, must subscribe to a sufficient number of recyclable material containers to adequately store all source separated organic recyclable materials generated in connection with the residence or business between the times designated for collection and receive an adequate level of organic waste collection services from a franchised waste hauler unless they receive written approval of an alternative compliance and exemption from the city as provided for in RCMC 6.21.040. The City shall have the right to review the number and size of such containers to evaluate the adequacy of capacity provided for each type of collection service and to require additional or larger containers (or additional service days) and to review the separation and containment of materials. Generators shall adjust service levels for their collection services as requested by the City in order to meet the standards set forth in this chapter.

C. Multifamily Residential Property Organics Recycling Requirements. All AB 1826 and SB 1383 multifamily covered generators, and any other covered generators as defined in state law, must subscribe to and receive organic waste collection services from a franchised waste hauler unless they received written approval of an alternative compliance and exemption from the city as provided for in RCMC 6.21.040. [Ord. 17-2020 § 4 (Exh B)].

6.21.035 Education and Outreach Requirements for Commercial Business Owners and Multi-family Owners.

All Commercial Business Owners are required to:

- A. Excluding Multi-Family Residential Dwellings, to the extent practical through education, training, inspection, and/or other measures, prohibit employees from placing materials in a container not designated for those materials per the Recycling Container, Organics Container, and Garbage Container collection service.
- B. Excluding Multi-Family Residential Dwellings, periodically inspect Recycling Containers, Organics Containers, and Garbage Containers for contamination and inform employees if containers are contaminated and of the requirements to keep contaminants out of those containers.
- C. Including Multi-Family Residential Dwellings, annually provide information to employees, contractors, tenants, building residents, and customers about Organic Waste Recovery requirements and about proper sorting of Organic Waste and Recyclable Materials. A copy of such instructions shall be provided to the Public Works Director or Designee, upon request.
- D. Including Multi-Family Residential Dwellings, provide information before or within fourteen (14) days of new occupation of the Premises to new tenants and no less than fourteen (14) days before tenants move out of the Premises, unless a tenant does not provide fourteen (14) or more days' notice to before moving out,

that describes requirements to keep Organics Container Organic Waste and Recyclable Materials separate from each other and from Garbage, the location of containers, and the rules governing their use at the Premises.

E. Including Multi-Family Residential Dwellings, prominently post and maintain one or more signs where Recyclable Materials and/or Organic Waste are collected and/or stored that set forth what materials are required to be Source Separated, in addition to collection procedures for such materials.

6.21.040 Additional Requirements for covered generators.

A. Any covered generator that does not subscribe to garbage, recyclable material, and organic waste collection services with the same franchised waste hauler is required to complete an “alternative compliance and exemption form” and have that form approved by the city in writing as a condition of receiving garbage collection service from a franchised waste hauler.

B. Each covered generator shall be responsible for ensuring and demonstrating its compliance with the following requirements:

1. Source separate designated recyclable materials and designated organic recyclable materials from garbage;
2. Provide a basic level of recycling and organics recycling services that includes, at a minimum, the collection of designated recyclable materials and/or designated organic recyclable materials;
3. Enter into a service agreement with the same franchised waste hauler for the collection of designated recyclable materials and designated organic recyclable materials; and
4. Complete and retain, on site, if applicable, the approved alternative compliance and exemption form, certifying that recycling and/or organic collection services are being provided by a franchised waste hauler if that franchised waste hauler is not also providing garbage service or certifying and receiving written approval from the public works director, and/or his or her designee, that all self-hauling activities will be completed in accordance with provisions in RCMC 6.21.120.

C. Multi family property owners ~~Each covered generator~~ shall provide for recyclable materials containers for designated recyclable and organic materials in multifamily residential rental units and in maintenance and work areas where recyclable materials may be collected and/or stored.

D. Each covered generator under AB 827, and all other applicable state law, shall provide recyclable materials containers for designated recyclable and organic materials where customers have access to the business. Each covered generator shall prominently post and maintain one or more signs where designated recyclable materials and/or designated organic recyclable materials are collected and/or stored that set forth what materials are required to be source separated in addition to collection procedures for such materials.

~~E. Each covered generator shall notify and instruct employees and tenants in writing of applicable source separation requirements, including a list of designated recyclable materials and/or designated organic recyclable materials that are required to be source separated for recycling or organics recycling. A copy of such instructions shall be provided to the public works director, and/or his or her designee, upon request.~~

F. Commercial Business Owners and Multifamily Property Owners ~~Each covered generator~~ shall ensure that designated recyclable materials and/or designated organic recyclable materials generated at their site will be taken only to a recycling facility and not to a landfill for disposal by complying with all requirements under this chapter.

G. The service agreement, alternative compliance and exemption form, and/or other documents pertaining to this chapter, shall be available for inspection by the public works director, and/or his or her designee, at the principal location of the covered generator during normal business hours.

H. Nothing in this chapter shall abridge the right of any covered generator, or any other person, to sell or exchange at fair market value its own recyclable materials or organic recyclable materials which are source separated for reuse and recycling or organics recycling.

I. No franchised waste hauler shall be held liable for the failure of its customers to comply with such regulations.

J. No covered generator shall be liable for the failure of their franchised waste hauler to deliver designated recyclable materials or designated organic recyclable materials to a recycling or processing facility. [Ord. 17-2020 § 4 (Exh B)].

6.21.050 Special requirements.

In addition to any and all requirements that apply to the recycling and/or organics recycling of designated recyclable materials and/or designated organic recyclable materials throughout the city above, collection service received or provided in the city shall be subject to the following additional special requirements:

A. No recycling, automatic lift containers or bins within the collection area of the city shall be placed or located in such a manner that blocks or impedes passage through an alley or through any doorway of any building adjoining an alley, notwithstanding that such building may be abandoned or otherwise out of use.

B. Compliance with the above special requirements shall be the sole responsibility of the covered generator. [Ord. 17-2020 § 4 (Exh B)].

6.21.060 Designation of recyclable materials and organic recyclable materials.

Designated recyclable materials and/or designated organic recyclable materials shall be source separated from garbage before collection, removal, transportation or disposal pursuant to this chapter. The public works director, and/or his or her designee, shall specify designated recyclable materials and organic recyclable materials that must be source separated by all covered generators pursuant to RCMC 6.21.040. The specifications for designated recyclable materials and designated organic recyclable materials shall consider materials market conditions and the availability of a cost-effective system for recycling such materials. [Ord. 17-2020 § 4 (Exh B)].

6.21.070 Ownership of recyclable materials and organic recyclable materials.

A. All designated recyclable materials and designated organic recyclable materials placed in automatic lift containers, bins or roll-off bins shall be considered owned by and be the responsibility of the franchised waste hauler. No person shall collect designated recyclable materials or designated organic recyclable materials placed in automatic lift containers, bins or roll-off bins for recyclable materials or organic recyclable materials by customers without permission from the franchised waste hauler.

B. Except as authorized by RCMC 6.21.120, Requirements for self-hauling, it shall be unlawful for any person to engage in the business of collecting, removing or transporting, or to otherwise organize, direct or sponsor the collection, removal or transportation of designated recyclable materials or designated organic recyclable materials who is not a franchised waste hauler. [Ord. 17-2020 § 4 (Exh B)].

6.21.080 Requirements for franchised waste haulers.

A. Commercial waste haulers shall be franchised pursuant to the provisions of Chapter 6.20 RCMC, and such franchise shall be in full force and effect.

B. Franchised waste haulers shall offer collection service and automatic lift containers, bins or roll-off bins for designated recyclable materials and designated organic recyclable materials sufficient to accommodate the quantity and types of designated recyclable materials and designated organic recyclable materials to all its garbage customers.

C. Franchised waste haulers shall equip and provide automatic lift containers, bins and roll-off bins for designated recyclable materials and designated organic recyclable materials with locks and/or other suitable features to prevent theft of recyclable materials and organic recyclable materials.

D. Franchised waste haulers may subcontract for collection of designated recyclable material and/or designated organic recyclable materials, so long as the subcontractor holds a current franchise.

E. Franchised waste haulers shall conduct all activities in accordance with all applicable state and local laws and best management practices. Vehicles, equipment and containers shall be kept in a clean and well-maintained condition.

F. Franchised waste haulers shall not take a customer's designated recyclable materials or designated organic recyclable materials to a landfill or other disposal site, but to a recycling facility.

G. Franchised waste haulers, upon request, shall provide the public works director, and/or his or her designee, with a copy of a service agreement, recycling plan, alternative compliance and exemption form, or other document (e.g., receipt from a recycling facility) demonstrating that the covered generator's designated recyclable materials and/or designated organic recyclable materials are being taken to a recycling facility. The service agreement, recycling plan, alternative compliance and exemption form, or other documents shall be available for inspection by the public works director, and/or his or her designee, at the franchised waste haulers' place of business during normal business hours.

H. City staff may audit all franchised waste haulers' records.

I. Franchised waste haulers shall not provide garbage collection services to a business or multifamily residential property covered generator unless that business or multifamily property covered generator is also receiving both recyclable material and organics recyclable material collection services from the same franchised waste hauler providing garbage service; or

1. Unless the franchise waste hauler has received a completed alternative compliance and exemption form from the business or multifamily residential covered generator; and
2. The city has received and provided the covered generator with written approval of its alternative compliance and exemption form request and notified the franchised waste hauler in writing of any such approval.

J. Franchised waste haulers are required to submit all completed alternative compliance and exemption forms to the city for review which will be due on the tenth of each month for the previous reporting month.

K. Franchised waste haulers are required to maintain a list of any and all businesses and multifamily properties that the franchised hauler is providing garbage collection services to but is not also providing recycling and organic collection services (non full-service account list). Franchised haulers shall provide a current non full-service account list to the city, which will be due on the tenth of each month for the previous reporting month.

L. Franchised waste hauler shall be required to meet full compliance with requirements pursuant to RCMC 6.21.090 by a date set by the public works director and/or his or her designee. Franchised waste hauler shall receive written notification of such terms. [Ord. 17-2020 § 4 (Exh B)].

M. Franchised hauler shall meet the following requirements and standards in connection with collection of Organic Waste and Recyclables:

1. Through written notice or written report to the City, Franchised hauler shall annually identify the facilities to which they will transport Organic Waste including facilities for Source Separated Recyclable Materials and Source Separated Organic Waste.
2. Transport Source Separated Recyclable Materials to a facility that recycles those materials and transport Source Separated Organic Waste to a facility, operation, activity, or property that recovers Organic Waste as defined in 14 CCR, Division 7, Chapter 12, Article 2.
3. Obtain approval from the City to haul Organic Waste, unless it is transporting Source Separated Organic Waste to a Community Composting site or lawfully transporting C&D in a manner that complies with 14 CCR Section 18989.1.

6.21.090 Requirements for service agreements.

A. Franchised waste haulers shall execute a written service agreement with all covered generators as required in RCMC 6.21.040 before the franchised waste hauler begins to collect garbage and/or designated recyclable materials and/or designated organic recyclable materials.

B. Service agreements shall incorporate, but are not limited to, the following terms and conditions:

1. Be clearly labeled as a service agreement.
2. Describe the garbage and/or recyclable material and/or organics recyclable material collection services to be provided by the franchised waste hauler and the cost for providing such services to the customer.
3. Clearly state the initial term and renewal terms.
4. Include the condition, as applicable, that the franchised waste hauler cannot provide garbage collection services to a covered generator unless:
 - a. The business or multifamily property covered generator is also receiving both recyclable materials and organics recyclable waste collection services from the franchised waste hauler; or
 - b. The city has received and provided the covered generator with written approval of its alternative compliance and exemption form request.
5. May contain automatic renewal for successive periods of no longer than one year, unless either party gives written notice of termination by certified or registered mail at least 60 days prior to the termination date of the current agreement.
6. May be amended as mutually agreed upon by the customer and the franchised waste hauler.
7. Customers are to receive a written notice of price increases not less than 30 days prior to the effective date of such price increase.
8. Franchised waste haulers shall respond to customer inquiries regarding the service agreement within 30 days.
9. Include language stating that collection containers will be removed from the property of a customer within 30 days of final termination of services to the customer.
10. Not require customers to pay over three months' liquidated damages during the renewal term and over six months' liquidated damages during the initial term of the service agreement.
11. Not require a customer to give a franchised waste hauler the exclusive right to provide recycling collection services or the exclusive right to provide organics recyclable material collection services as a condition of a service agreement, unless the customer affirmatively indicates that is its desire.
12. Not require customers to give notice of any offer by a competitor or require customers to give franchised waste haulers the right to respond to such an offer.
13. Franchises must be in full force and effect for the service agreement to be effective.

C. The requirements for service agreements contained in this section shall be incorporated into all new service agreements upon enactment of this chapter. Existing service agreements between a franchised waste hauler and a customer executed before the effective date of the ordinance codified in this chapter shall remain in force for the remainder of the existing contract and shall be governed by the terms and conditions specified in the existing service agreement; provided, that such existing service agreements shall comply, to the extent allowable by law, with the new recycling and organics recycling programs established by this chapter.

D. National contracts or agreements are exempt from the requirements of contract length and renewal terms. [Ord. 17-2020 § 4 (Exh B)].

6.21.100 Process for addressing covered generator noncompliance.

In the event that the franchised waste hauler must stop providing garbage collection service to a covered generator due to the covered generator's noncompliance with this chapter the franchised waste hauler shall take the following steps:

A. Issue a written "service termination notice" to the noncompliant commercial generator stating that the franchised waste hauler shall terminate garbage collection services within 14 days of providing that service termination notice to the business or multifamily residential property. That "service termination notice" shall clearly state that it is mandatory for the business or multifamily residential property to subscribe to garbage, recyclable material and organic recyclable material collection service as required by RCMC 6.21.040.

B. Notify the city by email no more than seven business days and no less than two business days before collection service is suspended for all carts, bins and/or containers from the business or multifamily residential property.

C. Suspend collection service of all carts and/or containers from the business or multifamily residential property that has not complied within 14 days of receiving the service termination notice.

D. Notify the public works director, and/or his or her designee, in person or by telephone within 24 hours after suspending collection service of all garbage carts and/or containers from the business or multifamily residential property.

E. Send a follow-up email that has been confirmed by the franchised waste hauler to be received by the public works director, and/or his or her designee, by the end of the next business day the name and address of the covered generator that the franchised waste hauler has suspended collection service of all garbage carts and/or containers to. [Ord. 17-2020 § 4 (Exh B)].

6.21.110 Requirements for multifamily residential properties.

A. Multifamily residential tenants shall be responsible for compliance with the requirement to source separate designated recyclable materials and/or designated organic recyclable materials from garbage pursuant to RCMC 6.21.040(B)(1).

B. No multifamily residential property owner who is a covered generator pursuant to RCMC 6.21.020(J) shall be cited for noncompliance with this chapter as a result of the failure of his or her rental property tenants to source separate designated recyclable materials or designated green materials and/or organic recyclable materials from garbage pursuant to RCMC 6.21.040.

C. Multifamily residential property owners who are covered generators pursuant to RCMC 6.21.020(J) shall be responsible for compliance with RCMC [6.21.030](#), [6.21.035](#), and [6.21.040](#).

D. Every multifamily residential unit shall have a recyclable materials container provided by either the multifamily residential property owner who is a covered generator pursuant to RCMC 6.21.020(J), or by the multifamily tenant as part of their rental agreement. [Ord. 17-2020 § 4 (Exh B)].

6.21.115 -Commercial Edible Food Generator Requirements.

A. Tier One Commercial Edible Food Generators must comply with the requirements of this Section commencing January 1, 2022, and Tier Two Commercial Edible Food Generators must comply commencing January 1, 2024, pursuant to 14 CCR Section 18991.3, or such later deadline established by State law or regulations.

- B. Large Venue or Large Event operators not providing food services, but allowing for food to be provided by others, shall require Food Facilities, operating at the Large Venue or Large Event to comply with the requirements of this Section, commencing January 1, 2024, or such later deadline established by State law or regulations.
- C. Commercial Edible Food Generators shall comply with the following requirements:
- (1) Arrange to safely recover for human consumption the maximum amount of Edible Food that would otherwise be disposed.
 - (2) Enter into a contract or other written agreement with Food Recovery Organizations or Food Recovery Services for: (i) the collection for Food Recovery of Edible Food that would otherwise be disposed; or (ii) acceptance of Edible Food that would otherwise be disposed that the Commercial Edible Food Generator self-hauls to the Food Recovery Organization for Food Recovery.
 - (3) Use best efforts to abide by all contractual or written agreement requirements specified by the Food Recovery Organization or Food Recovery Service on how Edible Food should be prepared, packaged, labeled, handled, stored, distributed or transported to the Food Recovery Organization or Service.
 - (4) Not intentionally donate food that has not been prepared, packaged, handled, stored and/or transported in accordance with the safety requirements of the California Retail Food Code.
 - (5) Not intentionally spoil Edible Food that is capable of being recovered by a Food Recovery Organization or a Food Recovery Service.
 - (6) Allow the Enforcement Officer to review records upon request, including by providing electronic copies or allowing access to the Premises.
 - (7) Keep records that include the following information, or as otherwise specified in 14 CCR Section 18991.4:
 - (a) A list of each Food Recovery Service or Food Recovery Organization that collects or receives its Edible Food pursuant to a contract or written agreement established under 14 CCR Section 18991.3(b).
 - (b) A copy of all contracts and written agreements ~~established under 14 CCR Section 18991.3(b) and/or this chapter~~ between the Commercial Edible Food Generator and a Food Recovery Service or organization.
 - (c) A record of the following information for each of those Food Recovery Services or Food Recovery Organizations:
 - (i) The name, address and contact information of the Food Recovery Service or Food Recovery Organization.
 - (ii) The types of food that will be collected by or self-hauled to the Food Recovery Service or Food Recovery Organization.
 - (iii) The established frequency that food will be collected or self-hauled.
 - (iv) The quantity of food, measured in pounds recovered per month, collected or self-hauled to a Food Recovery Service or Food Recovery Organization for Food Recovery.

- (8) If it has not entered into a contract or written agreement with Food Recovery Organizations or Food Recovery Service, a record that describes (i) its direct donation of Edible Food to end recipients (including employees) and/or (ii) its food waste prevention practices that result in it generating no surplus Edible Food that it can donate.
- (9) Tier One Commercial Edible Food Generators and Tier Two Commercial Edible Food Generators shall provide, upon request, a Food Recovery report to the Enforcement Officer that includes the information in C(7)(c). Entities shall provide the requested information within sixty (60) days of the request.
- D. Nothing in this chapter shall be construed to limit or conflict with (1) the protections provided by the California Good Samaritan Food Donation Act of 2017, the Federal Good Samaritan Act, or share table and school food donation guidance pursuant to Senate Bill 557 of 2017; or (2) otherwise applicable food safety and handling laws and regulations.
- E. Nothing in this chapter prohibits a Commercial Edible Food Generator from donating Edible Food directly to end recipients for consumption, pursuant to Health and Safety Code Section 114432(a).

6.20.116 Food Recovery Organizations and Services Requirements.

- A. Food Recovery Services collecting or receiving Edible Food directly from Commercial Edible Food Generators, via a contract or written agreement established under 14 CCR Section 18991.3(b), shall maintain the following records:
 - (1) The name, address, and contact information for each Commercial Edible Food Generator from which the service collects Edible Food.
 - (2) The quantity in pounds of Edible Food collected from each Commercial Edible Food Generator per month. This may also include the total quantity in pounds of food collected that was spoiled when received from a Commercial Edible Food Generator or otherwise not able to be used to feed people.
 - (3) The quantity in pounds of Edible Food transported to each Food Recovery Organization per month.
 - (4) The name, address, and contact information for each Food Recovery Organization to which the Food Recovery Service transports Edible Food for Food Recovery.
- B. Food Recovery Organizations collecting or receiving Edible Food directly from Commercial Edible Food Generators, via a contract or written agreement established under 14 CCR Section 18991.3(b), shall maintain the following records:
 - (1) The name, address, and contact information for each Commercial Edible Food Generator from which the organization receives Edible Food.
 - (2) The quantity in pounds of Edible Food received from each Commercial Edible Food Generator per month. This may also include the total quantity in pounds of food collected that was spoiled when received from a Commercial Edible Food Generator or otherwise not able to be used to feed people.
 - (3) The name, address, and contact information for each Food Recovery Service that the organization receives Edible Food from for Food Recovery.
- C. Food Recovery Organizations and Food Recovery Services that have their primary address physically located in the City and contract with or have written agreements with one or more Commercial Edible Food Generators shall report to the City, or its Enforcement Officer, the total pounds of Edible Food recovered

from the Tier One and Tier Two Commercial Edible Food Generators they have established a contract or written agreement with (regardless of whether those Generators are located in the City) according to the following schedule:

(i) no later than April 31, 2023, and no later than every April 31 thereafter, submit a report covering the period of January 1 to December 31 of the previous calendar year.

D. In order to support Edible Food Recovery capacity planning assessments and similar studies, Food Recovery Services and Food Recovery Organizations operating in the City shall provide, upon request, information and consultation to the City and/or the County, regarding existing, or proposed new or expanded, Food Recovery capacity in a form that can be provided to or that can be accessed by the County, the City and Commercial Edible Food Generators in the City. A Food Recovery Service or Food Recovery Organization shall respond to such request for information within sixty (60) days, unless a shorter timeframe is otherwise specified.

6.21.120 Requirements for self-hauling.

A. A covered generator may haul or transport designated recyclable materials and/or designated organic recyclable materials generated and collected at its business or multifamily residential property to a recycling facility that diverts material from disposal, rather than hiring a franchised waste hauler, only if an owner, generator or employee of the entity completes this activity by utilizing a vehicle owned by either an employee or the entity has also submitted an alternative compliance form to the city and received written approval for self-hauling activities.

Self haulers must Source Separate their Recyclable Materials and Organic Waste generated on-site from Solid Waste in a manner consistent with this section or haul Organic Waste to a High Diversion Organic Waste Processing Facility.

Self haulers must haul their Source Separated Recyclable Materials to a facility that recovers those materials; and haul their Source Separated Organic Waste to a Solid Waste facility, operation, activity, or property that processes or recovers Source Separated Organic Waste or to a High Diversion Organic Waste Processing Facility; and haul their Garbage to a fully permitted Solid Waste facility.

B. Business and multifamily covered generators pursuant to RCMC 6.21.020(J) that self-haul or transport designated recyclable materials and/or designated organic recyclable materials shall follow established provisions pursuant to RCMC 6.21.040(A) and 14 CCR Section 18988.3.

C. A covered generator that self-hauls or transports designated recyclable materials and/or designated organic recyclable materials collected at its business or multifamily residential property to a recycling facility without the utilization of a franchised waste hauler must complete and retain on site an approved alternative compliance and exemption form certifying all self-hauling activities will be completed in accordance with the provisions of all applicable laws or regulations of this chapter and 14 CCR Section 18988.3. The alternative compliance and exemption form shall be made available to the public works director, and/or his or her designee, upon request. At a minimum, the covered generator shall provide the following information on the alternative compliance and exemption form and also keep records containing the following information.

÷

1. The name, address and telephone number of the covered generator that is signing the self-haul form.
2. A list of the types of recyclable materials and/or organic recyclable materials being self-hauled.
3. Delivery receipts and weight tickets from the entity accepting the waste.
4. The amount of material in cubic yards or tons transported by the Generator to each entity.

(a) If the material is transported to an entity that does not have scales on-site or employs scales incapable of weighing the Self-Hauler's vehicle in a manner that allows it to determine the weight of materials received, the Self-Hauler is not required to record the weight of material but shall keep a record of the entities that received the Organic Waste.

5.3. For each type of recyclable material and/or organic recyclable material, the amount that is being taken from the business and multifamily residential property to a recycling facility quarterly.

64. The name and address of the recycling facility(ies).

75. A written statement signed by the business or multifamily residential property owner or generator certifying that the owner or generator agrees to comply with the requirements of this chapter.

D. The public works director, and/or his or her designee, may restrict or prohibit self-hauling by a person if the public works director, and/or his or her designee, determines, after providing 30 days' written notice and an opportunity for a hearing, that the person's self-hauling activities violate the provisions of this chapter or any other applicable law or regulation.

E. Self-Haulers, which are Commercial Businesses including Multi-Family Residential Dwellings, shall keep these records of the amount of Organic Waste delivered to each Solid Waste facility, operation, activity, or property that processes or recovers Organic Waste for a minimum of five (5) years; this record shall be subject to inspection by the City.

F. Self-Haulers that are Commercial Businesses including Multi-Family Residential Dwellings shall provide these records, upon request, to the Public Works Director or Designee. Self-Haulers shall provide the requested information within sixty (60) days.

G. Landscapers, who self-haul Organic Waste generated at a customer's site, must also meet the requirements in this section.

H. A Single-Family Organic Waste Generator that self-hauls Organic Waste is not required to record or report this information.

I. The public works director, and/or his or her designee, will notify the covered generator that self-hauls if the alternative compliance and exemption form has been approved within 14 days of receiving the submitted request. [Ord. 17-2020 § 4 (Exh B)].

6.21.125 SB 1383 regulatory compliance.

Organic waste generators, franchised waste haulers, and all other entities subject to the requirements of SB 1383 shall fully comply with all applicable SB 1383 regulatory requirements or be subject to the penalties as prescribed in Section 18997.2 of SB 1383 or RCMC 6.21.230 as determined by the public works director and/or his or her designee. [Ord. 17-2020 § 4 (Exh B)].

6.21.130 Reporting.

A. Franchised waste haulers' failure to file the reports required by this chapter or by the franchise agreement shall constitute cause for termination or suspension of its franchise pursuant to Chapter 6.20 RCMC.

B. Unless otherwise required by the franchise agreement, self-haulers shall prepare quarterly reports to be kept on site identifying, at a minimum, the following:

1. The recyclable materials and organic recyclable materials tonnage collected and removed within the city region during the previous quarter.
2. The location of the recycling facility(ies) to which the recyclable materials and organic recyclable materials were taken during the previous quarter.

C. Unless otherwise required by the franchise agreement, franchised waste haulers shall prepare quarterly reports as designated by the public works director and/or his or her designee.

D. Unless otherwise required by the franchise agreement, franchised waste haulers shall prepare monthly reports as required pursuant to RCMC 6.21.080(J) and (K).

E. The public works director, and/or his or her designee, shall provide and establish guidelines, forms and other appropriate materials to assist franchised waste haulers and self-haulers in preparing the reports required by this chapter. [Ord. 17-2020 § 4 (Exh B)].

6.21.140 Exemptions from recycling standards.

A. Notwithstanding any other provision herein, a covered generator shall not be required to source separate recyclable materials and/or organic recyclable materials if the business or multifamily residential property, owner or generator, demonstrates to the public works director, and/or his or her designee, that there is no collection service or other system available for recycling such material.

B. Notwithstanding any other provision herein, a covered generator shall be exempt from the recycling and/or organics recycling requirements in RCMC 6.21.040 if all of the generators on the owner's business or multifamily residential property are exempt from or not required to comply with the provisions of RCMC 6.21.040, or if designated recyclable materials and/or designated organic recyclable materials are not being generated by any activities occurring on the covered generator's property. [Documentation to that effect will be required as described in C.2 and 3.](#)

C. Covered [commercial and multi-family](#) generators may be exempted by the public works director, and/or his or her designee, if it is determined through a site visit or other means of verification:

1. That the premises lacks adequate space for any of the recycling or organic waste containers. If the public works director and/or his or her designee determines that it is feasible for recycling and/or organic collection containers to be placed on site or shared with an adjoining generator, the covered generator will be responsible for compliance with this chapter; [The commercial or multi-family generator requesting an exemption must provide documentation with the application for an exemption that the premises lacks adequate space for Recycling Containers and/or Organics Containers, which shall include documentation from its licensed contractor, licensed architect, licensed engineer, or other person authorized by the public works director and/or his or her designee.](#)

- ~~2. That compliance with this chapter results in a violation of the city's zoning code, including city zoning regulations for minimum parking spaces;~~

- ~~23.~~ That the covered generator's total solid waste generation is two cubic yards or more per week and organic waste subject to collection in a blue [recycling](#) container or green [organics](#) container comprises less than 20 gallons per week of the covered generator's solid waste; or

- ~~34.~~ That the covered generator's total solid collection service is less than two cubic yards per week and total organic waste generation subject to collection in a blue container or green container is less than 10 gallons per week of the covered generator's total solid waste.

D. Covered generators may be exempted by the public works director, and/or his or her designee, from the regulatory requirements of AB 341, AB 1826 and/or SB 1383, or any other applicable state law; provided, that the business or multifamily residential property covered generator has submitted an alternative compliance and exemption form [with the requested documentation](#) to the city and the city has provided the covered generator with written approval of its exemption request.

E. City-issued exemptions from the regulatory requirements of AB 341, AB 1826 and/or SB 1383, or any other applicable state law, shall be valid for no more than two years unless the city authorizes an extension of that two-year waiver period.

F. The following persons shall automatically be exempt from the requirements of this chapter:

1. The United States, state of California, a city, a county, a special district or other local public agency, or any employee or member of the armed forces thereof, when collecting or transporting designated recyclable materials produced by operation of the public entity under a system of recyclable materials collection and transportation operated and maintained by the public agency within the city region as specified herein and in Chapter 6.20 RCMC.
2. Municipal corporations and other governmental agencies using their own vehicles and employees engaged in the collection, transportation or disposal of designated recyclable materials within the city. [Ord. 17-2020 § 4 (Exh B)].

6.21.150 City rules and regulations.

A. The public works director, and/or his or her designee, is authorized to make and enforce administrative rules and regulations governing recycling and organics recycling at businesses and multifamily residential properties, and all related activities including recycling and commercial solid waste generation, storage, recovery, accumulation, collection, removal, transportation and disposal; the manner in which commercial garbage, recycling and organics recycling services are provided; types of commercial garbage, organics and recycling containers and vehicles used for the operation and maintenance of sanitary methods of commercial garbage, recycling and organics recycling disposal; reporting requirements for franchised waste haulers and self-haulers; and for the effective administration of this chapter. All such rules and regulations shall be consistent with the provisions of the city code and shall be effective on the thirtieth day following the filing of any such rules and regulations with the city clerk.

B. The city council may, and is hereby empowered to, grant to a qualified applicant a nonexclusive franchise to engage in the business of collecting, transporting or disposing of commercial garbage, recyclable materials or organic recyclable materials kept, accumulated or generated in the city region.

C. The city council may grant a franchise based on compliance with this chapter. Any grant of a franchise by the city council may be subject to such terms, conditions, rules, regulations, restrictions, and limitations, as the city council deems necessary to protect the public health, safety, or welfare.

D. The city council hereby empowers and grants to the public works director, and/or his or her designee, the authority to grant commercial nonexclusive collection service agreements (commercial nonexclusive franchisees) to franchised waste haulers, to specify designated recyclable materials and designated organic recyclable materials and make administrative rules and regulations governing covered generators.

E. The city council hereby empowers and grants to the public works director, and/or his or her designee, the authority to administer, implement and enforce this chapter and administrative rules and regulations governing business and multifamily residential property recycling and organics recycling thereafter.

F. It shall be unlawful and constitute a violation of this chapter for any person to violate or otherwise fail to comply with any rule or regulation issued pursuant to this chapter. [Ord. 17-2020 § 4 (Exh B)].

6.21.160 Rights reserved to city.

In addition to all other rights reserved to the city, the following shall apply:

A. There is hereby reserved to the city every right and power, and the exercise thereof, which is reserved or authorized by any provision of any lawful code, title or resolution of the city, whether enacted before or after the effective date of the ordinance codified in this chapter.

B. Neither the granting of any franchise, nor any provision of any franchise, shall constitute a waiver of or a bar to exercise of any governmental right or power of the city.

C. The grantee receiving any type of franchise agreement shall have no recourse whatsoever against the city, its officers, employees or agents, or any of the city member entities, their officers, employees, or agents for any loss, cost, expense or damage arising out of any provision or requirement of this chapter because of the enforcement of this chapter.

D. There is hereby expressly reserved to the city the power and authority to amend any section of this chapter so as to require additional or greater standards on the part of the franchised waste hauler, commercial hauler or covered generator. [Ord. 17-2020 § 4 (Exh B)].

6.21.170 Administration and costs.

A. The administration of this chapter is the duty of the public works director and/or his or her designee. The public works director, and/or his or her designee, is authorized and directed by the city council to administer this chapter.

B. Commercial franchise fees will fund administration, implementation and enforcement costs. [Ord. 17-2020 § 4 (Exh B)].

6.21.180 Unlawful acts.

A. It shall be unlawful to combine designated recyclable materials and organic recyclable materials with garbage. Failure of covered generators to source separate designated recyclable materials or organic recyclable materials for recycling or organics recycling is a violation of this chapter.

B. It shall be unlawful for franchised waste haulers to commingle materials in garbage bins or carts with materials in recycling bins or carts in one collection vehicle.

C. It shall be the responsibility of the covered generator whose garbage was not removed because it contained designated recyclable materials to properly separate designated recyclable materials from the uncollected solid waste for proper recycling. Allowing such unseparated garbage to accumulate will be considered a violation of this chapter. [Ord. 17-2020 § 4 (Exh B)].

6.21.190 Implementation and enforcement.

The implementation and enforcement of this chapter is the duty of the public works director, and/or his or her designee, of the city's department of public works. The public works director, and/or his or her designee, is authorized and directed by the city council to implement and enforce this chapter. [Ord. 17-2020 § 4 (Exh B)].

6.21.200 Posting of notices.

A. The public works director, and/or his or her designee, may post notices on automatic lift containers, bins and roll-off bins that are used for garbage collection and the collection of designated recyclable materials, and the collection of designated organic recyclable materials, within the city if the owner of the automatic lift containers, bins and roll-off bins is in violation of this chapter, including, but not limited to, any regulation, franchise requirement, permit, information request, order, variance, or other requirement that the public works director, and/or his or her designee, is authorized to enforce or implement pursuant to this chapter.

B. A notice shall remain on automatic lift containers, bins and roll-off bins that are used for garbage collection within the city so long as the owner of the automatic lift containers, bins and roll-off bins is in violation of this chapter. The notice shall be posted on the automatic lift container, bin, and/or roll-off bin so as to be clearly visible to the general public and include all of the following information:

1. The date the notice was posted on the container.
2. The address or location of the property, including the identification of any dwelling unit, room number, apartment number, business or multifamily residential property.
3. The name and contact telephone number of the agency posting the notice on the property.
4. The city code section that has been violated.
5. A statement that it is unlawful for any person to engage in the business of collecting, transporting or disposing of commercial garbage kept, accumulated or generated in the city, or to engage in the business of

soliciting accounts or invoicing customers for commercial garbage service in the city unless a franchise has first been granted pursuant to the provisions of this chapter and such a franchise is in full force and effect.

C. A statement that a person violating the posted notice is subject to criminal penalties pursuant to city code and administrative civil penalties in an amount of up to \$1,000 per day for each violation.

D. A statement that a person disturbing or destroying the posted notice is subject to administrative civil penalties in an amount of up to \$1,000, in addition to any other remedies provided by this chapter. [Ord. 17-2020 § 4 (Exh B)].

6.21.210 Notice of violation.

The public works director, and/or his or her designee, may issue a notice of violation to any person found to be in violation of a provision of this chapter, including, but not limited to, any regulation, franchise requirement, permit, information request, order, variance, or other requirement that the public works director and/or his or her designee, is authorized to enforce or implement pursuant to this chapter. Issuance of a notice of violation may also result in the issuance of a notice of administrative enforcement order pursuant to this chapter. [Ord. 17-2020 § 4 (Exh B)].

6.21.220 Notice of violation – Content.

A. In addition to any other content, a notice of violation shall contain the following elements:

1. A statement of the public works director, and/or his or her designee, that indicates a violation has occurred.
2. A citation of the provisions of this chapter, including any regulation, franchise requirement, permit, information request, order, variance, or other requirement that has been violated.
3. A date by which any person must be in compliance with this chapter including any regulation, franchise requirement, permit, information request, order, variance, or other requirement, or a date by which an action plan must be submitted by the person to propose a means and timeframe by which to correct violations. The public works director, and/or his or her designee, may extend the compliance date when good cause exists for such an extension.
4. Notification that continued noncompliance may result in additional enforcement action being taken against the business, facility, or any responsible persons.
5. Notification that the city may recover any costs incurred by the city as a result of the violation.
6. Notification that a violation of this chapter may result in an administrative civil penalty or in criminal penalties.
7. Notification that the correction of any alleged violation(s) within the specified deadline date(s) will not necessarily prevent the public works director, and/or his or her designee, from issuing an administrative enforcement order and imposing administrative civil penalties relating to the alleged violation(s).

B. In addition to any other content, a notice of violation may establish required corrective actions, including the following:

1. Terms, conditions, and requirements reasonably related to the provisions of this chapter, including the following:
 - a. Cessation of prohibited actions.
 - b. Correction of prohibited conditions.
 - c. A requirement for submittal of a written action plan for achieving and maintaining compliance with this chapter.
 - d. Reporting requirements to demonstrate ongoing compliance.

2. A requirement that the person receiving same shall submit written certification to the public works director, and/or his or her designee, that the necessary corrective actions have been completed. As appropriate for the type of correction action taken, the notice of violation may require documentation that substantiates the certification, including but not limited to receipts, contracts, or photographs.

3. Any other terms or conditions reasonably calculated to prevent additional violations of this chapter.

C. An administrative enforcement order may be issued separately, but only after issuance of a notice of violation, or in combination with a notice and order, for the same violations or set of related violations. [Ord. 17-2020 § 4 (Exh B)].

6.21.230 Administrative enforcement order.

A. If the public works director, and/or his or her designee, determines that a person, covered generator, or franchised waste hauler has committed or is committing a violation of any provision of this chapter, the public works director, and/or his or her designee, may issue an administrative enforcement order, after issuing a notice of violation or, in combination with a notice of violation, requiring that the violation be corrected and imposing an administrative penalty.

B. Pursuant to this chapter, the violator shall be liable for a penalty of not more than \$1,000 for each day on which each violation occurs and/or continues. [Ord. 17-2020 § 4 (Exh B)].

6.21.240 Administrative enforcement order – Content.

A. In addition to any other content, an administrative enforcement order shall contain the following elements:

1. A statement of the public works director, and/or his or her designee, that indicates a violation has occurred.
2. A citation of the provision of this chapter including any regulation, franchise requirement, permit, information request, order, variance, or other requirement that has been violated.
3. A date by which any person must be in compliance with this chapter, or a date by which an action plan must be submitted by the person to propose a means and timeframe by which to correct violations. The public works director, and/or his or her designee, may extend the compliance date when good cause exists for such an extension.
4. Notification that continued noncompliance may result in additional enforcement action being taken against the business, facility, or any responsible persons.
5. Notification that the city may recover any costs incurred by the city as a result of the violation.
6. Notification as to whether an administrative civil penalty is imposed and the terms and conditions of payment, if any. In establishing the penalty amount, the public works director, and/or his or her designee, shall take into consideration:
 - a. The nature, circumstances, extent, and gravity of the violation.
 - b. The violator's past and present efforts towards compliant behavior.
 - c. The violator's ability to pay the penalty.
 - d. The deterrent effect that the imposition of the penalty would have on both the violator and the regulated community.
7. Notification that the correction of any alleged violation(s) within the specified deadline date(s) will not necessarily prevent the public works director, and/or his or her designee, from issuing an administrative enforcement order and imposing administrative civil penalties relating to the alleged violation(s).
8. Notification that the recipient has a right to a hearing on the matter as set forth in RCMC 6.21.280 to appeal any findings or required corrective actions established by the public works director and/or his or her designee.

9. Notification of procedures for requesting a hearing established according to RCMC 6.21.260.

B. In addition to any other content, an administrative enforcement order may establish required corrective actions, including the following:

1. Terms, conditions, and requirements reasonably related to the provisions of this chapter, including the following:
 - a. Cessation of prohibited actions.
 - b. Correction of prohibited conditions.
 - c. A requirement for submittal of a written action plan for achieving and maintaining compliance with this chapter.
 - d. Reporting requirements to demonstrate ongoing compliance.
2. A requirement that the person receiving same shall submit written certification to the public works director, and/or his or her designee, that the necessary corrective actions have been completed. As appropriate for the type of correction action taken, the notice of violation may require documentation that substantiates the certification, including, but not limited to, receipts, contracts, or photographs.
3. Any other terms or conditions reasonably calculated to prevent additional or ongoing violations of this chapter.

C. A notice of violation or an administrative enforcement order may be issued separately or in combination with another notice or order for the same violations or set of related violations. [Ord. 17-2020 § 4 (Exh B)].

6.21.250 Delivery of notice or order.

Any notice of violation, permit revocation, administrative enforcement order or other enforcement action pursuant to the requirements of this chapter shall be subject to the following requirements:

- A. Delivery shall be deemed complete upon either personal delivery to the recipient or by certified mail.
- B. Where the recipient of the notice or order is the owner of the premises, the address for notice or order shall be the address from the most recently issued equalized assessment roll for the premises.
- C. Where the owner or occupant of any premises cannot be located after reasonable efforts of the public works director, and/or his or her designee, the notice or order shall be deemed delivered after posting on the premises for a period of 10 business days. [Ord. 17-2020 § 4 (Exh B)].

6.21.260 Administrative appeals.

- A. Hearing Request. Any person, owner or operator served with a notice of violation or an administrative enforcement order issued pursuant to this chapter may contest the order on the basis that there was no violation of this chapter or that he or she is not the responsible party. To contest the order, the person shall submit a request for hearing form to the city within 15 days from the date of the administrative enforcement order. Directions on how to obtain the request form will be provided on the order.
- B. Filing Fee. The completed request must be submitted together with a filing fee, established and amended from time to time by the public works director, and/or his or her designee, based on actual expense to conduct the hearing by the hearing officer.
- C. Notice of Hearing. The person, owner or operator requesting the hearing shall be notified of the time and place set for the hearing at least 10 days before the date of the hearing.
- D. Additional Reports. If the public works director, and/or his or her designee, submits an additional written report concerning the administrative enforcement order to the hearing officer for consideration at the hearing, then a copy

of this report also shall be provided to the person requesting the hearing at least five days before the date of the hearing. [Ord. 17-2020 § 4 (Exh B)].

6.21.270 Hearing officer.

Pursuant to RCMC 1.05.200, a hearing officer will be assigned the responsibility of conducting a hearing by the city manager. The city manager shall be authorized to assign hearing responsibilities from time to time to any person or persons, qualified by training or experience, whom the city manager may appoint, employ or who are retained by contract to conduct such hearings. [Ord. 17-2020 § 4 (Exh B)].

6.21.280 Hearing procedure.

A. Setting the Hearing. A hearing before the hearing officer shall be set for a date that is not less than 15 days nor more than 60 days from the date that the request for hearing is filed. The person requesting the hearing shall be notified of the time and place set for the hearing as soon as it is set, and at least 10 days before the hearing. If the public works director, and/or his or her designee, submits a written report concerning the notice or order to the hearing officer for consideration at the hearing, then a copy of the report shall be served on the person requesting the hearing at least five days before the hearing. No hearing shall be held unless the filing fee has been paid in advance under RCMC 6.21.260(B).

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

C. At the Hearing. The administrative enforcement order and any additional report submitted by the public works director, and/or his or her designee, shall constitute prima facie evidence of the respective facts contained in those documents. At the hearing, the party contesting the citation shall be given the opportunity to testify and to present evidence concerning the citation.

D. Continuances. The hearing officer may continue the hearing and may request additional information from the public works director, and/or his or her designee, or the person receiving the administrative enforcement order before issuing the decision. [Ord. 17-2020 § 4 (Exh B)].

6.21.290 Form and contents of decision – Finality of decision.

A. Following the hearing, the hearing officer shall issue an order in writing no later than 30 days from the date of the hearing, unless the time is waived by the parties. The order shall contain findings of fact and rationale appropriate to the violation and result, and a resolution of the essential issues raised, including the following:

1. Confirmation or denial of the occurrence of violations of this chapter that are alleged by the public works director and/or his or her designee.
2. Confirmation or rejection of any administrative civil penalty sought by the public works director, and/or his or her designee, and establishment of the monetary amount of any administrative civil penalty to be enforced.
3. Confirmation, amendment, or rejection of required corrective actions related to compliance with this chapter that are imposed by the public works director, and/or his or her designee, but only if those requirements are appealed by the person.

B. The hearing officer's order shall uphold required corrective actions if the person fails to show clear and convincing evidence that the required corrective actions are unreasonable or unnecessary for achieving or demonstrating ongoing compliance with this chapter. The hearing officer's order may amend or reject required corrective actions; provided, that compliance with this chapter will be achieved.

C. The hearing officer's order shall inform the person that failure to comply with the hearing officer's order shall constitute a misdemeanor and is subject to additional enforcement action, including criminal penalties and additional civil and administrative penalties.

D. The hearing officer's order shall inform the person that the time and manner by which a person may file a challenge to the hearing officer's order is governed by Section 53069.4 of the California Government Code or any successor provision thereto.

E. The order issued by the hearing officer pursuant to this chapter shall be effective upon issuance. The decision of the hearing officer is final and may not be appealed. [Ord. 17-2020 § 4 (Exh B)].

6.21.300 Procedures for collection of administrative civil penalty.

A. Any administrative penalty due shall be paid to the city within 30 days after the hearing officer's decision is issued. If the penalty is not timely paid, the public works director, and/or his or her designee, may pursue all reasonable and legal means in collecting those sums authorized and due.

B. All administrative civil penalties collected from actions brought pursuant to this chapter shall be paid to the public works director, and/or his or her designee, enforcing this chapter, and shall be deposited into a special account that shall be expended to fund the activities of the department to implement the applicable provisions of this chapter. [Ord. 17-2020 § 4 (Exh B)].

6.21.310 Actions not prohibited.

This chapter does not do any of the following:

A. Otherwise affect the authority of the public works director, and/or his or her designee, to take any other action authorized by any other provision of law.

B. Restrict the power of a city attorney, district attorney, or the Attorney General to bring, in the name of the people of California, any criminal proceeding otherwise authorized by law.

C. Prevent the public works director, and/or his or her designee, from cooperating with, or participating in, proceedings specified in subsection (B) of this section. [Ord. 17-2020 § 4 (Exh B)].

6.21.320 Penalties.

In addition to the administrative penalties imposed by RCMC 6.21.230, the city may seek all other legal remedies available under state law and under this code, including, but not limited to, criminal sanctions. [Ord. 17-2020 § 4 (Exh B)].

Title 10**VEHICLES AND TRAFFIC****Chapters:**

- 10.04 Interpretation**
- 10.08 Definitions**
- 10.12 Enforcement**
- 10.16 Signs and Signals**
- 10.20 Pedestrians and Crosswalks**
- 10.24 Parking Regulations**
- 10.25 Preferential Residential Permit Parking Program**
- 10.30 Human Habitation of Vehicles**
- 10.32 Miscellaneous Driving Rules**
- 10.36 Emergency Vehicles**
- 10.40 Truck Routes**
- 10.41 Interstate Truck Terminals and Access Routes**
- 10.44 One-Way Streets**
- 10.48 Speed Zones**
- 10.50 Reduced Speed Limits on Specific Streets**
- 10.58 Off-Road Vehicles**
- 10.62 Transit and School District Loading Zones**
- 10.64 Trip Reduction Programs**
- 10.66 Regulation of Cruising**
- 10.70 Street Racing**

Code reviser's note: The various statutory provisions relating to vehicles and traffic appear in the Vehicle Code.

Chapter 10.04**INTERPRETATION**

Sections:

- 10.04.010 Short title.
- 10.04.020 Conviction of violation.
- 10.04.030 Scope.
- 10.04.040 Deputies.
- 10.04.050 Powers of the council.
- 10.04.060 Effect of resolution.
- 10.04.080 Penalty.
- 10.04.090 Minimum penalty.
- 10.04.100 Civil penalties, fines, fees, and charges for parking and related violations.
- 10.04.110 Civil penalty provisions.

10.04.010 Short title.

This title shall be known as, and may be cited as, the traffic ordinance. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 703 § 1, 1960].

10.04.020 Conviction of violation.

Any conviction for a misdemeanor under any ordinance repealed by the ordinance codified in this title, which misdemeanor is continued as a public offense by this title, constitutes a conviction under this title for any purpose for which it constituted a conviction under the act repealed. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 703 § 3, 1960].

10.04.030 Scope.

Any provision of this title which regulates traffic or delegates the regulation of traffic upon state highways in any way for which the approval of the State Department of Public Works is required by state law shall cease to be operative six months after receipt by the city council of written notice of withdrawal of approval of the State Department of Public Works.

Whenever this title delegates authority to a city officer or authorized action by the city council to regulate traffic upon a state highway in any way which by state law requires the prior approval of the State Department of Public Works, no such officer shall exercise such authority nor shall such action by the city council be effective with respect to any state highway without the prior approval in writing of the State Department of Public Works when and to the extent required by the Vehicle Code. [Ord. 38-2007 § 1 (Exh. 1(G)); Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 725 § 4, 1961; SCC 703 § 4, 1960].

10.04.040 Deputies.

Whenever, by the provisions of this title, a power is granted to a public officer or a duty imposed upon such officer, the power may be exercised or duty performed by a deputy of the officer or by a person authorized pursuant to law by the officer, unless it is expressly otherwise provided. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 703 § 5, 1960].

10.04.050 Powers of the council.

The city council may exercise by resolution any rights, powers or authority granted to it by the provisions of the Vehicle Code where such provisions authorize the council to act by resolution. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 703 § 11, 1960].

10.04.060 Effect of resolution.

Any and all resolutions passed and adopted by the council or any administrative order given pursuant to the provisions of this title or pursuant to the provisions of the Vehicle Code affecting any matter covered in this title shall be deemed to be a part of this title and any violations of the provisions of such resolution or order shall be deemed to be a violation of this title to the same extent as if such resolution or order were fully set out herein. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 703 § 12, 1960].

10.04.080 Penalty.

Except as provided in RCMC 10.04.100 and 10.04.110, any person violating or failing to comply with any of the provisions of this title shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punishable for the first offense by a fine of not to exceed \$50.00, or by imprisonment in the county jail for a period not exceeding five days; for a second violation within a period of one year by a fine of not to exceed \$100.00, or by imprisonment in the county jail for a period not exceeding 10 days, or by both such fine and imprisonment; for a third and each additional offense committed within one year by a fine of not exceeding \$500.00, or by imprisonment in the county jail for a period of not to exceed six months, or by both such fine and imprisonment. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 0919 § 1, 1993; SCC703 § 14, 1960].

10.04.090 Minimum penalty.

Except as provided in RCMC 10.04.100 and 10.04.110, in any case where a jail sentence is not imposed or where the jail sentence is less than two days, or if the jail sentence is suspended in whole or in part, a fine shall be imposed for a violation of this title in not less than the following amounts:

A. In any case, \$1.00;

B. When it is necessary to issue a notice to the violator, \$2.00;

C. If it is necessary to issue a warrant to bring the violator into court, \$10.00. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 0919 § 2, 1993; SCC 703 § 15, 1960].

10.04.100 Civil penalties, fines, fees, and charges for parking and related violations.

A. Purpose. It is the intention of the city council of Rancho Cordova to provide a procedure pursuant to the authority granted the city council in Sections 40200 and 40203.5 of the California Vehicle Code for the establishment of a schedule of parking penalties for parking and related violations, late payment penalties, administrative fees, and other related charges for parking and related violations under the State of California Vehicle Code, the Rancho Cordova Municipal Code, or under any federal statute or regulation.

B. Procedure for Establishment. Subject to any limitations imposed by state law, the city council shall by resolution establish penalties, fines, fees, and related charges for parking and related violations, late payment violations, administrative fees and any other charges related to the administration of the provisions of Section 40200 et seq. of the California Vehicle Code. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 0919 § 3, 1993].

10.04.110 Civil penalty provisions.

Any person violating or failing to comply with the provisions of RCMC 10.16.050(B), 10.24.010(A), 10.24.010(B), 10.24.010(C), 10.24.010(D), 10.24.010(E), 10.24.030(B), 10.24.040, 10.24.050, 10.24.060, 10.24.070(A), 10.24.070(B), 10.24.070(C), 10.24.070(D), 10.24.070(G), 10.24.070(H), 10.24.080, 10.24.090(D), 10.24.100, 10.24.110, 10.24.120, 10.24.130, 10.24.140, 10.24.160, 10.24.170(B), 10.24.175, 10.24.180, 10.32.050 or 10.32.060 shall be subject to civil penalties, fees, or charges, and procedures as set forth in the resolution adopted by the city council pursuant to RCMC 10.04.100. [Ord. 38-2007 § 1 (Exh. 1(G)); Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 0919 § 4, 1993].

Chapter 10.08

DEFINITIONS

Sections:

- 10.08.010 Words defined in chapter.
- 10.08.020 Words defined in Vehicle Code.
- 10.08.030 Alley.
- 10.08.050 Bus loading zone.
- 10.08.055 City council.
- 10.08.060 Commercial vehicle loading zone.
- 10.08.070 Director.
- 10.08.080 Holidays.
- 10.08.090 Official time standards.
- 10.08.100 Park.
- 10.08.110 Parkway.
- 10.08.120 Passenger loading zone.
- 10.08.130 Taxi stands.
- 10.08.140 Vehicle Code.

10.08.010 Words defined in chapter.

Whenever in this title the words or phrases hereinafter defined are used, they shall have the meanings respectively ascribed to them in this chapter unless the context indicates to the contrary. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 703 § 16, 1960].

10.08.020 Words defined in Vehicle Code.

Whenever any words or phrases used in this title are not defined herein, but are now defined in the Vehicle Code, such definitions as now existing are incorporated herein and shall be deemed to apply to such words and phrases as used in this title as though set forth here in full. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 703 § 17, 1960].

10.08.030 Alley.

“Alley” means any highway as herein defined, unnamed, and having a width of 20 feet or less. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 703 § 18, 1960].

10.08.050 Bus loading zone.

“Bus loading zone” means the space adjacent to the curb or edge of a roadway reserved for the exclusive use of buses during the loading or unloading of passengers. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 703 § 20, 1960].

10.08.055 City council.

“City Council” means the City Council of the City of Rancho Cordova. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 703 § 19, 1960. Formerly 10.08.040].

10.08.060 Commercial vehicle loading zone.

“Commercial vehicle loading zone” means that space adjacent to a curb reserved for the exclusive use of vehicles during the loading or unloading of passengers and materials marked and designated as hereinafter provided. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 703 § 21, 1960].

10.08.070 Director.

“Director” means the City of Rancho Cordova Public Works Director or his or her authorized representative. [Ord. 38-2007 § 1 (Exh. 1(G)); Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 962 § 1, 1967; SCC 703 § 22, 1960].

10.08.080 Highway.

“Highway” is a way or place of whatever nature, publicly maintained and open to the use of the public for purposes of vehicular travel. Highway includes street.

10.08.0980 Holidays.

For the purposes of this title, holidays shall be those days designated as legal holidays by the Government Code. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 703 § 23, 1960].

10.08.10090 Official time standards.

Whenever certain hours are named herein they shall be standard time or daylight saving time as may be in current use in the Ceity. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 703 § 24, 1960].

10.08.1190 Park.

“Park” means to stop or allow to stand any vehicle, whether occupied or not, otherwise than in obedience to official traffic control devices or by direction of a police officer. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 703 § 25, 1960].

10.08.1240 Parkway.

“Parkway” means those portions of a Hhighway other than a roadway or a sidewalk, whether improved or unimproved, primarily intended to serve as the dividing strip between opposing traffic lanes, or between sidewalks and curbs. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 703 § 26, 1960].

10.08.1320 Passenger loading zone.

“Passenger loading zone” means that space adjacent to a curb reserved for the exclusive use of vehicles during loading and unloading of passengers marked and designated as hereinafter provided. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 703 § 27, 1960].

10.08.1430 Taxi stands.

“Taxi stands” means that space adjacent to a curb reserved for the exclusive use of taxicab vehicles licensed to operate by transporting people for hire. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 703 § 28, 1960].

10.08.1540 Vehicle Code.

“Vehicle Code” means the California Vehicle Code ~~of the state~~. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 703 § 29, 1960].

Chapter 10.12

ENFORCEMENT

Sections:

- 10.12.010 Persons riding bicycles or animals.
- 10.12.020 Persons directing traffic restricted.
- 10.12.030 Authority of flagmen to direct traffic.
- 10.12.040 Exemptions.
- 10.12.050 Signs required.
- 10.12.060 Obedience to official traffic control devices.

10.12.010 Persons riding bicycles or animals.

A. Every person riding a bicycle or riding or driving an animal upon a highway shall be granted all of the rights and shall be subject to all of the duties applicable to the driver of a vehicle by this title, except those provisions which by their very nature can have no application.

B. Notwithstanding the provisions of subsection (A) of this section, any person may ride a bicycle on a sidewalk which is designated by the director as a part of the city bike route system and which is identified for such use by appropriate signs giving notice thereof. A bicyclist using a sidewalk as authorized by this subsection shall yield the right-of-way to any pedestrian using the sidewalk. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 139 § 1, 1973; SCC 703 § 31, 1960].

10.12.020 Persons directing traffic restricted.

No persons other than traffic officers or persons authorized by law shall direct traffic by voice, hand or other signal, except that a person may operate, when and/or as herein provided, a pushbutton signal erected by the provisions of this title. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 703 § 31, 1960].

10.12.030 Authority of flagmen to direct traffic.

A person designated as a flagman by a contractor working on the city streets under a permit issued by the City or a City employee designated as a flagman by the director or his representative, during construction or repair of, or in, streets, may direct traffic by use of hand signals or warning flags if the operation of special highway construction equipment, trucks, concrete mixers, mobile cranes or other construction equipment might interfere with the safe movement of traffic. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 703 § 32, 1960].

10.12.040 Exemptions.

The provisions of this title regulating the parking and standing of vehicles shall not apply to any vehicle of the police or fire departments, any public or private ambulance or any public utility vehicle which is qualified as an authorized emergency vehicle, when such vehicle mentioned in this section operates in the manner specified in the Vehicle Code in response to emergency calls. The provisions of this title regulating parking or standing vehicles shall not apply to any vehicle belonging to the government or a public utility or its agent while necessarily in use on construction or repair work on or in the public right-of-way. The foregoing exemption shall not, however, protect the driver of any such vehicle from the consequences of his willful disregard of safety of others. [Ord. 38-2007 § 1 (Exh. 1(A)); Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 703 § 33, 1960].

10.12.050 Signs required.

The provisions of this title where signs giving notice of the provision are required shall not be effective until such signs are actually placed by the Director. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 703 § 34, 1960].

10.12.060 Obedience to official traffic control devices.

Every person driving a vehicle and every pedestrian shall comply with and obey any indication as set forth in the Vehicle Code presented by any official traffic control device upon any Highway placed under the authority of this title. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 703 § 35, 1960].

Chapter 10.16

SIGNS AND SIGNALS

Sections:

- 10.16.010 Authority to install.
- 10.16.020 Traffic signals.
- 10.16.030 Roadway markings.
- 10.16.040 Hours of operation.
- 10.16.050 Parking space markings.
- 10.16.060 Turning markers.
- 10.16.070 Restrictive turn signs.
- 10.16.080 Stop at through street or stop signs.
- 10.16.090 Yield signs.
- 10.16.100 Stop or yield signs removed.
- 10.16.110 Closing streets to vehicular traffic.
- 10.16.120 Temporary suspension of markings.
- 10.16.130 Temporary suspension of weight limits.
- 10.16.140 Obedience to traffic signs.
- 10.16.150 Removal of traffic controls.
- 10.16.160 Removal of unauthorized signs, signals and lights.
- 10.16.170 Regulation of speed by traffic signals.
- 10.16.180 Bicycles on sidewalks.

10.16.010 Authority to install.

The Director is authorized to place and maintain, or cause to be placed and maintained, official traffic control devices when they are required or authorized by state law or ordinances or resolutions of this Ceity. No provisions of the Vehicle Code or this chapter for which signs or markings are required shall be enforced against an alleged violator unless appropriate signs or markings are in place giving notice of such provisions. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 703 § 36, 1960].

10.16.020 Traffic signals.

The Director is authorized to install and maintain official traffic signals at those intersections and at other places where conditions are such as to require that the flow of traffic be alternatively interrupted and released in order to prevent or relieve traffic congestion, or to protect life or property from exceptional hazard in accordance with engineering studies. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 703 § 37, 1960].

10.16.030 Roadway markings.

A. The Director is authorized to place and maintain distinctive roadway markings as described in the Vehicle Code on those Highways, or parts of Highways, where the volume of traffic or the vertical or other curvature of such the roadway renders it hazardous to drive on the left side of such markings or signs and markings.

B. The Director is authorized to mark centerlines and lane lines upon the surface of the roadway to indicate the course to be traveled by vehicles, and may place signs temporarily indicating lanes to be used by traffic moving in a particular direction, regardless of the centerline of the highway. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 703 § 38, 1960].

10.16.040 Hours of operation.

The Director is authorized to determine the hours in which any traffic control device shall be in operation or be in effect except in cases where such hours or days are specified by ordinance or resolution. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 703 § 39, 1960].

10.16.050 Parking space markings.

A. The Director is authorized to install and maintain parking space markings to indicate parking space adjacent to the curb where authorized parking is permitted.

B. When such parking space markings are placed in the Highway, subject to other and more restrictive limitations, no vehicle shall be stopped or left standing other than within a single space unless the size or shape of such vehicle makes compliance impossible. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 703 § 40, 1960].

10.16.060 Turning markers.

A. The Director is authorized to allocate and indicate more than one lane of traffic from which the driver of vehicles may make right- and/or left-hand turns, and the course to be traveled as so indicated may conform to or be other than as prescribed by statute or ordinance. The director shall place markers, buttons or signs within or adjacent to intersections, indicating the course to be traveled by vehicles turning at such intersections.

B. When authorized markers, buttons or other indications are so placed within or adjacent to an intersection indicating the course to be traveled by vehicles turning thereat, no driver of a vehicle shall disobey the directions of such indications. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 703 § 41, 1960].

10.16.070 Restrictive turn signs.

A. The Director is authorized to determine those intersections at which drivers of vehicles shall not make right, left or U turns and those intersections controlled by official traffic control signals where drivers of vehicles may make U turns. The making of such turns may be prohibited between certain hours of any day and permitted at other hours. The Director shall place proper signs at such intersections to indicate the restrictions in force. The signs shall plainly indicate the restrictions in force and the hours in which they are in force, or the signs may be removed when such turns are permitted.

B. The Director is authorized to determine those intersections at which drivers of vehicles shall not make a right or left turn against a stop or red signal, and shall erect proper signs giving notice of the prohibition.

C. The Director is authorized to establish special traffic islands or roadways at intersections where the driver of a vehicle is required to make a left or right turn. The Director shall place markers, buttons or signs within or adjacent to the roadway indicating the course to be traveled by vehicles turning at the intersection.

D. Whenever authorized signs are erected indicating that right, left or U turns are prohibited or are prohibited during certain hours, no driver of a vehicle shall disobey such signs. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 703 § 42, 1960].

10.16.080 Stop at through street or stop signs.

A. The Director is authorized to designate certain Highways to be through streets and certain intersections to be stop intersections and any railway grade crossing to be a stop intersection.

B. The Director shall erect and maintain stop signs as provided in the Vehicle Code, whenever he designates and describes any street or portion thereof as a through Highway, or any intersection at which vehicles are required to stop, at one or more entrances thereto, or any railroad grade crossing at which vehicles are required to stop. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 703 § 43, 1960].

10.16.090 Yield signs.

A. The director is authorized to designate any intersection to be controlled by yield right-of-way signs.

B. The Director shall erect and maintain yield right-of-way signs as described in the Vehicle Code at such intersections he designates to be controlled by yield right-of-way signs. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 703 § 44, 1960].

10.16.100 Stop or yield signs removed.

The Director is authorized to remove stop signs and yield signs on any Highway where the volume of traffic or other engineering study shows that the conditions which require such control no longer exist or where the signs are in conflict with this title notwithstanding any previous resolutions authorizing the signs. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 703 § 45, 1960].

10.16.110 Closing streets to vehicular traffic.

A. Whenever the Director finds that any portion of any Highway is no longer needed for vehicular traffic, either permanently or at certain times during the day, or as an emergency measure, he shall place or cause to be placed appropriate signs or barricades, or both, specifying that such portion of the Highway is closed to vehicular traffic at such times, or permanently, as the case may be, pursuant to the provisions of Paragraph (b) of Section 21101 of the Vehicle Code. All signs giving notice of such closing shall conform to provisions of the Vehicle Code.

B. A person shall not operate any vehicle on any portion of the Highway closed to traffic pursuant to this section.

C. The Director is hereby authorized to prohibit or restrict the use of any Highway or portion of any Highway by bicycles or other nonmotorized traffic or by any person operating a motor-driven cycle or motorcycle when that Highway or that portion of Highway has been designated as a riding or hiking trail by the City Council or the Director. The Director shall erect appropriate signs giving notice thereof upon the Highway or riding and hiking trail and approaches thereto. The Director shall determine the location of appropriate signs. It is unlawful for any persons to violate any prohibition or restriction which is established as provided in this subsection. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 931 § 1, 1966; SCC 703 § 46, 1960].

10.16.120 Temporary suspension of markings.

Whenever because of the construction, alteration, repair, or improvement of any Highway or temporary detours or because of other emergency compliance with any provision of this title, including a provision pursuant to any action of the City Council pursuant to this title, a traffic hazard will be created and the Director so finds, he shall either remove or cover up any sign or other traffic marking which informs persons of such provision. While such sign or other marking is removed or covered the effect of such provision is suspended. At the end of such emergency, unless otherwise determined by the City Council, the Director shall replace or uncover such sign or other markings. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 725 § 1, 1961; SCC 703 § 47, 1960].

10.16.130 Temporary suspension of weight limits.

If a weight limit is suspended pursuant to RCMC 10.16.120 and a different weight limit is necessary, the Director shall erect and maintain appropriate signs during the emergency appropriate signs. At the end of the emergency the Director shall remove such temporary signs and uncover and restore the original signs unless the City Council otherwise determines. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 703 § 48, 1960].

10.16.140 Obedience to traffic signs.

Every operator and every pedestrian shall comply with and obey every instruction appearing on any traffic sign or other marking, which sign or marking has been erected or placed by authority of the City Council or Director of this title. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 703 § 49, 1960].

10.16.150 Removal of traffic controls.

The Director is authorized to remove, relocate or discontinue the operation of any traffic control device or curb marking not specifically authorized by state law or ordinance, whenever engineering studies show that the conditions which warrant or require such control no longer exist or where such device is in conflict with the provisions of this title. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 703 § 50, 1960].

10.16.160 Removal of unauthorized signs, signals and lights.

The Director shall remove every unofficial sign, signal or device which purports to be or is an imitation of or resembles an official traffic sign or signal, or which attempts to direct the movement of traffic, or which hides from view any official traffic sign or signal, or which in any other respect violates the provisions of Sections 21465 and 21466 of the Vehicle Code. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 703 § 51, 1960].

10.16.170 Regulation of speed by traffic signals.

The Director is authorized to regulate the timing of traffic signals so as to permit the movement of traffic in an orderly and safe manner, at speeds or at variance from the speeds otherwise applicable within the distriet-City or at intersections, and may erect appropriate signs giving notice thereof. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 703 § 52, 1960].

10.16.180 Bicycles on sidewalks.

The director is authorized to designate sidewalks which may be used by bicyclists as a part of the city bike route system and shall identify such sidewalks with appropriate signs giving notice thereof. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 139 § 2, 1973].

Chapter 10.20

PEDESTRIANS AND CROSSWALKS

Sections:

- 10.20.010 Crosswalks established.
- 10.20.020 Safety zones.
- 10.20.030 Pedestrians prohibited when.
- 10.20.040 Crossing at right angles.
- 10.20.050 Standing in roadway.

10.20.010 Crosswalks established.

A. The Director is authorized to determine the location of midblock crosswalks, maintain such crosswalks and designate them by appropriate devices or painted marks or signs upon the surface of the roadway.

B. The Director may maintain such other crosswalks and designate them by appropriate devices, painted marks or signs upon the surface of the roadway. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 703 § 53, 1960].

10.20.020 Safety zones.

The Director is authorized to install and maintain safety zones at all locations where there is particular danger to pedestrians and may locate and designate the same upon the surface of the roadway by appropriate devices, signs, or marks. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 703 § 54, 1960].

10.20.030 Pedestrians prohibited when.

A. The Director may determine when any crosswalk shall not be used by pedestrians and upon making such determination shall cause to be placed and maintained appropriate official traffic control devices. No person shall thereafter walk in any such crosswalk unless indicated otherwise.

B. The Director may determine when any part of a roadway between intersections shall not be crossed by pedestrians and upon making such determination shall cause to be placed and maintained appropriate official traffic control devices. No person shall thereafter cross any part of such roadway, unless indicated otherwise.

C. No person shall stand on any sidewalk in such a manner as to hinder or impede the movement of other pedestrian traffic. No person shall remain on any bridge or overcrossing or approach thereto which is reserved exclusively for pedestrians for a period longer than necessary to walk across the bridge or overcrossing. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 854 § 1, 1964; SCC 725 § 5, 1961; SCC 703 § 55, 1960].

10.20.040 Crossing at right angles.

No pedestrian shall cross a roadway at any place other than by a route at a right angle to the curb or by the shortest route to the opposite curb except in a marked crosswalk. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 703 § 56, 1960].

10.20.050 Standing in roadway.

No person shall stand in any roadway other than a safety zone or in a crosswalk if such action interferes with the lawful movement of traffic. This section shall not apply to any public officer, construction worker or employee of a public utility or its agent when necessarily upon a street in line of duty. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 703 § 57, 1960].

Chapter 10.24

PARKING REGULATIONS

Sections:

- 10.24.010 Signs and curb markings.
- 10.24.020 Application of regulations.
- 10.24.030 No parking zones.
- 10.24.040 Parking on narrow streets and at special places.
- 10.24.050 Emergency parking signs.
- 10.24.060 Alleys – Parkways.
- 10.24.070 Parking prohibited when.
- 10.24.075 Prohibition of parking commercial and recreational vehicles on public roadways.
- 10.24.080 One-way streets.
- 10.24.090 Loading zones.
- 10.24.100 Limited-time parking.
- 10.24.110 Continuing violations – Additional offenses.
- 10.24.120 Curb parking – Right-of-way.
- 10.24.130 Parking in intersections.
- 10.24.140 Angle parking.
- 10.24.150 Removal of illegally parked vehicles.
- 10.24.160 Removal of ignition key when parking.
- 10.24.170 Parking on city property.
- 10.24.175 Parking in city parking areas.
- 10.24.180 Parking on private property.

10.24.010 Signs and curb markings.

The ~~D~~irector is authorized, subject to the provisions and limitations of this title, to place and maintain and, when required herein, shall place the following curb markings or signs to indicate parking, standing or stopping regulations, and the curb markings or signs shall have the meanings as herein set forth.

A. Red curb marking means no stopping, standing or parking at any time of any day except as permitted by the Vehicle Code;

B. Yellow curb marking means no stopping, standing or parking between 7:00 a.m. and 6:00 p.m. of any day except holidays and Sundays for any purpose other than the loading or unloading of passengers or materials; provided, that the loading or unloading of passengers shall not consume more than one minute, nor the unloading of materials more than 20 minutes, and such loading or unloading shall be actively carried on during all of that time;

C. White curb marking means no stopping, standing or parking at any time of any day for any purpose other than loading or unloading of passengers and baggage, and shall not exceed five minutes;

D. Green curb marking means no stopping, standing or parking for a period of time longer than 12 or 24 minutes, as designated by signs, at any time between 7:00 a.m. and 6:00 p.m. of any day except holidays and Sundays;

E. Blue curb marking means parking limited exclusively to public agency-owned vehicles specifically used for transportation of physically handicapped persons and for vehicles of physically handicapped persons, which vehicle bears an appropriate identification identifying the vehicle as that of a physically handicapped person. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 400 § 1, 1979; SCC 970 § 1, 1968; SCC 703 § 58, 1960].

10.24.020 Application of regulations.

The provisions of this title imposing regulations on stopping or parking shall not relieve any person from the compliance with other or more restrictive provisions of the Vehicle Code or ~~the any City ordinances of this city~~ regulating the standing or parking of vehicles at specified places or at specified times. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 703 § 59, 1960].

10.24.030 No parking zones.

A. The Director is authorized to prohibit stopping, standing or parking on any Highway or may prohibit stopping, standing or parking during certain hours of the day on any Highway.

B. When signs authorized by the provisions of this section are in place, giving notice of the provisions thereof, no person shall stop, stand or park any vehicle contrary to the directions and provisions of such signs. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 703 § 60, 1960].

10.24.040 Parking on narrow streets and at special places.

A. The Director is authorized to place signs and marking indicating no parking upon any two-way roadway, when the width of the roadway does not exceed 30 feet.

B. The Director is authorized to sign or mark the following places and, when so signed or marked, no person shall stop, stand or park a vehicle in any of the following places:

1. At any place within 20 feet of a point on the curb immediately opposite a midblock end of a safety zone;
2. At any place within 20 feet of any crosswalk;
3. Within 20 feet of the approach to any traffic signal, boulevard stop sign, or official electric flashing device;
4. At any place where traffic and engineering studies have been made and the director determines that it is necessary in order to eliminate dangerous traffic hazards or to provide for the orderly movement of traffic.

C. When signs authorized by provisions of this section are in place, giving notice of the provisions thereof, no person shall stop, stand or park any vehicle contrary to the directions and provisions of such signs. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 703 § 61, 1960].

10.24.050 Emergency parking signs.

A. Whenever the Director shall determine that, in a special situation, traffic congestion is likely to result on any Highway or alley from holding public or private assemblages, gatherings or functions, street construction, maintenance or repair work, or for any other reason, he is authorized to order temporary signs to be erected or posted indicating that the operation, parking or standing of vehicles is prohibited on such streets and alleys. The signs shall remain in place only during the existence of the special situation, and the Director shall cause the signs to be moved promptly thereafter.

B. When signs authorized by provisions of this section are in place, giving notice of the provisions thereof, no person shall stop, stand or park any vehicle contrary to the directions and provisions of such signs. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 703 § 62, 1960].

10.24.060 Alleys – Parkways.

A. No person shall park any vehicle in any alley in the Ceity except while actively engaged in loading or unloading passengers, freight or merchandise.

B. No person shall stop, stand or park a vehicle within any parkway. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 703 § 63, 1960].

10.24.070 Parking prohibited when.

A. No person shall park a vehicle upon any roadway for the principal purpose of displaying such vehicle for sale.

B. No person who owns or has custody or control of any vehicle shall park or store such vehicle upon any Highway or alley for more than a consecutive period of 72 hours, or move and repark such vehicle on any Highway within 300 feet of the original parking site, unless such vehicle is maintained in an operable condition and driven within the 72 consecutive hours mentioned above.

C. In the event the Highway includes two or more separate roadways and traffic is restricted to one direction upon each roadway, no person shall stop, stand or park a vehicle upon the left-hand side of such one-way roadways.

D. It is unlawful for any person to have, erect, place, stand or park, wholly or partly within the right-of-way of any Ceity road or Highway, any vehicle, motor vehicle, trailer, semitrailer, wagon, pushcart, stand, structure, or building for the purpose of selling the same or of selling, vending, displaying for sale, or offering for sale, therefrom or therein, any goods, wares, or merchandise, fruit, vegetables, produce, or any other article or thing of value.

E. Any such vehicle, motor vehicle, trailer, semitrailer, wagon, pushcart, stand, structure, or building so had, erected, placed, stood or parked for any such purpose or purposes is hereby declared to be a public nuisance and the removal thereof forthwith from within the right-of-way of any such road or highway by the Director, his engineers or employees is hereby authorized.

F. This title does not prohibit a seller from taking orders or delivering any commodity from any vehicle from that Ceity road or Highway immediately adjacent to the premises of the purchaser.

G. It is unlawful for any person to park, stop or abandon any vehicle within 1,000 feet of any authorized emergency vehicle when such authorized emergency vehicle is actively engaged at the scene of any bombing, act of sabotage, accident, explosion, flood, riot, earthquake, fire or any emergency.

H. No person shall park any motor truck (excepting therefrom any truck commonly known as and referred to as a "pickup truck"), trailer other than a camping trailer or boat trailer, semitrailer, truck tractor or commercial vehicle for more than one hour on any Highway in a residential district or move and repark such vehicle on any Highway in a residential district within 300 feet of the original parking site within any 24-hour period except while loading or unloading property or in connection with and in the aid of the performance of a service to or on a property adjacent to the block in which such vehicle is parked and only for such time in addition to one hour that is reasonably necessary to complete such loading, unloading or service.

I. No person shall park any motor home, trailer coach, travel trailer, truck camper, camping trailer or boat trailer for more than 72 hours on any Highway in a residential district or move and repark such vehicle on any Highway in a residential district within 300 feet of the original parking site within any 72-hour period. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1118 § 1, 1998; SCC 1045 § 1, 1996; SCC 383 § 1, 1979; SCC 838 § 1, 1964; SCC 825 § 2, 1963; SCC 746 § 1, 1961; SCC 703 § 64, 1960].

10.24.075 Prohibition of parking commercial and recreational vehicles on public roadways.

A. No person who owns or has custody or control of any commercial or recreational vehicle shall park or store such vehicle on any public street, Highway or right-of-way within the city limits of the Ceity of Rancho Cordova that is not within a designated heavy industrial zone (M-2 classification), or other areas specifically posted to permit parking or unless otherwise authorized by RCMC 10.24.070(H) or (I).

B. "Commercial or recreational vehicle" includes, but is not limited to, all motorized and nonmotorized tractors, trailers, semi-trailers, vans, trucks, open bed or flat bed pickups, mobile equipment, machinery, motor homes, campers, or other vehicles which meet one or more of the following criteria:

1. Vehicle or load height exceeds seven feet; or
2. Vehicle or load width exceeds seven and one-half feet, as measured from the widest portion of the vehicle or load, but not including mirrors; or
3. Vehicle or load length exceeds 20 feet (in combination with any attached trailers); or
4. Manufacturer's gross vehicle weight rating exceeds 10,000 pounds; or
5. Any nonmotorized vehicle regardless of its height, width, length or weight when it has been detached from a motor vehicle that is capable of towing such vehicle.

C. This section shall not prohibit the parking of commercial and recreational vehicles if they are at the time engaged in any of the following activities:

1. Loading or unloading of persons and/or property; or

2. Parked in connection with or in the aid of the immediate performance of a service to or on a property in the immediate proximity in which such vehicle is parked; or
3. Parked or left standing to allow the operator respite in the immediate proximity in which such vehicle is parked for a period of not to exceed 30 minutes; or
4. Parked or left standing as a result of a mechanical breakdown so as to allow for the performance of emergency repairs on the vehicle, or while waiting for a tow operator for a period not to exceed two hours; or
5. Parked or left standing as allowed by a permit issued by the city pursuant to established procedures; or
6. Emergency vehicles of any political subdivision of the state of California or of a public utility, while the driver of any such vehicle is engaged in the necessary performance of public emergency duties; or
7. Parking of motor homes, trailer coaches, recreational trailers, truck campers, camping trailers, or boat trailers designed for personal use for less than 72 hours in a residential district.

D. The traffic engineer shall place appropriate signs on all streets, roads or highways, as the traffic engineer may determine will best serve to give notice of this section, indicating the affected residential and commercial streets, roads or highways where commercial vehicle parking is prohibited.

E. Any person violating any of the provisions of this section is guilty of an infraction and upon conviction thereof shall be punished by:

1. A fine not exceeding \$100.00 for a first violation;
2. A fine not exceeding \$200.00 for a second violation within one year;
3. A fine not exceeding \$500.00 for each additional violation within one year. [Ord. 12-2006 § 1].

10.24.080 One-way streets.*

Subject to other and more restrictive limitations, a vehicle may be stopped or parked parallel to and within 18 inches of the left-hand curb, facing in the direction of the traffic movement upon any one-way street, unless signs are in place prohibiting such stopping or standing. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 703 § 65, 1960].

* Code reviser's note: See also Chapter 10.44 RCMC.

10.24.090 Loading zones.

A. The Director is authorized to establish bus zones, opposite red curb space, for the loading and unloading of buses, common carriers of passengers and to determine the location and length thereof.

B. The Director is authorized to establish loading zones.

C. The Director is authorized to establish taxi stands.

D. No person shall park and leave standing any vehicle, whether attended or unattended, in any loading zone for a period of time longer than is permitted for such loading zone except as otherwise provided in this title or in a taxi stand except the operator of the taxi. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 703 § 66, 1960].

10.24.100 Limited-time parking.

A. The Director is authorized to restrict or prohibit parking in excess of 12 minutes, 24 minutes, one hour or two hours, between 7:00 a.m. and 6:00 p.m. of any day on any Highway.

B. When signs have been posted to give notice of such restriction or prohibition, no person shall park any vehicle and leave the same parked, whether attended or unattended, for a period of time longer than set out on the signs. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 725 § 2, 1961; SCC 703 § 67, 1960].

10.24.110 Continuing violations – Additional offenses.

Every person violating the provisions of RCMC 10.24.090 is guilty of a separate and further violation for each period of time that the vehicle is left so parked, equal to the maximum legal parking time for the particular time zone or parking space as designated in RCMC 10.24.090 or by ordinance adopted setting the maximum legal time. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 703 § 68, 1960].

10.24.120 Curb parking – Right-of-way.

For the purpose of this section, a curb parking space shall be an area open for lawful parking alongside or adjacent to a curb, which area is not of sufficient length to permit two or more vehicles to freely move for parking therein at the same time. Any person seeking to park his vehicle in a curb space, whose vehicle arrives at the parking space prior to any vehicle other than his, and who proceeds beyond the space a distance not to exceed 10 feet, measured at the rear bumper, for the purpose of backing his vehicle therein, shall have the right-of-way over any person driving, or attempting to drive, any other vehicle directly into such curb parking space, or who, in any manner, obstructs such curb parking space; and the driver of such other vehicle shall yield the right-of-way to the driver first arrived at the parking space. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 703 § 69, 1960].

10.24.130 Parking in intersections.

A person may park a vehicle adjacent to the curb within an intersection if the ~~D~~irector marks the roadway with appropriate signs, markers or buttons as described in RCMC 10.16.050. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 703 § 70, 1960].

10.24.140 Angle parking.

At no time shall any person park a vehicle on a ~~H~~ighway at an angle to the roadway except to comply with the directions of a traffic officer. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 703 § 71, 1960].

10.24.150 Removal of illegally parked vehicles.

If any person parks a vehicle contrary to the provisions of RCMC 10.24.030 through 10.24.070, 10.24.100 or 10.24.120, the vehicle is determined to be an obstruction to the normal flow of traffic as defined in Section 22651(b) of the Vehicle Code and may be removed from the ~~H~~ighway as provided in Chapter 10 of the Vehicle Code. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 37 § 1, 1971; SCC 703 § 72, 1960].

10.24.160 Removal of ignition key when parking.

Every person who parks a motor vehicle upon any highway shall first lock the ignition, remove the key therefrom and take such key with him unless a licensed operator remains in such motor vehicle, in which case such licensed operator, before leaving the vehicle, shall first lock the ignition, remove the key therefrom, and take the key with him. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 703 § 73, 1960].

10.24.170 Parking on ~~C~~eity property.

A. Whenever the ~~D~~irector determines that parking or standing of vehicles on ~~C~~eity property is prohibited, limited or restricted, the ~~D~~irector shall have the power and authority to order signs to be erected or posted indicating that the parking of vehicles is thus prohibited, limited or restricted.

B. When signs authorized by the provisions of this section are in place, giving notice thereof, no person shall park or stand a vehicle contrary to the directions of the signs, and any vehicle parked in violation of the signs may be towed to the public storage garage at the expense of the owner of the vehicle as provided in Division 11, Chapter 10 of the Vehicle Code. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 240 § 2, 1975; SCC 703 § 74, 1960].

10.24.175 Parking in ~~C~~eity parking areas.

A. Notwithstanding any other provision in this code, whenever the ~~public works d~~Director determines that parking or standing of vehicles in ~~C~~eity parking areas under his jurisdiction is prohibited, limited or restricted, the ~~D~~irector shall have the power and authority to order signs to be erected or posted indicating that the parking of vehicles is thus prohibited, limited or restricted.

B. When signs authorized by the provisions of this section are in place, giving notice thereof, no person shall park or stand a vehicle contrary to the directions of the signs, and any vehicle parked in violation of the signs may be towed to the public storage garage at the expense of the owner of the vehicle as provided in Division 11, Chapter 10 of the Vehicle Code, and/or the ~~public works d~~Director, his or her designees, or a peace officer may issue a citation for

illegal parking. The ~~public works~~ Director, his designee or a peace officer shall record on the citation the location the offense was committed, the nature of the violation, the state vehicle license number of the vehicle, the make and year of the vehicle and the time and date of such violation. He shall then issue in writing a citation for illegal parking in the same form and subject to the same procedure provided for by the laws of the state applicable to the traffic violations within the ~~Ceity~~ City. [Ord. 38-2007 § 1 (Exh. 1(G)); Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4].

10.24.180 Parking on private property.

It is unlawful for any person to drive upon or across, to leave standing or cause to be left standing any vehicle upon any privately owned property within the ~~city of Rancho Cordova~~ City without the implied or express consent of the owner or person in lawful possession of the property. [Ord. 38-2007 § 1 (Exh. 1(A)); Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 703 § 75, 1960].

Chapter 10.25

PREFERENTIAL RESIDENTIAL PERMIT PARKING PROGRAM

Sections:

- 10.25.005 Title.
- 10.25.010 Purpose.
- 10.25.020 Definitions.
- 10.25.030 Designation of residential permit parking areas.
- 10.25.040 Designation criteria.
- 10.25.050 Designation process.
- 10.25.060 Recommendation of the public works director.
- 10.25.070 Issuance of permits.
- 10.25.080 Visitor permits.
- 10.25.090 Posting of residential permit parking area.
- 10.25.100 Display of permit.
- 10.25.110 Permit parking exemption.
- 10.25.120 Permit term – Application and renewal.
- 10.25.130 Permit fees.
- 10.25.140 Penalty provisions.
- 10.25.150 Applicability to parking control vehicles.
- 10.25.160 Annexation of residential streets to residential permit parking areas.
- 10.25.170 Modifications of restrictions.
- 10.25.180 Deletion of residential streets from residential permit parking areas.

10.25.005 Title.

This chapter shall be known and cited as the “preferential residential permit parking program.” [Ord. 12-2015 § 2].

10.25.010 Purpose.

The purpose of this chapter is to establish a preferential residential permit parking program within the Ceity to assist residents in securing parking in residential areas regularly adversely affected by nonresident parked vehicles. [Ord. 12-2015 § 2].

10.25.020 Definitions.

For the purposes of this chapter, the following definitions shall apply, unless the context clearly indicates otherwise:

“Dwelling unit” means a house, apartment or other residence with an assigned address as used by the U.S. Postal Service or as listed in the county directory.

“Lease” means that a person pays rent or other remuneration for use of a parcel of real property as his or her residence or place of business.

“Motor vehicle” includes an automobile, truck, motorcycle, or other motor-driven form of transportation not in excess of 10,000 pounds gross weight.

“Parking restrictions” means the days, times, and hour limitations imposed on motor vehicles parked in a residential permit parking area pursuant to this chapter.

“Public Works Director” means the Public Works Director of the City of Rancho Cordova ~~manager of the public works department~~ with the powers and duties as provided in this title.

“Resident” means a person who dwells in the residential area on a permanent basis.

“Resident permit” means a permit issued by the Ceity of Rancho Cordova for use on a resident vehicle while parked in a residential permit parking area.

“Resident vehicle” means a motor vehicle owned or under the control of a resident and regularly parked in the residential area in which the resident resides.

“Residential area” means a contiguous or nearly contiguous area where residents dwell and which contains public streets and highways.

“Residential permit parking area” means a residential area designated as herein provided wherein motor vehicles displaying a valid permit as described herein shall be exempt from the parking restrictions or prohibitions established pursuant to this chapter. [Ord. 12-2015 § 2].

10.25.030 Designation of residential permit parking areas.

The ~~C~~city ~~C~~council may, in its discretion, designate by resolution any residential area as a residential permit parking area in which motor vehicles displaying a valid parking permit may stand or be parked without limitation. Said resolution shall also state the applicable parking restrictions and the fees to be charged upon permit issuance. [Ord. 12-2015 § 2].

10.25.040 Designation criteria.

A. A residential area shall be deemed eligible for consideration as a residential permit parking area if the residential area is adversely affected by nonresident parked vehicles for any extended period during the day or night, on weekends, or during holidays.

B. In determining whether a residential area may be designated as a residential permit parking area, pursuant to RCMC 10.25.050 and 10.25.060, the ~~P~~public ~~W~~works ~~D~~irector and the ~~C~~city ~~C~~council shall take into account factors which include, but are not limited to, the following:

1. The extent of the desire and need of the residents for residential permit parking;
2. The extent to which on-street parking is occupied by motor vehicles during the period proposed for parking restrictions;
3. The extent to which vehicles parking in the area during the period proposed for parking restrictions are commuter vehicles rather than resident vehicles. [Ord. 12-2015 § 2].

10.25.050 Designation process.

A. Persons desiring a residential permit parking program in a residential area shall consult with the ~~P~~public ~~W~~works ~~D~~irector to tentatively establish the boundaries of the area proposed for designation.

B. Upon receipt of a petition from a group of neighborhood residents or appropriate neighborhood association indicating that at least 60 percent of the residents are in favor of permit parking in the residential area proposed for designation, the ~~P~~public ~~W~~works ~~D~~irector shall evaluate the proposal to determine the appropriate residential permit parking restrictions for the area.

C. Within 30 days of the completion of the ~~P~~public ~~W~~works ~~D~~irector’s evaluation to determine appropriate residential permit parking restrictions for the area, the ~~P~~public ~~W~~works ~~D~~irector shall notice, as herein provided, a public hearing or hearings on the subject of the proposed residential permit parking area. Said hearing or hearings shall be conducted for the purpose of ascertaining boundaries for the proposed residential permit parking area as well as the appropriate restrictions on parking.

D. Notice of the public hearing or hearings provided for herein shall be mailed generally in the neighborhood, and to those institutions generating a significant volume of nonresident parking in the neighborhood. The notice shall clearly state the purpose of the hearing, the location and boundaries tentatively considered for the proposed residential permit parking area and, if applicable, the approximate permit fee to be charged. During such hearing or hearings, any interested person shall be entitled to appear and be heard.

E. Within 30 days after completion of the public hearing(s) the ~~P~~public ~~W~~works ~~D~~irector shall mail out notices to the residents of the proposed residential permit parking area. Said notices shall provide information on the proposed location and boundaries of the area and the proposed residential permit parking restrictions therein. Residents of the

proposed residential permit parking area may return the notices indicating their support or opposition to the area. [Ord. 12-2015 § 2].

10.25.060 Recommendation of the Ppublic Wworks Ddirector.

A. Following the designation process described in RCMC 10.25.050, the Ppublic Wworks Ddirector shall issue a written recommendation to the Ceity Ceouncil whether to designate the residential area under consideration as a residential permit parking area within 60 days after the close of public hearings pursuant to RCMC 10.25.050(D). Such recommendation shall be based upon the record of the hearing or hearings, the evaluation performed, the petition submitted, and the returned notices received from the residents indicating support for or opposition to the program.

B. The recommendation of the Ppublic Wworks Ddirector shall set forth the significant subjects and concerns raised at the public hearing or hearings conducted, the proposed boundaries of the residential permit parking area, the proposed parking restrictions, and the support for the program shown by the returned notices from the residents.

C. If the Ceity Ceouncil desires, it will adopt a resolution establishing the program for the area including the boundaries, parking restrictions, fees, if any, and any other applicable provisions.

D. The designation process and designation criteria set forth in this chapter shall also be utilized by the Ppublic Wworks Ddirector in determining whether to recommend removal of designation as a residential permit parking area from a particular residential area. [Ord. 12-2015 § 2].

10.25.070 Issuance of permits.

A. Parking permits shall be issued by the Ppublic Wworks Ddirector. Each such permit shall state or reflect the particular residential permit parking area, the license number of the motor vehicle for which it is issued, and any additional information required by the Ppublic Wworks Ddirector to enforce the provisions of this chapter. No more than one parking permit shall be issued to each motor vehicle for which application is made. The requirements governing the manner in which persons shall qualify for parking permits in each residential permit parking area shall be as established by this chapter.

B. Parking permits may be issued for motor vehicles only upon application of the following persons:

1. A resident of the residential permit parking area who owns a motor vehicle registered with the California Department of Motor Vehicles at the address where the resident lives;
2. A resident of the residential permit parking area who has a leased or possesses a company-owned vehicle which is regularly parked in the area;
3. A person who owns or leases commercial property located in the residential permit parking area and actively engages in business activity within a residential permit parking area. However, no more than one parking permit may be issued for each motor vehicle registered to the business establishment at the address in the designated area;
4. An owner of residential property that is located within the residential permit parking area. [Ord. 12-2015 § 2].

10.25.080 Visitor permits.

The Ppublic Wworks Ddirector is authorized, upon application, to issue visitor permits to residents and owners or lessees of commercial property located within a residential permit parking area for use by bona fide visitors therein. Such a visitor permit shall have all the rights and privileges of a regular permit, except as provided in RCMC 10.25.130 and 10.25.140. The requirements governing the manner in which persons shall qualify for visitor permits in each residential permit parking area shall be established by this chapter. [Ord. 12-2015 § 2].

10.25.090 Posting of residential permit parking area.

Upon the adoption of the Ceity Ceouncil of a resolution designating a residential permit parking area, the Ppublic Wworks Ddirector shall cause appropriate signs and markings to be erected in the area, indicating prominently

thereon the parking and restrictions, prohibitions, and conditions under which permit parking shall be exempt. [Ord. 12-2015 § 2].

10.25.100 Display of permit.

Residential parking permits shall be affixed to the left rear bumper of the resident's vehicle, hung from an inside rear view mirror or lying flat and clearly visible on the dashboard of the vehicle to which it is assigned.

Visitor parking permit shall be hung from an inside rear view mirror or lying flat and clearly visible on the dashboard of the visitor's vehicle.

Failure to display a current, valid permit shall be prima facie evidence that the citation is valid. [Ord. 12-2015 § 2].

10.25.110 Permit parking exemption.

A resident motor vehicle or nonresident motor vehicle on which is displayed a valid parking permit as provided for herein shall be permitted to park in the residential permit parking area for which the permit has been issued without being limited by parking restrictions established pursuant to this chapter.

Said motor vehicle shall not be exempt, however, from other parking regulations or prohibitions established pursuant to other relevant portions of the Rancho Cordova Municipal Code or Vehicle Code. All other motor vehicles parked within a residential permit parking area shall be subject to the parking restrictions adopted as provided in this chapter as well as the penalties provided for herein.

A residential parking permit shall not guarantee or reserve to the holder thereof an on-street parking space within the designated residential permit parking area. [Ord. 12-2015 § 2].

10.25.120 Permit term – Application and renewal.

Except as provided otherwise herein, each parking permit issued shall be valid for one year or such other period of time as designated by the Public Works Director from the date of issuance. Permits may be renewed annually or for some other period of time as designated by the Public Works Director upon reapplication in the manner required by the Public Works Director. Each application or reapplication for a parking permit shall contain information sufficient to identify the applicant, his or her residence address or address of real property owned or leased within residential permit parking area, the license number of the motor vehicle for which application is made, and such other information that may be deemed relevant by the Public Works Director. [Ord. 12-2015 § 2].

10.25.130 Permit fees.

The fee, if any, for eligible residents within the residential parking permit area for a residential parking permit or a visitor permit shall be established by resolution of the City Council. [Ord. 12-2015 § 2].

10.25.140 Penalty provisions.

A. It is a violation of this chapter, unless expressly provided to the contrary herein, for any person to park a motor vehicle contrary to the parking restrictions established pursuant hereto. Said violation shall be subject to civil penalty as specified in the resolution by the City Council pursuant to RCMC 10.24.020.

B. It is unlawful and a violation of this chapter for a person to falsely represent himself or herself as eligible for a parking permit or to furnish false information in order to obtain a permit. Said violation shall be punishable by a fine not to exceed \$500.00 or by imprisonment for a period not exceeding six months, or both.

C. It is a violation of this chapter, unless expressly provided to the contrary herein, for a person holding a valid parking permit issued pursuant to this chapter, to permit the use or display of such permit on a motor vehicle other than that for which the permit is issued. Such conduct shall constitute a violation of this chapter both by the person holding the valid parking permit and the person who so uses or displays the permit on a motor vehicle other than that for which it is issued. Said violation shall be subject to civil penalty as specified in the resolution adopted by the City Council pursuant to RCMC 10.24.020.

D. It is a violation of this chapter to use, or allow to be used, a visitor permit for a nonresident commuter who desires to park in the residential parking permit area. Said use of a visitor permit for commuter parking shall constitute a violation of this chapter both by the person to whom the visitor permit was issued and by the registered

owner of the vehicle upon which the visitor permit is displayed. Said violation shall be subject to civil penalty as specified in the resolution adopted by the Ceity Ceouncil pursuant to RCMC 10.24.020.

E. It is unlawful and a violation of this chapter for a person to copy, produce or otherwise bring into existence a facsimile or counterfeit parking permit in order to evade parking restrictions applicable in a residential permit parking area. It is also a violation to sell, transfer, exchange or assign any residential, visitor or temporary permit. Upon conviction thereof, the person shall be punishable by a fine not exceeding \$500.00 or be imprisoned for a period not exceeding six months, or both. [Ord. 12-2015 § 2].

10.25.150 Applicability to parking control vehicles.

The provisions of this chapter shall not be construed to prohibit the stopping, standing or parking of parking control vehicles while such vehicles are being used in parking control enforcement; provided, however, that this section shall not supersede provisions of this title which expressly refer to or regulate parking control vehicles.

As used in this section the term “parking control vehicles” means any vehicle used by an authorized official of the Ceity during the enforcement of parking and registration regulations pursuant to the chapters of this code and the California Vehicle Code. [Ord. 12-2015 § 2].

10.25.160 Annexation of residential streets to residential permit parking areas.

Whenever the Ceity Ceouncil finds that residential streets adjacent to a residential permit parking area have all-day, on-street parking congestion, then upon recommendation by the Ppublic Wworks Ddirector, such residential streets may be added by resolution to said residential permit parking area. A petition of 60 percent or more of the residents of said streets with affirmative responses seeking permit parking shall be required prior to implementation of residential permit parking restrictions. [Ord. 12-2015 § 2].

10.25.170 Modifications of restrictions.

On-street parking restrictions within a residential permit parking area may be changed by resolution of the Ceity Ceouncil based on recommendation by the Ppublic Wworks Ddirector. [Ord. 12-2015 § 2].

10.25.180 Deletion of residential streets from residential permit parking areas.

A. The Ceity Ceouncil may initiate a proceeding to delete a street from a designated residential permit parking area by adopting a resolution of intention to delete.

B. The resolution shall include:

1. A declaration of intention by the Ceity Ceouncil to delete;
2. A description of the street or streets to be deleted; and
3. The date, time and place of a public hearing to consider the proposed deletion.

C. At least 10 days before the hearing, notice of the hearing shall be published in a newspaper of general circulation, posted not more than 200 feet apart along the street or streets proposed for deletion, and mailed to all persons who testified before the Ceity Ceouncil at public hearings in which the establishment of the residential parking permit area was considered.

D. At the hearing, the Ceity Ceouncil shall take into account the factors specified in RCMC 10.25.040(B). The Ceity Ceouncil may adopt a resolution deleting the street or streets described in the resolution of intention. [Ord. 12-2015 § 2].

Chapter 10.30**HUMAN HABITATION OF VEHICLES**

Sections:

- 10.30.010 Purpose.
- 10.30.020 Definitions.
- 10.30.030 Use of vehicles for human habitation prohibited on public property.
- 10.30.040 Use of vehicles for human habitation prohibited on private property – Exception.
- 10.30.050 Penalty.

10.30.010 Purpose.

This chapter is enacted for the purpose of addressing issues of blight, crime, security, disorder and health and sanitation, including the disposal of noxious and harmful matter on city streets and parking areas open to the public. These conditions are principally caused by ongoing, repeated habitation of motor homes, recreational vehicles and other vehicles modified or used for human habitation, as defined in RCMC 10.30.020, without authorized connection to utility services, periodically resulting in the creation of an encampment-like situation. These conditions occur primarily in private commercial parking areas and on public streets within the City, but can also occur in other areas of the City including, but not limited to, private residential lots. [Ord. 13-2004 § 1].

10.30.020 Definitions.

For purposes of this chapter, the following definitions will apply:

“Camper” means a structure designed to be mounted upon a motor vehicle and to provide facilities for human habitation or camping purposes. “Camper” shall include those campers defined as slide-in campers or truck campers under the California Health and Safety Code.

“House car” means a motor vehicle originally designed or permanently or temporarily altered and equipped for human habitation, or to which a camper has been permanently or temporarily attached.

“Human habitation” shall mean the use of a vehicle for dwelling. Evidence of human habitation shall include activities such as sleeping, setting up housekeeping or cooking, and/or any other activity where it reasonably appears, in light of all the circumstances, that a person or persons is using the vehicle as a living accommodation. The use of a vehicle for six or more consecutive hours for eating, resting, recreating and/or sleeping shall per se constitute “human habitation” for purposes of this chapter.

“Recreational vehicle” shall mean a motor home, travel trailer, trailer coach, truck camper, camping trailer or park trailer, as those vehicles are defined in Sections 18010 and 18009.3 of the California Health and Safety Code or other applicable sections of the California Health and Safety Code or California Vehicle Code, and which are designed for human habitation for recreational, emergency, or other occupancy.

“Vehicle” shall mean any device by which any person or property may be propelled, moved, or drawn upon a highway including, but not limited to, a recreational vehicle or house car. [Ord. 13-2004 § 1].

10.30.030 Use of vehicles for human habitation prohibited on public property.

It is unlawful for any person or persons to use a vehicle for human habitation on or in any public street, right-of-way, alleyway, parking area or any other public property, except in a designated public campground, recreational park, or licensed mobile home park. [Ord. 13-2004 § 1].

10.30.040 Use of vehicles for human habitation prohibited on private property – Exception.

A. It is unlawful for any person or persons to use a vehicle for human habitation on any private property within the city limits of Rancho Cordova except for a lawfully operated mobile home trailer park, or other licensed private camping facility.

B. Notwithstanding subsection (A) of this section, a person shall not be prohibited from occupying, for sleeping purposes only, a recreational vehicle or house car on private residential property within the Ceity limits provided all of the following criteria are satisfied:

1. The person is a bona fide guest of a resident of the Ceity;
2. The person has the written consent of the resident; and
3. The location and use of the recreational vehicle or house car for sleeping purposes is not otherwise in violation of the Rancho Cordova zoning code or other applicable law.

The use of a recreational vehicle or house car under authority of this subsection (B) shall be limited to no more than five days and/or nights, either consecutive or nonconsecutive, within any 90-day period. [Ord. 13-2004 § 1].

10.30.050 Penalty.

A. A violation of this chapter shall be deemed an infraction for a first violation; second and subsequent violations of the same section within a 12-month period may be prosecuted as an infraction or misdemeanor.

B. Any person convicted of an infraction for violating this chapter may be punished by:

1. A fine of not more than \$100.00 for a first violation;
2. A fine of not more than \$200.00 for a second violation of the same section within a 12-month period;
3. A fine of not more than \$500.00 for a third (or subsequent) violation of the same section by the same person within a 12-month period.

C. Any person convicted of a misdemeanor for violating this chapter may be punished by a fine of not more than \$1,000 or by imprisonment in jail for a period of not more than six months or by both fine and imprisonment. [Ord. 13-2004 § 1].

Chapter 10.32

MISCELLANEOUS DRIVING RULES

Sections:

- 10.32.010 Prohibited acts.
- 10.32.020 Parade permit required.
- 10.32.030 Bus stop in front of driveway.
- 10.32.040 Molesting of traffic-counting devices prohibited.
- 10.32.050 Washing vehicles on highway.
- 10.32.060 Repairing vehicles on highways.
- 10.32.070 Railway gates.
- 10.32.080 Trains not to block crossings.

10.32.010 Prohibited acts.

No person shall drive any vehicle or animal, or do any act, in violation of the following:

- A. Drive through vehicles comprising a funeral procession while they are in motion and when the vehicles in such a procession are specifically designated;
- B. No person riding any bicycle, motorcycle, coaster, roller skates, or any toys or toy vehicles shall attach the same or himself to any moving vehicle upon any roadway and no person driving any vehicle shall permit the same to be done;
- C. Drive within or over any sidewalk area or any parkway except at a driveway;
- D. Drive over or across any new pavement or freshly painted marking when any street barrier, sign or marking is in place warning persons not to drive over or across the same, or when a sign is in place stating that the street, or any portion thereof, is closed;
- E. Drive or operate a vehicle contrary to the directions or provisions of any barrier or sign erected pursuant to the provisions of any ordinance of the Ceity or by any other utility, or by any department of the Ceity or by any public person pursuant to law or contract with the Ceity and no unauthorized person shall move or alter the position of any such barrier or sign;
- F. Drive a vehicle onto or from any freeway except at such entrances and exits as are established by public authority;
- G. Drive a vehicle into an intersection or a marked crosswalk unless there is sufficient space on the other side of the intersection or crosswalk to accommodate the vehicle he is operating without obstructing the passage of other vehicles or pedestrians in such intersection or crosswalks, notwithstanding any official traffic control device or signal indication to proceed;
- H. No tire on any vehicle upon any Ceity street or highway shall have on its periphery any block, stud, flange, cleat, ridge, bead, or any other protuberance of metal or wood which projects beyond the tread of the traction surface of the tire. This subsection does not apply to the following:
 - 1. Tire chains of reasonable size used to prevent skidding when upon wet surfaces or when upon ice or snow.
 - 2. Pneumatic tires which have embedded therein wire not to exceed 0.075 inches in diameter and which are so constructed that under no conditions will the percentage of metal in contact with the roadway exceed five percent of the total tire area in contact with the roadway, except that during the first 1,000 miles of use or operation of any such tire, the metal in contact with the roadway may exceed five percent of the tire area in contact with the roadway, but shall in no event exceed 20 percent of such area.
 - 3. Vehicles operated upon unimproved roadways when necessary in the construction or repair of highways.

4. Traction engines or tractors when operated under the conditions of a permit first obtained from the Rancho Cordova Department of Public Works. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 972 § 1, 1968; SCC 703 § 76, 1960].

10.32.020 Parade permit required.

No person shall operate a vehicle, or join in, or be a member of any procession, parade or assemblage on any public highway without a permit first having been issued by the Director. No permit shall be valid on an arterial or through highway during the hours of 4:00 p.m. to 6:00 p.m. or during the hours of darkness or between December 10th and December 26th in any year. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 703 § 77, 1960].

10.32.030 Bus stop in front of driveway.

A bus engaged as a common carrier may stop to load or unload passengers in front of a driveway. At no time shall the bus so stop for a period longer than is necessary to load or unload passengers. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 703 § 78, 1960].

10.32.040 Molesting of traffic-counting devices prohibited.

Unless authorized by the Director, a person shall not move, molest, tamper with, or damage in any way any traffic-counting device which has been located within a highway or adjacent thereto by authority of the Director. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 703 § 79, 1960].

10.32.050 Washing vehicles on highway.

A person shall not dust, wipe, wash or otherwise clean, use, or employ any method of dusting, wiping, washing or otherwise cleaning any vehicle or portion thereof while on any highway unless the vehicle is owned by or under the direct control or supervision, for purposes other than such wiping, washing, cleaning, or dusting, of the person doing any of the acts herein enumerated. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 703 § 80, 1960].

10.32.060 Repairing vehicles on highways.

A person shall not repair, or make any repairs, or add or install any part or accessory to or on any vehicle while the same is upon any public highway or alley.

The provisions of this section do not prohibit the operator of any vehicle which is disabled while upon any public highway or alley to such extent that it is impossible to avoid stopping from making or causing to be made the repairs necessary to enable the vehicle to be removed from the public highway or alley. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 703 § 81, 1960].

10.32.070 Railway gates.

No person shall drive any vehicle around or under any crossing gate or barrier at a railroad grade crossing while the gate or barrier is closed or is being opened or closed. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 703 § 82, 1960].

10.32.080 Trains not to block crossings.

It is unlawful for any person to cause or permit any railway train or railway cars, or similar vehicle on rails, to operate or to be operated in such a manner as to prevent the use of any highway for the purpose of travel for a period of time longer than 10 minutes, except that this provision does not apply to railway trains, cars or similar vehicles on rails while blocking or obstructing a crossing because of an accident which requires the operator of a train, car or similar vehicle on rails to stop at or near the scene of the accident. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 972 § 1, 1968; SCC 703 § 83, 1960].

Chapter 10.36**EMERGENCY VEHICLES**

Sections:

- 10.36.010 Definitions.
- 10.36.040 Approaching scene of emergency.
- 10.36.050 Parking near scene of emergency.
- 10.36.060 Assembling near scene of emergency.
- 10.36.070 Exemptions.
- 10.36.080 Penalty for violation.

10.36.010 Definitions.

As used in this chapter, the following words and phrases have the meanings herein set forth:

“Authorized emergency vehicle” means all authorized emergency vehicles as defined in Division 1 of the Vehicle Code.

“Private road or driveway” means a private road or driveway as defined in Section 490 of the Vehicle Code.

“Public highway” means any highway, road, street, way or place open to the use of the public for purposes of vehicular travel.

“Vehicle” means a device in, upon or by which any person or property is or may be propelled, moved or drawn upon a public highway, including a bicycle or such other vehicle of propulsion moved by human power. [Ord. 38-2007 § 1 (Exh. 1(G)); Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 389 § 1, 1951].

10.36.040 Approaching scene of emergency.

It is unlawful for any person to operate any vehicle upon the public highways or any private road or driveway so as to approach within 1,000 feet of any authorized emergency vehicle when such authorized emergency vehicle is engaged in extinguishing fire or when the authorized emergency vehicle is actively engaged at the scene of any bombing, act of sabotage, accident, explosion, flood, riot, earthquake or any emergency. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 389 § 4, 1951].

10.36.050 Parking near scene of emergency.

It is unlawful for any person to park, stop or abandon any vehicle within 1,000 feet of any authorized emergency vehicle when the authorized emergency vehicle is actively engaged at the scene of any bombing, act of sabotage, accident, explosion, flood, riot, earthquake or any emergency. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 389 § 5, 1951].

10.36.060 Assembling near scene of emergency.

It is unlawful for any person or persons to gather, collect, assemble or congregate within 1,000 feet of the scene of any fire, bombing, act of sabotage, accident, explosion, flood, riot, earthquake or any emergency when any authorized emergency vehicle is actively engaged thereat. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 389 § 6, 1951].

10.36.070 Exemptions.

The provisions of this chapter do not apply to the following persons:

- A. All authorized emergency vehicles, as defined herein, and persons operating the same;
- B. Any person or persons lawfully ordered to do otherwise by any public officer or fireman. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 389 § 7, 1951].

10.36.080 Penalty for violation.

Any person who violates any provisions of this chapter is guilty of a misdemeanor and upon conviction thereof shall be punished by fine of not exceeding \$300.00 or by imprisonment in the county jail, not exceeding three months, or by both such fine or imprisonment. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 389 § 8, 1951].

Chapter 10.40

TRUCK ROUTES

Sections:

- 10.40.010 Establishing weight limits.
- 10.40.020 Exceptions.
- 10.40.030 Designation.

10.40.010 Establishing weight limits.

The ~~D~~irector is authorized to designate certain highways or parts thereof upon which the operation of commercial vehicles shall be prohibited as follows:

A. On a highway that is unimproved as the word “unimproved” is used in Section 35706 of the Vehicle Code and the nature of the pavement or surface is such that it will be injured if vehicles of over a certain gross weight are permitted to operate thereon; the director shall erect signs specifying the weight which the ~~D~~irector finds should be prohibited;

B. Whenever the ~~D~~irector finds that the use of any street, road, or highway located in the ~~C~~eity of Rancho Cordova by any commercial vehicle exceeding a gross weight of 14,000 pounds would not be in the best public interest or would be unsafe, and such street, road, or highway may be limited as to use in accordance with Section 35701 of the Vehicle Code, the ~~D~~irector shall erect appropriate signs;

C. Whenever any structure of a bridge on a highway on which no weight limit has been imposed is such that it is unsafe for the vehicles over a certain weight to use the bridge, and whenever the ~~D~~irector finds that the structure of a bridge on a highway on which a weight limit has been imposed is such that the use of vehicles over a certain weight which is less than the weight limit on such highway would be unsafe, the ~~D~~irector shall erect appropriate weight limit signs at both entrances to such bridges as provided in this title;

D. Wherever the ~~D~~irector finds that the use of any highway by a commercial vehicle exceeding a gross weight of three tons would not be in the best public interest or would be unsafe or would create undue hazards to local traffic, the ~~D~~irector may erect appropriate signs prohibiting commercial vehicles as provided in Section 21100 of the Vehicle Code;

E. The ~~Director~~~~director of public works~~ may issue a permit for the operation of vehicles on ~~C~~eity highways that are in excess of the maximum load or size as specified in the Vehicle Code. The permit shall specify the description of the vehicle and shall be subject to such conditions as are deemed advisable in accordance with prevailing traffic conditions on the highway to be used;

F. When signs are in place giving notice of any of the provisions of this section, no person shall disobey the directions or provisions posted on the sign. [Ord. 38-2007 § 1 (Exh. 1(A), (G)); Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 703 § 84, 1960].

10.40.020 Exceptions.

Nothing in this chapter shall prohibit the operator of any vehicle exceeding the maximum gross weight of three tons coming from a truck route having ingress and egress by direct route to and from restricted streets, when necessary for the purpose of making pickups or deliveries of goods, wares and merchandise from or to any building or structure located on such restricted streets, or for the purpose of delivering materials to be used in the actual and bona fide repair, alteration, remodeling or construction of any building or structure upon such restricted streets for which a building permit has been previously obtained. The provisions of this chapter do not apply to a passenger bus under the jurisdiction of the public utilities commission, or owned by a bus company licensed by the ~~C~~eity, or to any vehicle owned by a public utility while necessarily in use in the construction, installation or repair of any public utility or any vehicle owned by the ~~C~~eity while necessarily in use in the construction, installation or repair of a ~~C~~eity utility or street. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 703 § 85, 1960].

10.40.030 Designation.

The ~~D~~irector is authorized to designate any highway by appropriate signs as a truck route for the movement of vehicles exceeding a maximum gross weight limit of three tons, where in his opinion such designation is required. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 703 § 86, 1960].

Chapter 10.41

INTERSTATE TRUCK TERMINALS AND ACCESS ROUTES

Sections:

- 10.41.010 Authority and application.
- 10.41.020 Fees and costs.
- 10.41.030 Reconstruction.
- 10.41.040 Revocation of route.
- 10.41.050 Prohibition.

10.41.010 Authority and application.

The Director is authorized to designate certain trucking terminals as interstate truck terminals and certain Ceity highways or parts thereof as terminal access routes for interstate trucks, in accordance with Section 35401.5 of the Vehicle Code, as follows:

A. As used in this chapter, “interstate truck” shall mean a combination of vehicles as described in Section 35401.5 of the Vehicle Code and not exceeding the lengths set forth therein, and “terminal” shall have the meaning specified in Section 35401.5 of the Vehicle Code.

B. Any interested person desiring an access route to an interstate truck terminal facility from the federally designated highway system shall submit to the Director an application, on a form as provided by the Director, together with such information as may be required by the Director and appropriate fees.

C. The Director will cause an investigation to be made to ascertain whether or not the proposed terminal facility meets the requirements for an interstate truck terminal. Upon his approval of that designation, he will then determine the capability of the route requested and alternate routes, whether requested or not. Determination of route capability will include, without limitation, a review of adequate turning radius and lane widths of ramps, intersections and highways and general traffic conditions such as sight distance, speed and traffic volumes. No access off a federally designated highway system will be approved without the approval of the State of California Department of Transportation.

D. Should the requested route pass through the Ceity of Rancho Cordova to a terminal located in another jurisdiction, the applicant shall submit proof of compliance with that jurisdiction’s application process. Coordination of the approval of the route through the Ceity will be the responsibility of the entity which controls the terminal’s land use. [Ord. 38-2007 § 1 (Exh. 1(A)); Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 620 § 1, 1985].

10.41.020 Fees and costs.

A. The applicant shall pay a nonrefundable application fee, as established by the Ceity Council by resolution, sufficient to pay the cost of the review of the interstate truck terminal designation and the review of the proposed and alternate routes.

B. Upon the approval of the terminal designation and route by the Ceity, the applicant shall deposit with the Ceity sufficient funds as estimated by the Director to pay for the purchase and installation of terminal trailblazer signs. Trailblazer signs shall be required at every decision point in the Ceity on the route to the terminal and at intermediate points not closer than one-half mile apart as determined by the Director. Upon completion of the installation of the signs, the actual cost shall be computed and any difference between the actual and the estimated cost shall be billed or refunded to the applicant, whichever the case may be. Any excess due to the Ceity shall be due and payable 30 days after billing and thereafter shall bear interest at the maximum rate permitted by law. No interstate truck terminal or access route may be used for such purpose until such signs as may be required are in place. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 620 § 1, 1985].

10.41.030 Reconstruction.

A. If all feasible routes to a requested interstate truck terminal are found unsatisfactory by the Director, the applicant may request reconstruction to correct the deficiencies identified by the Director. All costs of engineering, construction and inspection will be the responsibility of the applicant. Except when the reconstruction of

deficiencies is within the jurisdiction of the state of California, the actual construction will be the responsibility of the applicant. When the work is within the jurisdiction of the state of California, it will be under the direction of the state of California.

B. If at any time within five years from the date of completion of the reconstruction by the applicant, should any applicant seek approval of an interstate truck terminal which would use the route upon which such reconstruction was accomplished, any such applicant's fee may be required by the Director to include that applicant's proportionate share of the reconstruction, as determined by the Director, which fee shall be disbursed by the City of Rancho Cordova to the applicant who paid for the reconstruction as well as to any applicant who contributed to the cost of reconstruction under this section. Nothing herein shall require the payment of a proportionate fee if the applicant doing the work failed to file with the director a report documenting the actual cost of the reconstruction work, subject to the approval of the Director. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 620 § 1, 1985].

10.41.040 Revocation of route.

The Director may revoke any approved interstate truck terminal or access route if the terminal or route becomes hazardous for vehicular traffic. Such a hazard includes, but is not limited to, the inability of interstate trucks to negotiate the route or said vehicles causing unsafe driving conditions for other vehicular traffic or pedestrians. If the route designation is revoked within three years after establishment, the City will reimburse the applicant for his actual costs of signing and reconstruction. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 620 § 1, 1985].

10.41.050 Prohibition.

Except as expressly permitted by law, no person shall drive an interstate truck upon any City highway not designated for such purpose. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 620 § 1, 1985].

Chapter 10.44

ONE-WAY STREETS

Sections:

~~10.44.010 — System established.~~

10.44.0120 Signs to be placed.

10.44.0230 Violation prohibited.

~~10.44.010 — System established.~~

~~There is hereby established the following system of one-way highways:~~

~~A. Von Karman Street traffic shall move southerly only.~~

~~B. Whitehead Street traffic shall move northerly only.~~

~~C. Norden Avenue traffic shall move easterly only.~~

~~D. On Mather Boulevard, between Bleckley Street and Eknes Street, traffic shall move westerly only.~~

~~E. On Bleckley Street, between Norden Avenue and Mather Boulevard, traffic shall move northerly only.~~

~~F. On Superfortress Avenue, between Von Karman Street and Whitehead Street, traffic shall move easterly only.~~

~~G. On Eknes Street, between Mather Boulevard and Norden Avenue, traffic shall move southerly only. [Ord. 38-2007 § 1 (Exh. 1(G)); Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4].~~

10.44.0120 Signs to be placed.

The director shall place and maintain appropriate signs giving notice of the one-way highway system, and no such regulations shall be effective until the signs are in place. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 703 § 88, 1960].

10.44.0230 Violation prohibited.

No person shall operate a vehicle in violation of the signs designating one-way streets as herein provided. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 703 § 89, 1960].

Chapter 10.48**SPEED ZONES**

Sections:

10.48.010 Speed zones.

10.48.010 Speed zones.

A. The Ccity Council has determined, on the basis of engineering and traffic surveys, that the speed permitted by the Vehicle Code upon certain highways is not in conformance with the safe and efficient operation of vehicles thereon. The prima facie speed limits on such highways or parts of such highways shall be as specified by ordinance when signs are erected giving notice of such limits.

B. All speed zones shall continue in effect as established by SCC Ordinance No. 703, as adopted and amended prior to the adoption of this code. All provisions of SCC Ordinance No. 703 and amendments thereto relating to speed zones shall continue in effect notwithstanding the adoption of this code. The speed zone provisions of SCC Ordinance No. 703 which continue in effect as provided in this section shall be subject to revision by ordinance from time to time pursuant to the Vehicle Code in the same manner as prior to the adoption of this code. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 703 § 90, 1960].

Chapter 10.50

REDUCED SPEED LIMITS ON SPECIFIC STREETS

Sections:

10.50.010 Determination and declaration of prima facie speed limits.

10.50.020 Prima facie speed limits declared.

10.50.010 Determination and declaration of prima facie speed limits.

The City Council approves and adopts the engineering and traffic surveys dated November 9, 2020, prepared by the City, for the streets and portions thereof set forth therein, copies of which are on file and available for public inspection in the offices of the City Clerk. The city council finds and determines that the surveys were conducted in accordance with the Vehicle Code and methods of conducting engineering and traffic surveys prescribed in the California Department of Transportation and that the survey justifies the speed limits recommended for the streets and portions of streets therein described. The City Council declares these speed limits as prima facie speed limits for the streets or portions thereof, which limits shall be effective when appropriate signs giving notice thereof are erected upon the streets or portions thereof. [Ord. 20-2020 § 2; Ord. 1-2018 § 2; Ord. 13-2015 § 2; Ord. 3-2004 § 1].

10.50.020 Prima facie speed limits declared.

The following prima facie speed limits are established based on prevailing speeds and according to traffic and engineering studies.

A. Baroque Drive:

1. Between Zinfandel Drive and Zinfandel Drive, 35 mph;

B. Bear Hollow Drive:

1. Between Zinfandel Drive and North Mather Boulevard, 35 mph;

C. Business Park Drive:

1. Between Horn Road and Bradshaw Road, 35 mph;

D. Capital Center Drive:

1. Between White Rock Road and International Drive, 35 mph;

E. Chase Drive:

1. Between Coloma Road and Hagan Park, 25 mph;

F. Chrysanthy Boulevard:

1. Between Sunrise Boulevard and eastern terminus of street, 35 mph;

G. Coloma Road:

1. Between Folsom Boulevard and Sunrise Boulevard, 40 mph;

H. Data Drive:

1. Between International Drive and White Rock Road, 35 mph;

I. Disk Drive:

1. Between Data Drive and Prospect Park Drive, 35 mph;

ITEM 11.1.

Rancho Cordova Municipal Code
Chapter 10.50 REDUCED SPEED LIMITS ON SPECIFIC
STREETS

ATTACHMENT 4

Page 36/52

J. Douglas Road:

1. Between Sunrise Boulevard and Rancho Cordova Parkway, 55 mph;
2. Between Rancho Cordova Parkway and Americanos Boulevard, 50 mph;

K. Explorer Drive:

1. Between Lincoln Village Drive to Lincoln Village Drive, 25 mph;

L. Femoyer Street:

1. Between Mather Boulevard and International Drive, 40 mph;

M. Fitzgerald Road:

1. Between White Rock Road and Recycle Road, 35 mph;

N. Folsom Boulevard:

1. Between Horn Road and Routier Road, 45 mph;
2. Between Routier Road and Cordova Lane, 40 mph;
3. Between Cordova Lane and Sunrise Boulevard, 45 mph;
4. Between Sunrise Boulevard and Hazel Avenue, 45 mph;

O. Georgetown Drive:

1. Between Coloma Road and McGregor Drive, 25 mph;

P. Gold Camp Drive:

1. Between Sun Center Drive and Prospect Park Drive, 35 mph;

Q. Gold Canal Drive:

1. Between Sun Center Drive and White Rock Road, 35 mph;

R. Gold Center Drive:

1. Between Zinfandel Drive and Prospect Park Drive, 30 mph;
2. Between Prospect Park Drive (west) and Prospect Park Drive (east), 35 mph;

S. Horn Road:

1. Between Folsom Boulevard and Routier Road, 35 mph;

T. International Drive:

1. Between Mather Field Road and Sunrise Boulevard, 45 mph;

U. Kiefer Boulevard:

1. Between Sunrise Boulevard and Rancho Cordova Parkway, 45 mph;

V. Kilgore Road:

ITEM 11.1.

Rancho Cordova Municipal Code
Chapter 10.50 REDUCED SPEED LIMITS ON SPECIFIC
STREETS

ATTACHMENT 4

Page 37/52

1. Between Folsom Boulevard and White Rock Road, 35 mph;
2. Between White Rock Road and Baroque Way, 40 mph;

W. Lincoln Village:

1. Between Bradshaw Road and Draco Drive, 35 mph;
2. Between Draco Drive and Routier Road, 25 mph;

X. Luyung Drive:

1. Between White Rock Road and Mechanical Drive, 35 mph;

Y. Mather Field Road:

1. Between Peter A McCuen Boulevard and Folsom Boulevard, 45 mph;

Z. McGregor Drive:

1. Between Folsom Boulevard and Coloma Road, 25 mph;

AA. Mills Park Drive:

1. Between Routier Road and Mather Field Road, 35 mph;
2. Between Mather Field Road and White Rock Road, 25 mph;

BB. Mills Station Road:

1. Between Peter A McCuen Boulevard and Folsom Boulevard, 45 mph;
2. Between Mather Field Road and White Rock Road, 25 mph;

CC. Monier Circle:

1. Between Sunrise Boulevard and Sunrise Boulevard, 30 mph;

DD. Old Placerville Road:

1. Between Systems Parkway and Rockingham Drive, 45 mph;

EE. Olson Drive:

1. Between Mills Park Drive and Zinfandel Drive, 25 mph;
2. Between Zinfandel Drive and Folsom Boulevard, 35 mph;

FF. Paseo Drive:

1. Between Folsom Boulevard and Las Casas Way, 25 mph;

GG. Peter A McCuen Boulevard:

1. Mather Boulevard and Femoyer Street, 30 mph;

HH. Prospect Park Drive:

1. Between White Rock Road and White Rock Road, 35 mph;

ITEM 11.1.

Rancho Cordova Municipal Code
Chapter 10.50 REDUCED SPEED LIMITS ON SPECIFIC
STREETS

ATTACHMENT 4

Page 38/52

2. Between White Rock Road and Baroque Way, 35 mph;

II. Quality Drive:

1. Between International Drive and White Rock Road, 35 mph;

JJ. Rancho Cordova Parkway:

1. Between Kiefer Boulevard and Douglas Road, 45 mph;

KK. Recycle Road:

1. Between Sunrise Boulevard and Elks Circle, 30 mph;

LL. Reserve Drive:

1. Between Data Drive and International Drive, 35 mph;

MM. Rockingham Drive:

1. Between Mather Field Road and S. White Rock Road, 25 mph;

2. Between Mather Field Road and Old Placerville Road, 35 mph;

NN. Routier Road:

1. Between Old Placerville Road and Folsom Boulevard, 40 mph;

OO. S. White Rock Road:

1. Between International Drive and White Rock Road, 25 mph;

PP. Sun Center Drive:

1. Between Prospect Park Drive and Sunrise Boulevard, 35 mph;

QQ. Sunrise Boulevard:

1. Between Kiefer Boulevard and Herodian Drive, 50 mph;

2. Between Herodian Drive and White Rock Road, 45 mph;

3. Between White Rock Road and Folsom Boulevard, 45 mph;

4. Between Folsom Boulevard and Coloma Road, 45 mph;

5. Between Coloma Road and city limits, southbound, 45 mph;

RR. Systems Parkway:

1. Between Routier Road and Old Placerville Road, 35 mph;

SS. Trade Center Drive:

1. Between Sun Center Road and Mercantile Road, 30 mph;

TT. Trinity River Drive:

1. Between Coloma Road and Sunrise Boulevard, 30 mph;

ITEM 11.1.

Rancho Cordova Municipal Code
Chapter 10.50 REDUCED SPEED LIMITS ON SPECIFIC
STREETS

ATTACHMENT 4

Page 39/52

UU. Vanguard Drive:

1. Between Explorer Drive and Routier Road, 25 mph;

VV. White Rock Road:

1. Between Mills Station Road and Mills Park Drive, 25 mph;
2. Between S. White Rock Road and Zinfandel Drive, 40 mph;
3. Between Zinfandel Drive and Sunrise Boulevard, 45 mph;

WW. Zinfandel Drive:

1. Between Sunrise Boulevard and Folsom Boulevard, 30 mph;
2. Between Folsom Boulevard and White Rock Road, 35 mph;
3. Between White Rock Road and International Drive, 40 mph;
4. Between International Drive and city limits, 45 mph. [Ord. 20-2020 § 3; Ord. 1-2018 § 3; Ord. 13-2015 § 3; Ord. 3-2004 § 2].

Chapter 10.58**OFF-ROAD VEHICLES**

Sections:

- 10.58.010 Permit required.
- 10.58.020 Motor vehicle – Definition.
- 10.58.030 Exemption – Commercially operated facilities.
- 10.58.040 Exemption – Public facilities.
- 10.58.050 Exemption – Sanctioned events.
- 10.58.060 Exemption – Parking areas.
- 10.58.070 Exemptions – Miscellaneous.
- 10.58.080 Operation by permit.
- 10.58.090 Application for permit.
- 10.58.100 Permits – Grounds for denial.
- 10.58.120 Permit conditions.
- 10.58.130 Copies of permit – Possession required.
- 10.58.140 Revocation of permit.
- 10.58.150 Fees – Expiration and renewal.
- 10.58.160 Appeal.
- 10.58.170 Public nuisance prohibited.

10.58.010 Permit required.

No person shall operate or cause to be operated a motor vehicle except upon the streets, highways and thoroughfares specifically established and provided for the operation of such vehicles except when authorized by a permit issued pursuant to this chapter. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 253 § 1 (part), 1975].

10.58.020 Motor vehicle – Definition.

As used in this chapter, “motor vehicle” means any self-propelled device in or upon which any person or property may be moved, excepting a device moved by human power or used exclusively upon stationary rails or tracks. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 253 § 1 (part), 1975].

10.58.030 Exemption – Commercially operated facilities.

This chapter does not apply to any area commercially operated for the purpose of providing facilities wherein motor vehicles can be operated for recreational purposes, if said facilities are duly licensed and permitted under the applicable laws pertaining thereto. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 253 § 1 (part), 1975].

10.58.040 Exemption – Public facilities.

This chapter does not apply to any area which is specifically established by the Ceity or other governmental body or agency for the purpose of allowing motor vehicles to be operated thereon for recreational purposes. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 253 § 1 (part), 1975].

10.58.050 Exemption – Sanctioned events.

This chapter does not apply to any organized racing or competitive event upon a closed course which is conducted under the auspices of a recognized sanctioning body under permit issued by the Ceity. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 253 § 1 (part), 1975].

10.58.060 Exemption – Parking areas.

This chapter does not apply to any area, either publicly or privately owned, designated for the parking or storage of motor vehicles, when the operation of a vehicle on such area is solely for the purposes of ingress thereto and egress therefrom. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 253 § 1 (part), 1975].

10.58.070 Exemptions – Miscellaneous.

This chapter does not apply to any motor vehicle which is:

- A. An implement of husbandry;

- B. A wheelchair;
- C. A golf cart, when used on a golf course;
- D. Used for any purpose relating to the conduct of a business where said business is conducted;
- E. Owned by the Ceity or other governmental body or agency, and is operated by an employee of the Ceity or other governmental body or agency who is acting within the scope of his employment;
- F. Operated by or under contract with a utility, whether privately or publicly owned;
- G. Used in connection with construction activities for the purposes for which it was designed. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 253 § 1 (part), 1975].

10.58.080 Operation by permit.

Any person possessing a valid permit issued pursuant to this chapter may operate a motor vehicle other than upon the streets, highways and thoroughfares specifically established and provided therefor, provided such operation is in conformance with the terms and conditions of such permit. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 253 § 1 (part), 1975].

10.58.090 Application for permit.

The owner or lessee of any real property within the Ceity, or the agent of either, may apply for a permit to operate one or more motor vehicles on said property when the operation of such vehicles would otherwise be in violation of RCMC 10.58.010 by filing an application with the chief of police. [Ord. 38-2007 § 1 (Exh. 1(A)); Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 253 § 1 (part), 1975].

10.58.100 Permits – Grounds for denial.

Upon receipt of the application for permit, the chief of police shall grant or deny the permit and shall notify the applicant by mail of such action. A permit may be denied when it appears to the satisfaction of the chief of police that the issuance of the permit would:

- A. Create a condition annoying to adjacent residents;
- B. Create law enforcement problems;
- C. Endanger the health, safety or welfare of persons in the area. [Ord. 38-2007 § 1 (Exh. 1(A)); Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 253 § 1 (part), 1975].

10.58.120 Permit conditions.

A permit may be issued subject to conditions regulating one or more of the following:

- A. Hours of operation of motor vehicles;
- B. Maximum number of motor vehicles which may be operated at any one time;
- C. Type of motor vehicles which may be operated;
- D. Any other reasonable condition required under the circumstances. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 253 § 1 (part), 1975].

10.58.130 Copies of permit – Possession required.

A. When a permit is issued, the chief of police shall issue in connection therewith a number of copies of such permit to the applicant, who shall give a copy of such permit to each person operating a motor vehicle on the premises for which the permit is issued.

B. The maximum number of copies of the permit given the applicant shall not exceed the maximum number of motor vehicles which may be operated on the premises at any one time, if such number has been determined pursuant to RCMC 10.58.120.

C. No person shall operate a motor vehicle on the premises for which the permit is issued unless he has in his immediate possession a copy of such permit and shall display the same upon demand to any duly authorized law enforcement officer. [Ord. 38-2007 § 1 (Exh. 1(A)); Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 253 § 1 (part), 1975].

10.58.140 Revocation of permit.

A permit issued pursuant to this chapter may be revoked when it appears to the satisfaction of the chief of police that one or more of the following conditions exist:

A. The person to whom the permit was issued has failed to abide by the conditions of such permit;

B. A person operating a motor vehicle by permission of the person to whom the permit was issued has failed to abide by the conditions of such permit;

C. False or misleading statements were made by the applicant in securing the permit;

D. Circumstances surrounding the premises for which the permit was issued have changed and the continued operation of motor vehicles on the premises would violate one or more provisions of RCMC 10.58.100. [Ord. 38-2007 § 1 (Exh. 1(A)); Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 253 § 1 (part), 1975].

10.58.150 Fees – Expiration and renewal.

A. The fee for an initial permit shall be set by resolution of the Ceity Ceouncil. The permit shall be nontransferable and shall expire one year after the date of issuance.

B. A permit may be renewed from year to year upon payment of a fee set by resolution of the Ceity Ceouncil; provided, however, that the renewal may be granted, conditioned or denied in accordance with the provisions of RCMC 10.58.100 and 10.58.120. [Ord. 38-2007 § 1 (Exh. 1(G)); Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4].

10.58.160 Appeal.

A. Any applicant for a permit or a permit holder aggrieved by the action of the chief of police pursuant to this chapter may, within 10 days of being notified of such action, appeal the same to the Ceity Ceouncil by filing a notice of appeal with the clerk of the councilCity Clerk.

B. The clerk shall calendar a hearing on the appeal and notify the person filing the appeal of the date, time and place of such hearing.

C. The City Ceouncil shall hear such testimony from the concerned parties as may be necessary and shall take such action with regard to the action of the chief of police as it may deem proper. [Ord. 38-2007 § 1 (Exh. 1(A)); Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 253 § 1 (part), 1975].

10.58.170 Public nuisance prohibited.

Nothing in this chapter is intended to authorize the maintenance of a public nuisance. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 253 § 1 (part), 1975].

ITEM 11.1.

Rancho Cordova Municipal Code
Chapter 10.62 TRANSIT AND SCHOOL DISTRICT
LOADING ZONES

ATTACHMENT 4

Page 43/52

Chapter 10.62

TRANSIT AND SCHOOL DISTRICT LOADING ZONES

Sections:

10.62.010 Purpose.

10.62.020 Use of transit loading zones.

10.62.010 Purpose.

Section 22500.5 of the California Vehicle Code authorizes the adoption of a local ordinance to permit an agreement between a transit system operating buses engaged as common carriers and a public school district to permit school buses owned by, or operated for, the said school district to load or unload passengers in spaces designated for the loading or unloading of passengers of the transit system buses. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 569 § 1, 1983].

10.62.020 Use of transit loading zones.

Upon agreement between Regional Transit or other transit system authorized according to law to operate as a common carrier within the Ccity of Rancho Cordova and a public school district, school buses owned by or operated under contract for such public school district may stop for the loading or unloading of passengers alongside any or all curb spaces designated for the loading or unloading of passengers of the transit system buses as provided in Section 22500.5 of the Vehicle Code. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 569 § 1, 1983].

Chapter 10.64

TRIP REDUCTION PROGRAMS

Sections:

- 10.64.010 Findings.
- 10.64.020 Purpose.
- 10.64.030 Definitions.
- 10.64.040 Permit required.
- 10.64.050 Exceptions.
- 10.64.060 Authority to issue permit.
- 10.64.070 Permit fee.
- 10.64.080 Notification of requirements.
- 10.64.090 Application filing.
- 10.64.100 Application contents.
- 10.64.110 Investigation.
- 10.64.120 Issuance of permit.
- 10.64.130 Term of permit.
- 10.64.140 Trip reduction requirements.
- 10.64.150 Compliance schedule.
- 10.64.160 Appeals.
- 10.64.170 Failure to obtain permit.
- 10.64.180 Violations.

10.64.010 Findings.

The Ceity Ceouncil of the Ceity of Rancho Cordova hereby finds and determines that:

- A. The Ceity of Rancho Cordova is projected to experience a significant increase in employment and population growth over the next 20 years, which will result in a projected increased~~doubling~~ of existing peak hour traffic volumes.
- B. Home-to-work employee commuting generates a significant level of vehicle trips, thereby contributing to traffic congestion, air pollution, and energy consumption problems.
- C. The conventional response to relieving traffic congestion by expanding the capacity of the roadway system is no longer appropriate as the sole solution due to increasing construction and maintenance costs and decreasing revenues for such expenditures.
- D. Ridesharing, transit, and bicycle usage among employees for home-to-work trips are simple and inexpensive alternative means of reducing peak-hour, single-occupant motor vehicle trips. A reduction in such trips can be expected to result in a reduction in traffic congestion, air pollution, and energy consumption impacts related to employment in the Ceity.
- E. While employers have traditionally provided parking facilities to accommodate employee vehicle trips, such employers should also be required to provide programs and incentives to encourage and accommodate ridesharing, transit, bicycle and pedestrian commuting by employees. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 567 § 1, 1983].

10.64.020 Purpose.

The purpose of this chapter is to establish requirements and procedures whereby major employers located in Ceity of Rancho Cordova will develop and implement programs designed to reduce the number of employee vehicle commute trips as part of a broad Ceity of Rancho Cordova program to achieve the following objectives:

- A. Reduce peak-hour traffic circulation and congestion by reducing the number of single-occupant motor vehicle trips associated with home-to-work commuting.

B. Reduce or delay the need for major transportation facility improvements by making more efficient use of existing facilities.

C. Reduce future air pollution concentrations and strive towards meeting federal ambient air pollution standards by reducing the number of single-occupant motor vehicle trips associated with home-to-work commuting.

D. Reduce the consumption of energy for transportation uses and thereby contribute to the national policy to increase energy self-sufficiency. [Ord. 38-2007 § 1 (Exh. 1(A)); Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 567 § 1, 1983].

10.64.030 Definitions.

Unless the context indicates otherwise, the following definitions shall govern the meaning of those terms used in this chapter:

“Common business location” means a single building, group of buildings, or group of work stations at a single site or contiguous sites.

“Commuter matching service” means any system, whether by computer, manual, or mapping methods, which matches commuters residing in one common area, working in another common area, and having approximately the same work starting and stopping times.

“Director” means the director of the public works department.

“Employee transportation coordinator” means an employee, tenant, property manager, property owner, or other appropriate person who has been designated to perform various duties related to meeting the transportation needs of employees of a firm, common work location, or other geographic employment area.

“Person” means a sole proprietor, partnership, corporation, unincorporated association, cooperative, joint venture, agency, department, district or other individual or entity, either public or private, carrying on an enterprise or conducting any other activity, whether or not for profit.

“Preferential parking” means a program of selecting, assigning or designating vehicle parking spaces in which priority in the selection, assignment, or designation is given to specific classes of vehicles such that vehicles in that class may be parked in locations considered by the vehicle operator to be the best or most desirable location.

“Regular employee” means any employee who works for a business, firm, agency, or other person for three or more days per week and four or more hours per day. [Ord. 15-2022 § 4 (Exh. A); revised during 2008 codification; Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 0748 § 1, 1988; SCC 567 § 1, 1983].

10.64.040 Permit required.

Except as provided in RCMC 10.64.050, no person shall employ 100 or more persons at a common business location within the Ccity of Rancho Cordova without first applying for and obtaining a trip reduction permit. Said permit must be obtained within 180 days of notification, as described in RCMC 10.64.080.

When a particular person has more than one common business location within the Ccity of Rancho Cordova, each location employing 100 or more persons, that person may apply for and, subject to satisfactorily meeting the requirements of RCMC 10.64.140, may be granted a single trip reduction permit applicable to all business locations described in the approved permit. [Ord. 38-2007 § 1 (Exh. 1(A)); Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 567 § 1, 1983].

10.64.050 Exceptions.

Notwithstanding any other provisions of this chapter, the following uses and activities shall be specifically exempt from the provisions of this chapter:

A. Persons who employ fewer than 100 persons in the Ccity of Rancho Cordova.

B. Temporary construction activities, including activities performed by engineers, architects, contractors, subcontractors, and construction workers, when such activities are related to the construction, development, or other improvement of real property.

C. Emergency activities in which persons are employed to render aid or other services in the event of an emergency or natural disaster.

D. Other temporary activities which employ persons for a period of less than 90 days. [Ord. 38-2007 § 1 (Exh. 1(A)); Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 567 § 1, 1983].

10.64.060 Authority to issue permit.

The ~~D~~irector of the environmental management department, hereinafter the director, shall be authorized to issue a trip reduction permit based on satisfactory compliance with the requirements of RCMC 10.64.140. The ~~D~~irector shall be authorized to establish reasonable administrative procedures to implement the provisions of this chapter. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 0748 § 2, 1988; SCC 567 § 1, 1983].

10.64.070 Permit fee.

The ~~C~~eity ~~C~~eouncil may, by resolution, and from time to time, prescribe fees for the issuance and renewal of trip reduction permits. Such fees shall be for the sole purpose of defraying costs incurred in the administration of this chapter.

All fees for the issuance and renewal of permits shall be paid at the time of and with the filing of the application with the ~~D~~irector. No application shall be deemed valid or complete until all prescribed fees have been paid. Unless otherwise prescribed, fees shall not be refundable in whole or in part whether or not the permit is issued or approval granted. Nor shall any such fee be refundable in whole or in part if a permittee ceases operating under the permit in advance of expiration of the term thereof. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 567 § 1, 1983].

10.64.080 Notification of requirements.

The ~~D~~irector shall notify, in writing, all persons required by this chapter to obtain a trip reduction permit. Such notification shall be made in a timely manner based on the compliance schedule contained in RCMC 10.64.150 and shall contain at least the following information:

A. A statement that the recipient is required by this chapter to obtain a trip reduction permit.

B. A description of the requirements which the applicant must satisfy to obtain the permit.

C. A description of the procedures to apply for and obtain the permit. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 567 § 1, 1983].

10.64.090 Application filing.

All applications for a trip reduction permit shall be filed with the environmental management department. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 0748 § 3, 1988; SCC 567 § 1, 1983].

10.64.100 Application contents.

The application for a trip reduction permit shall be filed on a form and contain such information as prescribed by the ~~d~~irector. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 567 § 1, 1983].

10.64.110 Investigation.

The ~~D~~irector shall examine the application to determine whether the applicant complies with the requirements contained in RCMC 10.64.140. Inspection of the business location shall be conducted as necessary to determine compliance with said requirements. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 567 § 1, 1983].

10.64.120 Issuance of permit.

The ~~d~~irector shall act upon the application not later than 30 days after the date it is validly filed, unless the applicant has filed a written request with the ~~d~~irector to extend the time in order that the applicant may submit additional information prior to action by the ~~d~~irector.

The ~~D~~irector shall issue the permit unless (s)he finds, in writing, that the requirements contained in RCMC 10.64.140 have not been met. The ~~D~~irector shall notify the applicant, in writing, of his/her decision to issue or not issue the permit. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 567 § 1, 1983].

10.64.130 Term of permit.

Except as provided herein, all trip reduction permits shall be valid for a period of one year from the date of issuance by the ~~D~~irector. The ~~d~~irector may issue a trip reduction permit which is valid for three years to any person who has continuously maintained a valid trip reduction permit for a period of two years or more. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 567 § 1, 1983].

10.64.140 Trip reduction requirements.

The granting of a trip reduction permit shall be based on satisfactory compliance with the following requirements:

A. Provide all employees on an annual basis, and all new employees upon hiring, with written information on alternative commute modes, including carpooling, vanpooling, public transit, bicycling, and walking to work. Such material shall include information on the benefits of these alternate modes and details regarding their availability to employees in commuting to the work site.

B. Provide all employees on an annual basis, and all new employees upon hiring, with commuter matching services. This service may be provided by the employer or any agency, firm, consultant, or other person.

C. Provide all employees with the services of an on-site employee transportation coordinator.

D. Provide and administer a program of preferential parking for carpool and vanpool vehicles at each work location. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 567 § 1, 1983].

10.64.150 Compliance schedule.

The requirements of this chapter shall be implemented according to the following schedule:

A. Any person who files an application with the ~~C~~eity of Rancho Cordova for a new general business license on or after January 1, 1984, shall be required to comply with the provisions of this chapter.

B. Any person who, on or after January 1, 1985, employs 500 or more persons at a common business location shall be required to comply with the provisions of this chapter.

C. Any person who, on or after January 1, 1986, employs 250 or more persons at a common business location shall be required to comply with the provisions of this chapter.

D. Any person who, on or after January 1, 1987, employs 100 or more persons at a common business location shall be required to comply with the provisions of this chapter. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 623 § 1, 1985; SCC 567 § 1, 1983].

10.64.160 Appeals.

Any person may appeal the decision of the ~~d~~irector regarding the issuance of a trip reduction permit to the Rancho Cordova ~~P~~lanning ~~C~~ommission~~City Council~~. Such appeal must be made in writing no later than 30 days from the date of written notification by the ~~d~~irector of his/her decision to issue or not to issue the permit pursuant to RCMC 10.64.120. Procedures, hearings, and final action by the ~~P~~lanning ~~C~~ommission~~City Council~~ shall be as provided in RCMC Title 23, Zoning Code. [Revised during 2008 codification; Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 567 § 1, 1983].

10.64.170 Failure to obtain permit.

Any person who, after proper notification as required herein, fails to apply for a trip reduction permit, and any person who, after making application for a trip reduction permit, employs 100 or more persons without obtaining a trip reduction permit, as required in RCMC 10.64.040, shall be in violation of this chapter. The ~~D~~irector shall notify any such person, in writing, that he/she is in violation of this chapter. The ~~D~~irector shall also notify the ~~C~~eity ~~A~~ttorney and request that appropriate legal action be initiated. [Revised during 2008 codification; Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 567 § 1, 1983].

10.64.180 Violations.

Violation of any of the provisions of this chapter constitutes a misdemeanor. Any person, firm, or corporation, whether as principal, agent, employee, or otherwise, who violates this chapter or fails to comply with any of its requirements shall, upon conviction thereof, be fined not more than \$500.00 or imprisoned for not more than six months in the county jail, or both. Each day such violation continues shall be considered a separate offense. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 567 § 1, 1983].

Chapter 10.66

REGULATION OF CRUISING

Sections:

- 10.66.010 Cruising prohibited.
- 10.66.020 Cruising defined.
- 10.66.030 Congested traffic defined.
- 10.66.040 Green light cycle defined.
- 10.66.050 Traffic-control point defined.
- 10.66.060 Warning against cruising.
- 10.66.070 Violation of this chapter.
- 10.66.080 Posting of no-cruising zones.

10.66.010 Cruising prohibited.

No person shall engage in the activity known as “cruising,” as defined in this chapter, on the public streets or highways of the City of Rancho Cordova in any area which has been posted as a no-cruising zone. [Ord. 38-2007 § 1 (Exh. 1(A)); Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 706 § 1, 1987].

10.66.020 Cruising defined.

For purposes of this chapter, “cruising” shall be defined as the repetitive driving of any motor vehicle past a traffic-control point in congested traffic at or near the traffic-control point. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 706 § 1, 1987].

10.66.030 Congested traffic defined.

For the purposes of this chapter, “congested traffic” means traffic on any public street or highway which is delayed to the point that:

A. Motor vehicles cannot move through a 100-yard approach corridor to an intersection controlled by a traffic light within two complete green light cycles where the delay in forward movement is due to the position of other motor vehicles; or

B. Motor vehicles cannot move through a 100-yard approach corridor to an intersection controlled by a traffic light within a five-minute period of time where the delay in forward movement is due to the position of other motor vehicles; or

C. Motor vehicles cannot readily move forward on portions of public streets or highways between intersections because traffic speed has slowed to less than five miles per hour, and the delay in movement is due to the position of other motor vehicles.

The determination that a street or highway is congested shall be made by the ranking peace officer on duty in the affected area. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 706 § 1, 1987].

10.66.040 Green light cycle defined.

For purposes of this chapter, a “green light cycle” shall mean the period commencing upon the switching of a red light to a green light through to the return of a red light. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 706 § 1, 1987].

10.66.050 Traffic-control point defined.

For purposes of this chapter, “traffic-control point” shall mean a location along a public street or highway utilized by a peace officer on duty in the affected area as an observation point in order to monitor traffic conditions for potential violations of this chapter. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 706 § 1, 1987].

10.66.060 Warning against cruising.

A peace officer may issue a written notice to any person driving any motor vehicle passing a traffic-control point that any subsequent passage past that traffic-control point within the next succeeding four hours shall be a violation of this chapter. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 706 § 1, 1987].

10.66.070 Violation of this chapter.

Any person who, after having received a written notice as described in RCMC 10.66.060, subsequently drives past the same traffic-control point within a four-hour period shall be in violation of this chapter.

The minimum penalty for a first conviction of cruising is a \$100.00 fine; for a second conviction within one year, a \$200.00 fine; for a third or subsequent conviction within one year, a \$250.00 fine. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 706 § 1, 1987].

10.66.080 Posting of no-cruising zones.

A. This chapter will be enforced in any area which has been posted as a no-cruising zone.

B. No-cruising signs shall be posted at the beginning and end of any public street or highway which is a no-cruising zone. The signs shall reference Section 21100(k) of the California Vehicle Code and this chapter. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 706 § 1, 1987].

Chapter 10.70**STREET RACING**

Sections:

- 10.70.010 Definitions.
- 10.70.020 Violation.
- 10.70.030 Relevant circumstances to prove a violation.
- 10.70.040 Nonapplicability.
- 10.70.050 Penalty for violation.

10.70.010 Definitions.

For purposes of this chapter, the following definitions shall apply:

“Preparations” for any street race or reckless driving exhibition include, but are not limited to, any of the following acts done for the purpose of the street race or reckless driving exhibition:

1. One or more motor vehicles or persons have arrived at a predetermined location;
2. One or more persons have gathered on, or adjacent to, a public street or highway, or gathered in an off-street parking facility;
3. One or more persons have impeded the free public use of a public street or highway or offstreet parking facility by acts, words or physical barriers;
4. One or more vehicles have lined up with engines running;
5. One or more drivers is revving his or her engine or spinning his or her tires; and/or
6. A person is acting as a race starter.

“Present” means a person is within 200 feet of the site of a street race or reckless driving exhibition, or within 200 feet of the site of the preparations for either of these activities.

“Reckless driving exhibition” means any exhibition of reckless driving described in Section 23103 of the California Vehicle Code.

“Spectator” means a person who is present at a street race or reckless driving exhibition, or the site of the preparations for either of these activities, for the purpose of viewing, observing, watching or witnessing either of these activities without regard to the means by which the person arrived.

“Street race” means any motor vehicle speed contest or motor vehicle exhibition of speed defined or described in Section 23109 of the California Vehicle Code. [Ord. 17-2005 § 1].

10.70.020 Violation.

A. It shall be unlawful for any person to be a spectator at a street race or reckless driving exhibition conducted on a public street or highway or offstreet parking facility.

B. It shall be unlawful for any person to be a spectator at the location of preparations for a street race or reckless driving exhibition conducted on a public street or highway or off-street parking facility.

C. Nothing in this section prohibits law enforcement officers or their agents who are acting in the course of their official duties from being spectators at a street race or reckless driving exhibition or spectators at the location of preparations for either of these activities. [Ord. 17-2005 § 1].

10.70.030 Relevant circumstances to prove a violation.

To prove a violation of this chapter, admissible evidence may include, but is not limited to, any of the following:

ITEM 11.1.

Rancho Cordova Municipal Code
Chapter 10.70 STREET RACING

ATTACHMENT 4

Page 52/52

- A. The time of day;
- B. The nature and description of the scene;
- C. The number of people gathered at the scene;
- D. The location of the person charged in relation to any person or group present at the scene;
- E. The number and description of motor vehicles at the scene;
- F. Whether vehicles gathered at the scene are engaged in vehicular stunts and maneuvers; and/or
- G. Whether the individual charged has previously participated in or aided and abetted in a street race. [Ord. 17-2005 § 1].

10.70.040 Nonapplicability.

This chapter does not prohibit members of law enforcement, the medical profession or any other legitimate service provider from being present at a street race or a reckless driving exhibition while in the course of their official duties. [Ord. 17-2005 § 1].

10.70.050 Penalty for violation.

A violation of this chapter shall constitute a misdemeanor. The penalty for a first violation is a \$500.00 fine or imprisonment not to exceed six months, or both. The penalty for each additional violation within one year is a \$1,000 fine or imprisonment not to exceed six months, or both. [Ord. 17-2005 § 1].

5374240.1

ITEM 11.1.

Rancho Cordova Municipal Code
Title 12 STREETS AND SIDEWALKS

ATTACHMENT 4

Page 1/54

Title 12

STREETS AND SIDEWALKS

Chapters:

- 12.01 Definitions**
- 12.03 Street Improvements**
- 12.08 Construction in Streets**
- 12.09 Street Trench Fee**
- 12.12 Obstruction of Corners**
- 12.16 House Numbers on Curbs**
- 12.20 Underground Utility Districts**
- 12.24 Street Numbering System**

Chapter 12.01

DEFINITIONS

Sections:

12.01.010	Generally.
12.01.020	Arterial.
12.01.030	City.
12.01.040	Department.
12.01.050	Director.
12.01.060	Expressway.
12.01.070	Freeway.
12.01.080	Frontage road.
12.01.090	Major addition.
12.01.100	Street, city.
12.01.110	Street improvement.
12.01.120	Thoroughfare.

12.01.010 Generally.

All words used in the singular include the plural, and the plural the singular; each gender includes the other and any tense includes the other tenses unless the context requires otherwise. “Shall” is mandatory and “may” is permissive. The word “includes” shall not limit a term to the specific examples, but is intended to extend its meaning to all other instances or circumstances of like kind or character. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 192 § 4 (part), 1975].

12.01.020 Arterial.

“Arterial” means a highway as shown on the general plan of the Ceity having a normal right of way width of 84-feet constructed consistent with City Standards for street design. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 225 § 1, 1975; SCC 192 § 4 (part), 1975].

12.01.030 City.

“City” means the city of Rancho Cordova. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 192 § 4 (part), 1975].

12.01.040 Department.

“Department” means the Department of Public Works of the Ceity. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 192 § 4 (part), 1975].

12.01.050 Director.

“Director” means the Director of the Department of Public Works or his designated representative. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 192 § 4 (part), 1975].

12.01.060 Expressway.

“Expressway” means a highway in respect to which the owners of abutting lands have no right or easement of access to or from their abutting lands or in respect to which such owners have only limited or restricted right or easement of access. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 192 § (part), 1975].

12.01.070 Freeway.

“Freeway” means a highway as established pursuant to Section 23.5 of the Streets and Highways Code. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 192 § (part), 1975].

12.01.080 Frontage road.

“Frontage road” means a street which is approximately parallel to and adjacent to a major thoroughfare, expressway, freeway, or other important traffic facility to which access is limited and which provides access to abutting properties and separation from through and fast traffic. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 192 § 4 (part), 1975].

12.01.090 Major addition.

“Major addition” includes any of the following: (A) any addition to a residential building or a structure when said addition exceeds 50 percent of the floor area of the existing building; (B) any addition to a commercial or industrial building or structure when said addition exceeds 10 percent of the floor area of the existing building or where any remodeling within such a building or structure will, in the opinion of the Director, result in increased traffic upon the public streets; or (C) where remodeling is undertaken to convert a structure from a residential use to any commercial or industrial use. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1049 § 1, 1996; SCC 311 § 1, 1977; SCC 192 § 4 (part), 1975].

12.01.100 Street, city.

A street, highway, thoroughfare, road, avenue, boulevard, alley, lane, court, circle, drive or way shall not be a City street until and unless said street has been accepted into a street or road system maintained by the City. Streets and roads in public parks, public airports, public schools and similar public grounds shall not be construed to be City streets for the purpose of this chapter. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 192 § 4 (part), 1975].

12.01.110 Street improvement.

“Street improvement” refers to such street work and utilities to be installed or agreed to be installed by a developer on land to be used for public or private streets, highways, ways and easements as are necessary for the general use of the property owners and local neighborhood traffic and drainage needs as condition precedent to the approval and acceptance of the project.

“Street improvement” also refers to such other specific improvements or type of improvements, the installation of which, either by the developer, by public agencies, by private utilities, by any other entity approved by the local agency or by a combination thereof, is necessary or convenient to ensure conformity to or implementation of the general plan of the City. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 192 § 4 (part), 1975].

12.01.120 Thoroughfare.

“Thoroughfare” means a highway as shown on the general plan of the City which has a normal right-of-way width of 110 feet. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 192 § 4 (part), 1975].

Chapter 12.03

STREET IMPROVEMENTS

Sections:

- 12.03.010 Definitions.
- 12.03.020 Requirements.
- 12.03.030 Building permits.
- 12.03.040 Appeals.
- 12.03.050 Time deferments.
- 12.03.060 Notice to install.
- 12.03.070 Security for frontage improvements.
- 12.03.080 Frontage improvement security.
- 12.03.090 Release of improvement security.
- 12.03.095 Calling of security.
- 12.03.110 Filing of plans.
- 12.03.210 Fee structure.
- 12.03.220 Payment.
- 12.03.230 Interest.

12.03.010 Definitions.

“Administrator” means the Public Works Director.

“Chief” means the chief of the building and safety department.

“Commercial property” means all property which is not residential.

“Residential property” means single-family residences and duplexes.

“Street improvement” includes, but is not limited to, streets, curbs, gutters, sidewalks, sanitary sewer facilities, storm drain facilities, water supply facilities, street lighting, and landscaping. [Ord. 38-2007 § 1 (Exh. 1(A), (H)); Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1049 § 3, 1996; SCC 0939 § 1, 1993; SCC 192 § 5 (part), 1975; SCC 504 § 1, 1982].

12.03.020 Requirements.

A. Street improvements shall be required in conjunction with any construction, grading, or related work, including the construction of structures, buildings, or major additions thereto, on property located adjacent to any Ceity street or on property utilizing any Ceity street for ingress and egress, except that such improvements shall be deferred as described in RCMC 12.03.050 for residential property unless:

1. Street improvements are, in the opinion of the Aadministrator, necessary for public safety; or
2. Street improvements would complete the extension of improvements already existing on either side of the subject property.

B. The design, location and specifications of necessary street improvements shall conform to the Ceity of Rancho Cordova improvement standards and standard construction specifications, as adopted by the Ceity Council, and as amended from time to time. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1049 § 3, 1996; SCC 192 § 5 (part), 1975; SCC 504 § 2, 1982].

12.03.030 Building permits.

No building permit for any structure or building or major addition to a building or structure shall be issued until a site plan has been approved by the Aadministrator which shows all street improvements. [Ord. 38-2007 § 1 (Exh. 1(H)); Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1049 § 3, 1996; SCC 0731 § 1, 1988; SCC 192 § 5 (part), 1975].

12.03.040 Appeals.

A. The applicant or any interested person adversely affected by any action relating to the provisions of this title may appeal the action by submitting a written notice of appeal with the Ceity Mmanager within 15 days of the date of the decision. The Ceity Mmanager or his or her designee shall conduct an informal hearing on the appeal within 15 days of receipt of the notice of appeal.

B. The applicant or any interested person may appeal the decision of the Ceity Mmanager by filing a notice of appeal with the Ceity Ceouncil within 15 days of the date of the decision. Any such notice shall be in writing, signed by the appellant under penalty of perjury. The notice shall include the following information:

1. A complete description of the factual basis for the appeal;
2. The legal basis for the appeal; and
3. The remedy sought by the appellant.

If the appeal is not filed within such time or manner, the right to a review of the action against which complaint is made shall be deemed to have been waived.

C. Not later than 30 days following the date of filing an appeal, the Ceity Ceouncil shall conduct a hearing to determine whether street improvements are required. Notice of the date set for hearing shall be mailed to the parties at least 10 calendar days prior to the hearing date.

D. At the hearing, the Ceity Ceouncil may hear any oral or documentary evidence that the appellant may offer in addition to the information in the notice of appeal, together with any oral or written information that may be submitted by Ceity representatives in support of the determination that is the subject of the appeal. [Ord. 38-2007 § 1 (Exh. 1(H)); Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4].

12.03.050 Time deferments.

A. The Aadministrator may defer the requirement of concurrent construction of improvements for commercial properties, or may accept a cash payment in an amount determined by the Aadministrator in lieu of improvements, if the Aadministrator determines that the character of the surrounding neighborhood and the present development thereof does not require the immediate installation and construction of the improvements required by this chapter, as of the time of the construction of the building or structures authorized by the building permit.

B. The Aadministrator may defer the requirement of concurrent construction of improvements for residential properties if the Aadministrator determines that immediate installation and construction of the improvements required by this chapter are not required due to the following:

1. A street design has not been defined for the street on which the subject property is situated;
2. Improvements are installed on less than 50 percent of the public street frontage within a one-quarter mile radius of the proposed new structure(s) or major addition(s); or
3. The cost to install street improvements (including but not limited to grading improvements, landscaping and public utility relocation) would be equal to or greater than 20 percent of the fair market value of the proposed new structure(s) or major addition(s). The property owner has the burden of proof as to the cost of installation.

C. For both commercial and residential properties, the deferral shall not be effective until such time as the owner of the property enters into a deferred improvement agreement with the Ceity. The Aadministrator shall be authorized to execute the agreement on behalf of the Ceity and shall be the agent of the Ceity to perform all acts required of the Ceity respecting the agreement, or its performance, completion or release. The agreement shall be in a form approved by the Ceity Attorney and shall provide all of the following:

1. That the owner install the improvements at his or her own cost;

2. That installation shall occur at such time as the Administrator determines at his or her sole discretion that the character of the surrounding neighborhood and the development thereof require the installation of the improvements;

3. That if the City is required to install the improvements, all costs thereof shall be borne by the owner, shall be paid immediately and shall be a lien upon the property; except that, in cases of undue hardship as determined by the Administrator, the Administrator shall accept a promissory note and deed of trust in lieu of immediate payment; and

4. Such other provisions as in the opinion of the Administrator and City Attorney are administratively necessary or convenient to carry out the purpose and intent of this chapter. [Revised during 2008 codification; Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1049 § 3, 1996; SCC 0796 § 1, 1990].

12.03.060 Notice to install.

When the Administrator determines pursuant to RCMC 12.03.050 that the installation of the improvements is required, he or she shall give 30 days' notice in writing to the owner or his or her successor in interest to install the required improvements. When the Administrator requires the installation of the improvements, the owner or his or her successor in interest shall comply with the provisions of this chapter relating to the approval of improvement plans for the required improvements. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1049 § 3, 1996].

12.03.070 Security for frontage improvements.

This chapter applies to frontage improvements which are required on the approved plans and which are not covered by the Subdivision Map Act (Division 2, Title 7 of the Government Code) and RCMC Title 22. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1049 § 3, 1996].

12.03.080 Frontage improvement security.

A security in the amount of 100 percent of the total estimated costs of the frontage improvements will be required for all projects to guarantee and warranty that the frontage improvements are completed in a timely manner and in accordance with the approved plans and the City's improvement standards. The security shall guarantee and warranty the work for one year following its completion and acceptance against defective work, labor or materials. The estimate of frontage improvement costs will be approved by the Administrator. The security shall be implemented by means of a frontage improvement agreement between the owner and the City. This agreement shall be executed in behalf of the City by the Administrator. The security shall be in the form of a performance bond or other security acceptable to the Administrator. The security and agreement shall be provided to the City prior to improvement plan approval. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1049 § 3, 1996].

12.03.090 Release of improvement security.

The security furnished by the owner shall be released by the administrator upon satisfactory completion of the frontage improvement work. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1049 § 3, 1996].

12.03.095 Calling of security.

In the event that the frontage improvements are not completed in a timely manner, or if the facilities are occupied before the improvements are complete, or if the project is suspended, or if the facilities are left in a condition that is detrimental to the public health and safety, the city may take action to complete the project or to collect unpaid fees and costs by calling the security. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1049 § 3, 1996].

12.03.110 Filing of plans.

Plans for all required improvements, as well as for all additional improvements to be installed in, over or under any existing or proposed right-of-way, easement or parcel, shall be filed with the Administrator for ~~checking~~review.

A. Plans shall be subject to approval by the Administrator prior to the issuance of a building permit for subdivisions and developments not requiring submission of a final subdivision map in accordance with the provisions of RCMC Title 22.

B. The construction of all such improvements as may be approved by the Administrator are subject to his or her inspection to assure compliance with City requirements. The Administrator shall have full jurisdiction over the

inspection of all such construction. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1049 § 3, 1996; SCC 192 § 5 (part), 1975].

12.03.210 Fee structure.

A fee shall be paid to the Ceity for plan checking, inspection, material testing services and other services performed, or authorized to be performed, by the Aadministrator. The fee for all on-site and off-site improvement plans shall be the direct cost incurred by the Ceity based on the hourly rate of personnel. This hourly rate shall include all overhead costs. The fee shall include a processing fee equal to one hour's time of appropriate personnel involved, as well as one-year follow-up inspection fee equal to five hours' time of the appropriate personnel involved, rounded to the nearest dollar. [Ord. 38-2007 § 1 (Exh. 1(H)); Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1147 § 1, 1999; SCC 1049 § 3, 1996; SCC 0792 § 2, 1990; SCC 361 § 1, 1978; SCC 192 § 5 (part), 1975; SCC 464 § 1, 1981].

12.03.220 Payment.

A minimum deposit of \$750.00 shall be paid by the applicant upon submittal of the improvement plans. The balance of the fees charged under RCMC 12.03.210 shall be paid prior to final acceptance of the construction by the Aadministrator. In the event the actual total charges do not exceed the minimum deposit amount, the Ceity shall reimburse the payer the difference between the deposit amount and the actual total charges. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1049 § 3, 1996; SCC 0827 § 1, 1991; SCC 0792 § 3, 1990; SCC 361 § 2, 1978; SCC 329 § 1, 1978; SCC 192 § 5 (part), 1975; SCC 464 § 2, 1981].

12.03.230 Interest.

Interest of one and one-half percent per accounting period (28-day cycle) compounded each accounting period shall be added to the unpaid balance due to any account payable under RCMC 12.03.220 for any unpaid balance on the account which was not paid within 28 days of the date it was billed. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1049 § 3, 1996; SCC 0792 § 4, 1990; SCC 329 § 2, 1978].

Chapter 12.08

CONSTRUCTION IN STREETS

Sections:

12.08.005	Title.
12.08.010	Definitions.
12.08.020	Permit required.
12.08.030	Permit fees.
12.08.040	Filing of plan.
12.08.050	Compliance with permits.
12.08.060	Refilling upon completion.
12.08.070	Deposit.
12.08.080	Waiver of deposit.
12.08.090	General deposit.
12.08.100	Refusal to refill excavation.
12.08.110	Exemptions.
12.08.120	Permit nontransferable.
12.08.130	Emergency excavation.
12.08.140	City liability.
12.08.150	Abatement proceedings.
12.08.160	Penalty and cost of enforcement.

12.08.005 Title.

This chapter shall be known as the construction in streets ordinance. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1101 § 2, 1998].

12.08.010 Definitions.

For purposes of this chapter, “obstruction” shall be defined as any activity or structure, temporary or permanent, encroaching into the road right-of-way excepting utility poles or pole lines placed upon the unimproved portion of the highway.

For purposes of this chapter, “person” includes any individual, firm, partnership, association, corporation, public district or other political subdivision.

For purposes of this chapter, “Road Commissioner” means the Public Works Director. [Ord. 38-2007 § 1 (Exh. 1(H)); Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1101 § 2, 1998; SCC 421 § 1, 1952].

12.08.020 Permit required.

It is unlawful for any person to lay, construct or maintain any pipes, drain, or conduit across, along or on any street, road or highway in the City, or to make any excavation or cut or obstruction therein for such purposes without first obtaining a permit from the Road Commissioner to do so in the manner herein provided. Every applicant shall state in detail the following information:

A. The location, dimension, purpose, extent and nature thereof;

B. The time during which it is estimated that the excavation or obstruction will exist;

C. Such other information as may be required by the Road Commissioner. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1101 § 2, 1998; SCC 421 § 2, 1952].

12.08.030 Permit fees.

A minimum processing fee of \$75.00 or such other amount as may be established by resolution of the City Council shall be paid for permits prior to permit issuance, except where a continuous billing account has been established. Additional costs incurred by the Rancho Cordova Public Works Department for processing and inspection shall be billed to the permittee on a time and material basis, based upon the prevailing Public Works

Department rates in effect at the time of permit processing. [Ord. 38-2007 § 1 (Exh. 1(H)); Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1101 § 2, 1998; SCC 421 § 3, 1952].

12.08.040 Filing of plan.

Every applicant for a permit hereunder shall file with the application a plan showing the street or highway in which the proposed excavation will be made, together with the approximate locations and dimensions of the proposed excavations or obstructions. When excavations are made for service connections or for the repair of trouble in conduits or other pipes, or for culverts or drainage pipes under driveways, the Road Commissioner may waive the filing of a plan. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1101 § 2, 1998; SCC 421 § 4, 1952].

12.08.050 Compliance with permits.

Any act done under the authority of a written permit issued pursuant to the provisions of this chapter shall be done in accordance with the terms and conditions of such permit. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1101 § 2, 1998; SCC 421 § 5, 1952].

12.08.060 Refilling upon completion.

Immediately upon completion of the work necessitating the excavation or obstruction permitted by the permit issued hereunder, the permittee shall, at his or her own cost and expense, promptly and in a workmanlike manner refill the excavation or remove the obstruction. All excavations shall be refilled in a manner consistent with then-applicable City standard specifications and the specific terms and conditions contained in the permit. Upon completion of the refilling of the excavation, the Road Commissioner shall require the permittee to resurface that portion of the street or highway damaged by the permittee's excavation or obstruction. The resurfacing shall be done in accordance with the standard specifications prescribed by the City Council for the repair and resurfacing of City streets. [Ord. 38-2007 § 1 (Exh. 1(H)); Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1101 § 2, 1998; SCC 421 § 6, 1952].

12.08.070 Deposit.

Except as hereinafter provided, the Road Commissioner shall require the applicant to deposit a sum of money sufficient in the opinion of the Road Commissioner to cover the total cost of refilling any excavation and proper restoration of the highway as required hereunder. If the work of refilling the excavation is in accordance with the requirements of RCMC 12.08.060 and the restoration of the highway is completed in accordance with the standards herein prescribed, the deposit shall be returned to the permittee at the expiration of 180 days from the completion of work. If during such time the refilled excavation settles, or if the resurfacing or restoration of the highway disintegrates or develops ruts or holes, the Road Commissioner shall require the permittee to repair or resurface the highway to eliminate all ruts and holes therein. If the permittee fails or refuses to do such work, the Road Commissioner shall do the work required, and pay the cost thereof out of the deposit. If the deposit is insufficient for this purpose the deficiency shall be charged to the permittee. If the permittee fails or refuses to pay such a deficiency upon demand, the City may recover the same by an action in any court of competent jurisdiction. Until the deficiency is paid in full no new permits shall be issued to such permittee. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1101 § 2, 1998; SCC 421 § 7, 1952].

12.08.080 Waiver of deposit.

The Road Commissioner may waive a special deposit whenever in his or her opinion the proposed excavation or obstruction is of a minor nature or other suitable security is provided. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1101 § 2, 1998; SCC 421 § 8, 1952].

12.08.090 General deposit.

In lieu of making a special deposit required by RCMC 12.08.070, the applicant may make and maintain with the Road Commissioner a general deposit in an amount estimated by the Road Commissioner to be sufficient to pay for the cost of any expected repairs occasioned by any excavation or obstruction authorized by any permit issued hereunder to the applicant, but not to exceed \$25,000. The general deposit shall be held and used for the same purposes as the special deposit required herein. The deposit shall be a corporate surety bond or other corporate bond acceptable to the road commissioner, cash, certified check or cashier's check payable to the City; provided, however, the maintenance of a general deposit does not relieve an applicant from making application for every proposed excavation or obstruction, but more than one proposed excavation or obstruction may be included in one application. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1101 § 2, 1998; SCC 421 § 9, 1952].

12.08.100 Refusal to refill excavation.

If the permittee fails or refuses to refill any excavation as required by RCMC 12.08.060 or remove any obstruction which he or she has placed upon the highway or fails and refuses to restore or resurface that portion of the surface of the highway damaged by him or her in accordance with the standards herein prescribed, the Road Commissioner may do such refilling and resurfacing and pay the cost thereof out of the deposit made by the permittee. The deposit shall also be used to maintain the work for a period of 180 days after completion thereof. If the amount of the deposit is not sufficient to cover the cost of the work and the maintenance thereof, the deficiency shall be charged to the permittee. If the permittee fails or refuses to pay the deficiency upon demand, the City may recover the same by an action in any court of competent jurisdiction. Until the deficiency is paid in full no new permits shall be issued to such permittee. In lieu of such deductions the Road Commissioner may bill such person for the amount owed by him or her to the City. If such amount is not paid within 15 days of the rendition of the bill, the Road Commissioner may deduct the amount from the general deposit as herein provided. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1101 § 2, 1998; SCC 421 § 10, 1952].

12.08.110 Exemptions.

No deposit shall be required of any public district, public utility, or political subdivision (as provided in Section 1468 of the California Streets and Highways Code) which is authorized by law to establish or maintain works or facilities in, under or over any public highway, nor shall the application of any such governmental unit be denied except as hereinafter provided. Every such applicant shall be entitled as a matter of right to a permit but shall otherwise be subject to the provisions of this chapter. The Road Commissioner shall have the right to deny a permit to such applicant where the applicant has failed to comply with the provisions of this chapter relating to the refilling of excavations, removing or relocating obstructions or the resurfacing or restoration of any highway, and the maintenance thereof, under any previous permit. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1101 § 2, 1998; SCC 421 § 11, 1952].

12.08.120 Permit nontransferable.

All permits issued hereunder shall be nontransferable and the work authorized by the permit must commence within 30 days of issuance thereof, and must be completed within the time estimated in the application. The Road Commissioner may grant a reasonable extension when the work has been unavoidably delayed without fault of the permittee. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1101 § 2, 1998; SCC 421 § 12, 1952].

12.08.130 Emergency excavation.

Nothing herein contained shall prohibit any person from making such excavation as may be necessary for the preservation of life or property when such necessity arises if the person making the excavation promptly notifies the Road Commissioner of any such action. Any person making such excavation shall refill the excavation in accordance with the standards prescribed by this chapter that would be applicable if a permit was received. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1101 § 2, 1998; SCC 421 § 13, 1952].

12.08.140 City liability.

The issuance of a permit hereunder shall not be construed as imposing any liability upon the City or upon any of its officers or employees by reason of damage or injury to persons or property resulting from any excavation or obstruction authorized by the permit. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1101 § 2, 1998].

12.08.150 Abatement proceedings.

Any activity contrary to the provisions of this chapter or contrary to an encroachment permit or the terms or conditions imposed therein is unlawful and a public nuisance, and the Road Commissioner is authorized to commence in the name of the city actions or proceedings for the abatement and removal and enjoining thereof in the manner provided by law, and shall take such other steps and shall apply to such court or courts as may have jurisdiction to grant such relief as will abate and remove such operation and restrain and enjoin any person, firm or corporation from so operating. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1101 § 2, 1998].

12.08.160 Penalty and cost of enforcement.

A. Any person violating the provisions of this chapter or any encroachment permit issued pursuant to this chapter is guilty of a misdemeanor.

B. In addition to any other remedies available at law, any person violating the provisions of this chapter or any encroachment permit issued pursuant to this chapter shall be liable to the Ceity for all expenses and damages caused by any such violation.

C. 1. In addition to any other remedies provided by this chapter or state law, there are hereby imposed the following administrative civil penalties for each violation of this chapter or the terms and conditions of any encroachment permit issued pursuant to this chapter:

a. Any person initiating work within the public road right-of-way without obtaining an encroachment permit shall be subject to and responsible for a fine in the amount of \$2,500 for a first violation, \$5,000 for a second violation, or \$10,000 for a third or subsequent violation.

b. Any person in possession of a valid encroachment permit that initiates work within the public road right-of-way, but fails to provide notification for inspection as required by the permit, shall be subject to and responsible for a fine in the amount of \$1,000 for a first violation, \$2,500 for a second violation, or \$5,000 for a third or subsequent violation.

2. Whenever the Road Ceommissioner determines that an encroachment violates the provisions of this chapter, or the terms and conditions of any encroachment permit issued pursuant to this chapter, the road commissioner shall give written notice of such violation to the alleged violator. The notice shall include the following information:

a. The street address, legal description or other description sufficient to identify the affected property.

b. The penalty imposed as a result of such violation.

c. A statement that the party affected may file a written request for hearing with the Road Ceommissioner if it objects to imposition of the penalty.

d. A statement that the penalty imposed shall be enforced if the party fails to file a timely written request for a hearing.

3. Notice of any administrative civil penalty shall be served either personally or by mailing a copy of such notice by certified mail, postage prepaid, return receipt requested, to the alleged violator. Service shall be effective for all purposes upon receipt if personally served, or within five days of mailing as herein provided. Proof of service of the notice shall be certified at the time of service by a written declaration under penalty of perjury executed by the person effecting service, declaring the time, date, and manner in which service was made. The declaration, together with any receipt card returned in acknowledgment of receipt by certified mail, shall be affixed to the copy of the notice retained by the Road Ceommissioner. The failure of a party to receive such notice shall not affect in any manner the validity of any proceedings taken pursuant to this chapter.

4. a. A written request for a hearing must be received by the Road Ceommissioner within seven days of the effective date of service of the notice. The Road Ceommissioner shall set a time and date for the hearing and notify the party requesting the hearing in writing of the time, date and place of the hearing. The hearing shall be before a hearing officer designated by the Road Ceommissioner.

b. The hearing shall be held at the earliest administratively convenient date, taking into consideration the availability of counsel and witnesses. Notice of the date set for hearing shall be mailed to the parties at least 10 calendar days prior to the hearing date. The alleged violator shall be entitled to appear personally, produce evidence, and be represented by counsel. At the hearing, the county shall have the burden of going forward first with evidence in support of the allegations contained in the order imposing penalties and shall have the burden of establishing the facts by a preponderance of the evidence. The hearing officer may administer oaths and take official notice of facts as authorized by law.

c. Oral evidence shall be taken only on oath or affirmation.

d. Each party shall have the following rights: to call and examine witnesses; to introduce exhibits; to cross-examine opposing witnesses on any matter relevant to the issues even though that matter was not

covered in the direct examination; to impeach any witness regardless of which party first called him or her to testify; and to rebut the evidence against it.

e. The hearing need not be conducted according to technical rules relating to evidence and witnesses. Any relevant evidence shall be admitted if it is the sort of evidence on which responsible persons are accustomed to rely in the conduct of serious affairs, regardless of the existence of any common law or statutory rule which might make improper the admission of such evidence over objection in civil actions. Hearsay evidence may be used for the purpose of supplementing or explaining other evidence but shall not be sufficient in itself to support a finding unless it would be admissible over objection in civil actions. The rules of privilege shall be effective to the extent that they are otherwise required by statute to be recognized at the hearing, and irrelevant and unduly repetitious evidence shall be excluded.

f. The order of the hearing officer shall be in writing resolving the essential issues raised and confirming, amending or rejecting the administrative civil penalty imposed by the ~~R~~oad ~~C~~ommissioner. Procedures concerning notice and service thereof shall be as provided herein.

5. The manner of contesting the final order of the hearing officer concerning any administrative civil penalty is governed by Section 53069.4 of the Government Code, or any successor provision thereto. A copy of the notice of appeal authorized by Section 53069.4 of the Government Code shall be served upon the ~~clerk of the city-~~
~~council~~City Clerk.

D. Each party violating any provision of this chapter or any encroachment permit issued pursuant to this chapter shall be guilty of a separate offense for each and every day on which any such violation is committed, continued, or permitted by any such person.

E. In addition to any penalty, sanction, fine or imprisonment, any person violating the provisions of this chapter or any encroachment permit issued pursuant to this chapter shall be required to pay any and all expenses of enforcement, including those costs necessary to inspect, remove and/or correct the violation. In addition to all remedies herein contained, the ~~C~~eity may pursue all reasonable and legal means in collecting those sums authorized and due. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1101 § 2, 1998].

Chapter 12.09

STREET TRENCH FEE

Sections:

- 12.09.010 Title.
- 12.09.020 Definitions.
- 12.09.030 Trench restoration fee.
- 12.09.040 Establishment of fund.
- 12.09.050 Relocation of utilities required by city.
- 12.09.060 Permit violations.
- 12.09.070 Pavement condition index ratings.
- 12.09.080 Pavement life performance warranty.
- 12.09.090 Repair of sunken pavement over excavation.
- 12.09.100 Publicly bid city plans, field changes and blanket permits.
- 12.09.110 Coordination of excavations.
- 12.09.120 Moratorium.
- 12.09.130 Excavation within moratorium period.
- 12.09.140 Joint excavation.
- 12.09.150 Nontransferability of pavement life warranty.
- 12.09.160 Appeal.
- 12.09.170 Severability.

12.09.010 Title.

This chapter shall be known as the street trench fee ordinance. [Ord. 17-2006 § 1; Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4].

12.09.020 Definitions.

For purposes of this chapter, the following definitions apply:

“Applicant” shall mean any owner who has submitted an application for a permit to excavate.

“Chapter” shall mean Chapter 12.09 RCMC.

“City” shall mean the Ceity of Rancho Cordova.

“City street” shall mean any public highway, road, street, avenue, alley, lane, drive, way, place, court or trail which has been accepted, or is hereafter accepted, by the Ceity of Rancho Cordova into the city road system pursuant to Section 1806 of the California Streets and Highways Code.

“Department” shall mean the Public Works Department.

“Director” shall mean the Public Works Director or his or her designee.

“Excavation” shall mean any opening in the paved surface or subsurface of the public right-of-way.

“Facility” or “facilities” shall mean any and all cables, cabinets, ducts, conduits, converters, equipment, drains, handholds, manholes, pipes, pipelines, splice boxes, surface location markers, tunnels, utilities, vaults, wells, and other appurtenances or tangible things that are located or are proposed to be located in the public right-of-way.

“Owner” shall mean any person, including any agency, department, or subdivision of the Ceity, who owns any facility or facilities that are or are proposed to be installed or maintained in the public right-of-way.

“Permit” or “permit to excavate” shall mean a permit to perform an excavation as it has been approved or may be amended or renewed by the Department.

“Person” shall mean any natural person, corporation, partnership, or any governmental agency, department, or subdivision of the county, or the state of California, or the United States of America.

“Public right-of-way” shall mean the paved area across, along, beneath, in, on, over, under, upon, and within the Ccity streets, as they now exist or hereafter will exist and which are or will be under the permitting jurisdiction of the Public Works Department.

“Resurfacing” shall mean any repaving, overlay, seal or reconstruction which constructs a new pavement surface of greater than one inch thickness over the entire width of the street, excluding crack seals, not including micropaving, Class 1 to 3 slurry seals, cape seals, and chip seals.

“Trench influence area” shall mean an area three feet adjacent to the trench where the excavation occurs for trenches with four feet or greater of cover over the utility facility from the paved surface, and one and one-half feet adjacent to the trench where the excavation occurs for trenches with less than four feet of cover over the utility facility from the paved surface. [Ord. 17-2006 § 1; Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4].

12.09.030 Trench restoration fee.

At the time any permit is issued, improvement plan approved, or work performed that causes an excavation of a paved city street, the applicant shall pay a trench restoration fee in addition to the fee required by the encroachment permit or other administrative fees. The fee shall be in the amount set forth on the trench cut fee schedule established by resolution of the Ccity Council. A trench restoration fee shall not be required for the following excavations:

A. In a Ccity street that the Ccity has scheduled for resurfacing either during the fiscal year (July 1st through June 30th) when the excavation permit is issued or during the immediately following fiscal year;

B. In a Ccity street where the pavement condition index (PCI), as defined by the Ccity’s pavement management system, is less than 25 on the date the excavation permit is issued;

C. For work performed by and for the Ccity Public Works Department;

D. For potholing to verify utility depth or location;

E. Where work will include resurfacing of all or a significant portion of the Ccity street where the excavation is made; provided, that the Director approves the resurfacing;

F. Made for a utility relocation required by the Ccity to accommodate a proper governmental use of a Ccity street;

G. For owners possessing a valid pavement life performance warranty agreement with the Ccity as set forth in RCMC 12.09.080;

H. Trenchless excavations greater than three feet in depth of cover over the utility facility not requiring a significant surface incision greater than industry bore pit standards may be excluded at the discretion of the Director. [Ord. 6-2010 § 7; Ord. 17-2006 § 1; Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4].

12.09.040 Establishment of fund.

All monies paid to the Ccity pursuant to RCMC 12.09.030 shall be deposited in a special fund or funds and shall be expended only for the resurfacing, maintenance, administration, and protection of Ccity streets where excavation has occurred after the effective date of adoption of the ordinance codified in this chapter. [Ord. 17-2006 § 1; Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4].

12.09.050 Relocation of utilities required by Ccity.

No fee or requirement authorized or imposed pursuant to this chapter shall be construed to affect or alter in any way any obligation of public and private utilities with facilities installed in any Ccity street to relocate the facilities at no cost to the Ccity, in the event that relocation is required by the Ccity to accommodate a proper governmental use of the Ccity street. [Ord. 17-2006 § 1; Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4].

12.09.060 Permit violations.

No person who has violated any provision of this chapter shall be issued an excavation permit, nor shall any contractor or agent apply for or be issued an excavation permit on such person's behalf, until the outstanding violation is corrected or a plan for correction is approved by the director. The foregoing requirement is in addition to any penalty or remedy for violation that may be imposed or sought by the Ceity at law or equity. [Ord. 17-2006 § 1; Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4].

12.09.070 Pavement condition index ratings.

The Ceity shall perform periodic pavement condition surveys of all Ceity streets and determine the pavement condition index (PCI) rating for each street. A PCI rating shall be assigned to discrete blocks of a street. The PCI report shall be made available for public review at the permit counter. [Ord. 17-2006 § 1; Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4].

12.09.080 Pavement life performance warranty.

In lieu of paying a trench restoration fee required by RCMC 12.09.030, an owner who has a valid franchise agreement with the Ceity or is statutorily exempt from franchise requirements shall provide a written pavement life performance warranty in a form acceptable to the Ceity. The warranty shall provide that in the event that subsurface material or pavement over or within the trench influence area becomes depressed, broken, or otherwise fails at any time after the excavation has been completed until such time as the street surface is completely resurfaced with a structural overlay, the owner who performed the trench cut shall repair or restore such condition pursuant to the procedure set forth in RCMC 12.09.090. In the event that an owner who has a valid franchise agreement with the Ceity or is statutorily exempt from franchise requirements fails or refuses to provide a written pavement life performance warranty, such owner shall pay the trench restoration fee set forth in the fee schedule adopted by resolution of Ceity Council. [Ord. 6-2010 § 8; Ord. 17-2006 § 1; Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4].

12.09.090 Repair of sunken pavement over excavation.

If the subsurface material or pavement over or within the trench influence area becomes depressed or broken at any time within two years after the excavation has been completed and accepted and before resurfacing of the Ceity street, where the owner has paid a trench restoration fee pursuant to RCMC 12.09.030, or at any time prior to such time as the street surface is completely resurfaced with a structural overlay, where the owner has provided a pavement life performance warranty pursuant to RCMC 12.09.080, the owner shall, upon written notice from the director, immediately inspect the depressed or broken area to ascertain the cause of the failure. The owner shall make repairs to the installation or backfill and have the pavement restored in the manner and within the time period specified by the Director. Additional inspection permit fees may be imposed as appropriate. A trench restoration fee shall not be charged for work performed under this section. If the pavement is not restored as specified by the Director, unless delayed by conditions beyond the owner's control, the Director may cause the work to be done after giving the owner 24 hours' final notice. The cost thereof, including any inspection costs and administrative overhead incurred by the Ceity, shall be assessed against the owner. The owner shall remain responsible for any future repairs of that portion of pavement over the excavation that was repaired by the Ceity for a period of two years, where the owner has paid a trench restoration fee pursuant to RCMC 12.09.030, or at any time prior to such time as the street surface is completely resurfaced with a structural overlay, where the owner has provided a pavement life performance warranty pursuant to RCMC 12.09.080. [Ord. 17-2006 § 1; Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4].

12.09.100 Publicly bid city plans, field changes and blanket permits.

Publicly bid city plans, field changes that alter the square footage of the trench surface area and blanket permits issued by the Director to any owner to make excavations for utility service connections, for the location of trouble in utility conduits or pipes and for making repairs thereto, or for emergency purposes shall be subject to all fees and requirements of this chapter. The owner shall report the amount of excavation to the permit counter and pay the required fees. Failure to report the excavation and pay the required fees shall be considered a permit violation pursuant to RCMC 12.09.060. [Ord. 17-2006 § 1; Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4].

12.09.110 Coordination of excavations.

Any owner installing facilities providing water, sewer, storm water drainage, gas, electric, communication, video or other utility services in city streets shall participate in the American Public Works Association ("APWA") Utility Committee and prepare a utility master plan, in a format specified by the APWA Utility Committee, that shows all of the owner's planned major utility work in city streets for the upcoming year. Prior to applying for an excavation

permit, any owner planning to excavate in Ccity streets shall coordinate, to the extent practicable, with other owners to minimize damage to, and avoid undue disruption and interference with, the public use of Ccity streets. [Ord. 17-2006 § 1; Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4].

12.09.120 Moratorium.

Excavation in newly renovated Ccity streets is prohibited for five years after filing of a notice of completion or acceptance of a new street or structural overlay of an entire street except as follows:

A. Emergency which endangers life or property.

B. Repair or modification to prevent interruption of essential utility service.

C. Relocation work that is mandated by Ccity, county, state or federal legislation.

D. Service for buildings where no other reasonable means of providing service exists, as determined by the Director.

E. In a Ccity street that the Ccity has scheduled for resurfacing either during the fiscal year (July 1st through June 30th) when the excavation permit is issued or during the immediately following fiscal year and the work takes place prior to the resurfacing.

F. For potholing to verify utility depth or location.

G. Trenchless excavations greater than three feet in depth of cover over the utility facility not requiring a significant surface incision greater than industry bore pit standards may be allowed at the discretion of the Director.

H. Other situations deemed by the Director to be in the best interest of the general public. [Ord. 17-2006 § 1; Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4].

12.09.130 Excavation within moratorium period.

Where a permit is issued to excavate during the five-year period after filing of a notice of completion or acceptance of a new street or structural overlay of an entire street, payment of the trench restoration fee in the fee schedule adopted by resolution of the Ccity Council will be required regardless of whether the owner has executed a pavement life performance warranty. [Ord. 6-2010 § 9; Ord. 17-2006 § 1; Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4].

12.09.140 Joint excavation.

Whenever applicants propose major work in the same block, the department shall condition permits for such work in a manner that maximizes coordination and minimizes the total period of construction. Such work may be conditioned to require the applicants to participate in a single excavation and pay their pro rata share of the work. Applicants may seek a waiver of the joint excavation requirements with respect to a particular excavation. Within 30 calendar days of receipt of a written request for a waiver, the Director shall render a decision upon such a request, taking into account the impact of the proposed excavation on the neighborhood, the applicant's need to provide services to a property or area, facilitating the deployment of new technology as directed pursuant to official Ccity policy, and the public health, safety, welfare, and convenience. [Ord. 17-2006 § 1; Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4].

12.09.150 Nontransferability of pavement life warranty.

Pavement life warranty agreements are not transferable or assignable. [Ord. 17-2006 § 1; Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4].

12.09.160 Appeal.

A person directly and adversely affected by a decision made by the Director pursuant to the provisions of this chapter may appeal the Director's decision by filing a written notice of appeal with the Ccity Manager no later than 10 working days after receiving notice of the Director's decision. The notice of appeal shall set forth the name, mailing address, and telephone number of the person appealing. The notice of appeal shall include or attach a statement describing the action being appealed, setting forth the grounds for the appeal, and describing the action requested of the Ccity Manager. The scope of the appeal shall be limited to the grounds specified in the notice of

ITEM 11.1.

Rancho Cordova Municipal Code
Chapter 12.09 STREET TRENCH FEE

ATTACHMENT 4

Page 17/54

appeal. No later than 30 days after the filing of a timely notice of appeal, the Ceity Manager shall render a decision on the appeal. The Ceity Manager's decision may affirm, reverse or modify the decision appealed. A copy of the Ceity Manager's decision shall be provided to the person appealing at the address shown on the notice of appeal. The Ceity Manager's decision shall be final. [Ord. 17-2006 § 1; Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4].

12.09.170 Severability.

Should any part of this chapter be declared invalid by a court of competent jurisdiction, the remaining provisions of this chapter shall remain in force and effect. [Ord. 17-2006 § 1; Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4].

Chapter 12.12

OBSTRUCTION OF CORNERS

Sections:

- 12.12.010 Obstructions at public street intersections and intersection elbows.
- 12.12.020 Obstructions at private driveways and public streets.
- 12.12.030 Street right-of-way line defined.
- 12.12.040 Exceptions.
- 12.12.050 Enforcement.
- 12.12.060 Scope.

12.12.010 Obstructions at public street intersections and intersection elbows.

It is unlawful to install, set out or maintain or to allow the installation, setting out or maintenance on property at any corner formed by intersecting streets or intersection elbows within the City of Rancho Cordova any sign, hedge, shrubbery, natural growth, fence or other obstruction to the view, higher than two feet, six inches above either the nearest pavement surface or the nearest traveled roadway (where there is no pavement) within that triangular area between the street right-of-way lines and a diagonal line joining points on the street right-of-way lines 20 feet from the point of their intersection or, in the case of rounded corners, the triangular area between the tangents to the curve and a diagonal line joining points on the tangent 20 feet from the point of their intersection. In the case of intersection elbows, 40-foot lengths instead of 20-foot lengths are applicable. The tangents referred to are those at the beginning and at the end of the curve at the corner. [Ord. 38-2007 § 1 (Exh. 1(A)); Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 0777 § 1, 1989, SCC 399 § 1, 1979; SCC 785 § 1, 1962].

12.12.020 Obstructions at private driveways and public streets.

It is unlawful to set out, install or maintain, or to allow the setting out, installation, or maintenance of any sign, hedge, structure, natural growth, fence, or other obstruction to the view higher than two feet, six inches above the nearest pavement surface (or traveled area where no pavement exists) on property adjacent to any private road or driveway intersecting a public street, within a triangular area formed by the edge of the driveway, the street right-of-way line, and a line connecting two points, one of which is on the right-of-way line 10 feet from the edge of the driveway, and the other of which is on the edge of the driveway 10 feet back of the right-of-way line measured perpendicular to the right-of-way line in a direction away from the street. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 399 § 2, 1979; SCC 1045 § 1, 1969; SCC 785 § 2, 1962].

12.12.030 Street right-of-way line defined.

Where the street right-of-way line is nearer to the centerline of the street than any existing sidewalk, the street right-of-way line shall be assumed to be coincidental with the back edge of the sidewalk for determining the triangular area for which this chapter controls obstructions to visibility. Where there is no sidewalk but the street right-of-way line is nearer to the centerline of the highway than any existing curb and gutter, the street right-of-way line shall be assumed to be coincidental with the back edge of the curb and gutter for determining the triangular area for which this chapter controls obstructions to visibility. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 785 § 3, 1962].

12.12.040 Exceptions.

The foregoing provisions shall not apply to the following:

- A. Permanent buildings;
- B. Public utility poles;
- C. Trees trimmed to the trunk so as to provide a clear open space between pavement grade and a plane six feet higher, pavement grade being defined as either:
 - 1. The nearest pavement surface; or

2. The nearest traveled roadway (where there is no pavement);

D. Saplings;

E. Fences of a type which in no way obstruct vision;

F. Supporting members of appurtenances to permanent buildings existing on October 31, 1962;

G. Official signs or signals;

H. Places where the contour of the ground is such that there can be no cross-visibility at the intersection;

I. Signs mounted so as to provide a clear, open space (except for supporting members) of 10 feet or more above the ground and whose supports do not constitute an obstruction as defined in RCMC 12.12.020;

J. Fences as may be required by the Federal Housing Administration or other home mortgage lending agency within subdivision corner lots as defined in RCMC Title 22, which have rear yards contiguous to a highway designated by the Department of ~~public~~ Public Works as a major highway with 100 feet of right-of-way, or designated by the Department of Public Works as a major arterial with 80 feet of right-of-way or a frontage road;

K. Any passenger motor vehicle not to exceed six feet in height parked either temporarily or on display for sale on property zoned other than residential single-family, residential multiple-family or on other residential property. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 811 § 1 (part), 1963; SCC 785 § 4, 1962].

12.12.050 Enforcement.

A. This chapter shall be enforced by the ~~D~~epartment of ~~P~~ublic ~~W~~orks of the ~~C~~eity. The ~~D~~irector of the ~~D~~epartment of ~~P~~ublic ~~W~~orks or his authorized representative may investigate violations of this chapter, give such notices as may be required to carry out this chapter, and perform such other duties in connection with the enforcement of this chapter as may be appropriate.

B. Remedies. Any obstruction maintained in violation of this chapter may be deemed a public nuisance, and upon failure to abate the same within 15 days after posting upon the premises of a notice to abate the nuisance signed by the public works director, or his authorized representative, and after sending a copy of the notice to abate by registered mail addressed to the owner of record, as shown on the most recent assessment roll of the ~~C~~ounty of Sacramento, to the address as shown on the assessment roll, the director, or his authorized representative, may enter upon the premises and remove or eliminate the obstruction. In such event, the cost to the ~~C~~eity of the abatement of the nuisance shall be a lien upon the premises. The cost of such abatement shall, in addition, be a personal obligation against the owner of the premises upon which the nuisance was maintained, recoverable by the ~~C~~eity in an action before any court of competent jurisdiction. [Ord. 38-2007 § 1 (Exh. 1(H)); Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 0777 § 2, 1989; SCC 785 § 5, 1962].

12.12.060 Scope.

No obstruction to cross-visibility shall be deemed to be excepted from the application of this chapter because of its being in existence at the time of the adoption hereof, unless expressly exempted by the terms of RCMC 12.12.040. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 785 § 7, 1962].

Chapter 12.16

HOUSE NUMBERS ON CURBS

Sections:

- 12.16.010 Permit required.
- 12.16.020 Other requirements.
- 12.16.030 Applications.
- 12.16.040 Prior approval required.
- 12.16.050 Standards.
- 12.16.060 Liability.
- 12.16.070 Conditions.
- 12.16.080 Employee list.
- 12.16.090 Cancellation.
- 12.16.100 Appeal.
- 12.16.110 Penalty.

12.16.010 Permit required.

It is unlawful for any person to paint or cause to be painted any house numbers on street curbs within the City of Rancho Cordova without a valid permit issued as provided in this chapter. As used in this section, the words “paint” or “cause to be painted” include any means by which house numbers are affixed or applied to a street curb, including but not limited to paint of any kind applied in any manner and decals of any type which are designed to adhere to a street curb. As used in this chapter, “person” means any natural person, firm, association, joint venture, joint stock company, partnership, club, company, corporation, business trust, or organization of any kind. [Revised during 2008 codification; Ord. 38-2007 § 1 (Exh. 1(A)); Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 174 § 1 (part), 1974].

12.16.020 Other requirements.

No permit shall be issued to any person intending to charge a fee or solicit contributions until he has obtained either a business license or a charitable solicitations permit, or both, in accordance with the requirements of this code, depending upon whether a business license or charitable solicitations permit, or both, are required. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 174 § 1 (part), 1974].

12.16.030 Applications.

To obtain a permit pursuant to the requirements of this chapter, an application shall be filed with the Department of Public Works containing the following information:

- A. The location or area in which the applicant intends to paint house numbers on curbs;
- B. The specific days on which the applicant intends to paint curbs;
- C. Such other relevant information as is determined to be necessary by the Department of Public Works. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 174 § 1 (part), 1974].

12.16.040 Prior approval required.

Prior to painting house numbers, the permit holder shall obtain the written consent of an adult occupant of the abutting property. The form used for obtaining consent shall also specify the exact fee or donation which is expected to be paid. The silence of the occupant or the failure or omission of any occupant to complete or sign the form or to in any other manner indicate consent or refusal to have house numbers painted on the curb shall not constitute consent or in any way be relied on by the permit holder as indicating consent. No person other than an adult occupant who has consented in writing shall have any responsibility for payment of the fee or donation. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 174 § 1 (part), 1974].

12.16.050 Standards.

The Department of Public Works shall establish standards which shall govern the appearance of house numbers on curbs and the manner in which they may be applied, including but not limited to standards relating to the size, color and location of the numbers and the materials used to apply the numbers. The standards shall be provided in

writing to every person to whom a permit is issued and the permit holder shall sign a copy of the standards which includes a statement indicating that the permit holder has read and understands the standards and will follow them in applying curb numbers. The signed copy shall be retained in the department's files relating to the applicant. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 174 § 1 (part), 1974].

12.16.060 Liability.

The issuance of a permit hereunder shall not be construed as imposing any responsibility or liability on the Ceity or any of its officers or employees for claims for property damage or personal injury in any way arising out of, or relating to, the house number painting activities of the permit holder. It is unlawful for the permit holder to in any way represent or imply to anyone that the permit holder is a representative, or is acting for or on behalf of, the Ceity or any other public agency in offering to paint house numbers on curbs. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 174 § 1 (part), 1974].

12.16.070 Conditions.

The issuance of a permit pursuant to this chapter shall be conditioned on compliance by the applicant with all of the provisions of this chapter and shall be subject to any special conditions which the Ddepartment of Ppublic Wworks determines to be necessary for the purpose of protecting the condition and use of Ceity rights-of-way and the public improvements located thereon and the health, safety and general welfare of the property owners abutting on the rights-of-way on which the applicant intends to paint house numbers. Such special conditions may include, but are not limited to, limits on the hours during which the permit holder may solicit orders and the hours during which the house number painting activity may take place and a permit expiration date which shall be not later than the sixtieth day following the date on which the permit is issued. It is unlawful for the permit holder or any employee or representative of the permit holder to solicit orders or engage in house number painting activities in violation of any such special conditions. Special conditions applicable to a permit shall be specified in writing on the permit or in a written attachment thereto. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 174 § 1 (part), 1974].

12.16.080 Employee list.

Before issuance of any permit, the applicant shall file with the Ddepartment of Ppublic Wworks a list of the names and addresses of all persons who will be in the employ of, or act as representatives of, the permit holder for the purpose of carrying on the activities authorized by the permit. The permit holder shall notify the Ddepartment of Ppublic Wworks in writing of any additions to the list within 72 hours following the addition of any new employee or representative. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 174 § 1 (part), 1974].

12.16.090 Cancellation.

A permit may be cancelled by the Ddepartment of Ppublic Wworks if it is determined that the permit holder, his employees or his representatives have violated any of the requirements of this chapter or have engaged in any other conduct or activity on the basis of which it is determined that the permit should be cancelled for the protection of the public health, safety or general welfare. Notice of cancellation shall be in writing and shall specify the reasons for cancellation. The cancellation shall be effective immediately upon personal delivery to the permit holder or his authorized representative. If reasonable efforts to effect personal delivery are unsuccessful, cancellation shall be effective upon the mailing of the required notice to the permit holder's address as specified in his application. Such mailed notice shall be effective, notwithstanding any change in the permit holder's address, unless the permit holder has notified the Ddepartment of Ppublic Wworks in writing of any such change of address. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 174 § 1 (part), 1974].

12.16.100 Appeal.

The cancellation of a permit as provided in RCMC 12.16.090 shall be final on the expiration of 10 days following the effective date of the revocation unless the permit holder files a written notice of appeal with the Ddepartment of Ppublic Wworks within the 10-day period. The Ddepartment of Ppublic Wworks shall set a time at the earliest administratively convenient date for an appeal conference which shall be attended by the Ddirector of Ppublic Wworks or his designee at which the permit holder shall be afforded an opportunity to discuss the reasons for the cancellation. The permit holder shall be afforded an opportunity to present information on his behalf in writing or oral form. Not later than the fifth day following the conclusion of such conference, the Ddepartment of Public Works shall notify the permit holder of its decision, which shall either be that the cancellation is permanent or modified in some appropriate manner. The decision of the Ddepartment of Public Works shall be final. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 174 § 1 (part), 1974].

ITEM 11.1.

Rancho Cordova Municipal Code
Chapter 12.16 HOUSE NUMBERS ON CURBS

ATTACHMENT 4

Page 22/54

12.16.110 Penalty.

Violation of any requirement or prohibition in this chapter is a misdemeanor and is punishable as provided in RCMC 1.01.190. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 174 § 1 (part), 1974].

Chapter 12.20

UNDERGROUND UTILITY DISTRICTS

Sections:

- 12.20.010 Definitions.
- 12.20.020 Public hearing by city council.
- 12.20.030 City council may designate underground utility districts by resolution.
- 12.20.040 Unlawful acts.
- 12.20.050 Exception, emergency or unusual circumstances.
- 12.20.060 Other exceptions.
- 12.20.070 Notice to property owners and utility companies.
- 12.20.080 Responsibility of utility companies.
- 12.20.090 Responsibility of property owners.
- 12.20.100 Responsibility of city.
- 12.20.110 Extension of time.

12.20.010 Definitions.

Whenever in this chapter the words or phrases hereinafter in this section defined are used, they shall have the respective meanings assigned to them in the following definitions:

“City ~~C~~eouncil” shall mean the ~~C~~eity ~~C~~eouncil of the ~~C~~eity of Rancho Cordova;

“Clerk” shall mean the duly appointed and acting clerk of the ~~city council~~~~C~~ity;

“Director of ~~P~~ublic ~~W~~orks” shall mean the duly appointed and acting director of public works of the ~~C~~eity;

“Person” shall mean and include individuals, firms, corporations, partnerships, and their agents and employees;

“Poles, overhead wires and associated overhead structures” shall mean poles, towers, supports, wires, conductors, guys, stubs, platforms, crossarms, transformers, insulators, cutouts, switches, communication circuits, appliances, attachments and appurtenances located aboveground within a district and used or useful in supplying electric, communication or similar or associated service;

“Underground ~~U~~tility ~~D~~istrict” or “~~D~~istrict” shall mean that area in the ~~C~~eity within which poles, overhead wires, and associated overhead structures are prohibited as such area is described in a resolution adopted pursuant to the provisions of RCMC 12.02.030;

“Utility” shall include all persons or entities supplying electric, communication or similar or associated service by means of electrical materials or devices. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 542 § 1, 1983].

12.20.020 Public hearing by city council.

The ~~C~~eity ~~C~~eouncil may from time to time call public hearings to ascertain whether the public necessity, health, safety or welfare requires the removal of poles, overhead wires and associated overhead structures within designated areas of the ~~C~~eity and the underground installation of wires and facilities for supplying electric, communication, or similar or associated service. The ~~C~~lerk ~~of the city council~~ shall notify all affected property owners as shown on the last equalized assessment roll and utilities concerned by mail of the time and place of such hearings at least 10 days prior to the date thereof. Each such hearing shall be open to the public and may be continued from time to time. At each such hearing all persons interested shall be given an opportunity to be heard. The decision of the ~~C~~eity ~~C~~eouncil shall be final and conclusive. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 542 § 1, 1983].

12.20.030 City council may designate underground utility districts by resolution.

If, after any such public hearing, the ~~C~~eity ~~C~~eouncil finds that the public necessity, health, safety or welfare requires such removal and such underground installation within a designated area, the ~~C~~eity ~~C~~eouncil shall, by resolution, declare such designated area an ~~U~~nderground ~~U~~tility ~~D~~istrict and order such removal and underground installation. Such resolution shall include a description of the area comprising such ~~D~~istrict and shall fix the time

within which such removal and underground installation shall be accomplished and within which affected property owners must be ready to receive underground service. A reasonable time shall be allowed for such removal and underground installation, having due regard for the availability of labor, materials and equipment necessary for such removal and for the installation of such underground facilities as may be occasioned thereby. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 542 § 1, 1983].

12.20.040 Unlawful acts.

Whenever the ~~C~~city ~~C~~ouncil creates an ~~U~~nderground ~~U~~tility ~~D~~istrict and orders the removal of poles, overhead wires and associated overhead structures therein as provided in RCMC 12.20.030, it shall be unlawful for any person or utility to erect, construct, place, keep, maintain, continue, employ or operate poles, overhead wires and associated overhead structures in the district after the date when said overhead facilities are required to be removed by such resolution, except as said overhead facilities may be required to furnish service to an owner or occupant of property prior to the performance by such owner or occupant of the underground work necessary for such owner or occupant to continue to receive utility service as provided in RCMC 12.20.090, and for such reasonable time required to remove said facilities after said work has been performed, and except as otherwise provided in this chapter. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 542 § 1, 1983].

12.20.050 Exception, emergency or unusual circumstances.

Notwithstanding the provisions of this chapter, overhead facilities may be installed and maintained for a period, not to exceed 90 days, without authority of the ~~C~~city ~~C~~ouncil in order to provide emergency service. The ~~C~~city ~~C~~ouncil may grant special permission, on such terms as the ~~C~~city ~~C~~ouncil may deem appropriate, in cases of unusual circumstances, without discrimination as to any person or utility, to erect, construct, install, maintain, use or operate poles, overhead wires and associated overhead structures. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 542 § 1, 1983].

12.20.060 Other exceptions.

This chapter and any resolution adopted pursuant to RCMC 12.20.030 shall, unless otherwise provided in such resolution, not apply to the following types of facilities:

- A. Any ~~C~~city facilities or equipment installed under the supervision and to the satisfaction of the ~~D~~irector of ~~P~~ublic ~~W~~orks;
- B. Poles or electroliers used exclusively for street lighting;
- C. Overhead wires (exclusive of supporting structures) crossing any portion of a ~~D~~istrict within which overhead wires have been prohibited, or connecting to buildings on the perimeter of a ~~D~~istrict, when such wires originate in an area from which poles, overhead wires and associated overhead structures are not prohibited;
- D. Poles, overhead wires and associated overhead structures used for the transmission of electric energy at nominal voltages in excess of 34,500 volts;
- E. Overhead wires attached to the exterior surface of a building by means of a bracket or other fixture and extending from one location on the building to another location on the same building or to an adjacent building without crossing any public street;
- F. Antennas, associated equipment and supporting structures used by a utility for furnishing communication services;
- G. Equipment appurtenant to underground facilities, such as surface-mounted transformers, pedestal-mounted terminal boxes and meter cabinets, switching cubicles, and concealed ducts;
- H. Temporary poles, overhead wires and associated overhead structures used or to be used in conjunction with construction projects. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 542 § 1, 1983].

12.20.070 Notice to property owners and utility companies.

Within 10 days after the effective date of a resolution adopted pursuant to RCMC 12.20.030, the ~~C~~lerk of the ~~c~~ity ~~c~~ouncil shall notify all affected utilities and all persons owning real property within the ~~D~~istrict created by said

resolution of the adoption thereof. Said Celrk shall further notify such affected property owners of the necessity that, if they or any person occupying such property desire to continue to receive electric, communication, or similar or associated service, they or such occupant shall provide all necessary facility changes on their premises and rights-of-way so as to receive such service from the lines of the supplying utility or utilities at a new location, subject to applicable rules, regulations and tariffs of the respective utility or utilities.

Notification by the Celrk shall be made by mailing a copy of the resolution adopted pursuant to RCMC 12.20.030, together with a copy of this chapter, to affected property owners as such are shown on the last equalized assessment roll and to the affected utilities. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 542 § 1, 1983].

12.20.080 Responsibility of utility companies.

If underground construction is necessary to provide utility service within a District created by any resolution adopted pursuant to RCMC 12.20.030, the supplying utility shall furnish that portion of the conduits, conductors and associated equipment required to be furnished by it under its applicable rules, regulations and tariffs. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 542 § 1, 1983].

12.20.090 Responsibility of property owners.

Every person owning, operating, leasing, occupying or renting a building or structure within a District shall perform construction and provide that portion of the service connection on his property between the facilities referred to in RCMC 12.20.080 and the termination facility on or within said building or structure being served, all in accordance with applicable rules, regulations and tariffs of the respective utility or utilities. If any property owner, after due notice, refuses to comply within a reasonable time to effect the removal or preparation in accordance with the applicable rules of the utility involved, the Ceity may cause the work to be done and assess the costs of the work against the property, and the assessment shall become a lien against the property. The assessment may be collected at the same time and in the same manner as ordinary county ad valorem taxes are collected, and shall be subject to the same penalties and the same procedure and sale in case of delinquency as provided for these taxes. All laws applicable to the levy, collection, and enforcement of county ad valorem taxes shall be applicable to the assessment. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 0886 § 1, 1992; SCC 542 § 1, 1983].

12.20.100 Responsibility of Ceity.

The Ceity shall remove, at its own expense, all Ceity-owned equipment from all poles required to be removed hereunder in ample time to enable the owner or user of such poles to remove the same within the time specified in the resolution enacted pursuant to RCMC 12.20.030. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 542 § 1, 1983].

12.20.110 Extension of time.

In the event that any act required by this chapter or by a resolution adopted pursuant to RCMC 12.20.030 cannot be performed within the time provided on account of shortage of materials, war, restraint by public authorities, strikes, labor disturbances, civil disobedience, or any other circumstances beyond the control of the actor, then the time within which such act will be accomplished shall be extended for a period equivalent to the time of such limitation. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 542 § 1, 1983].

Chapter 12.24

STREET NUMBERING SYSTEM

Sections:

- 12.24.010 Purpose.
- 12.24.020 Designating authority.
- 12.24.030 Names.
- 12.24.040 Numbering.
- 12.24.050 Specifications.
- 12.24.060 Application.
- 12.24.070 Penalty.

12.24.010 Purpose.

It is hereby found that the public interest, safety, welfare and convenience require the establishment of a numbering system of street addresses under a uniform plan within the Ccity of Rancho Cordova. For the accomplishment of this objective, there is hereby established a uniform numbering system in order to promote more effective law enforcement, facilitate rapid response to emergency calls for fire suppression, medical, and other purposes, improve the delivery of goods and services, and otherwise promote the economic improvement of the community. [Ord. 38-2007 § 1 (Exh. 1(A)); Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 673 § 1, 1986].

12.24.020 Designating authority.

Streets within the Ccity of Rancho Cordova shall be named by, and properties abutting such streets and roads shall be assigned numbers by, the Ppublic Wworks Director pursuant to the standards contained in RCMC 12.24.030 and 12.24.040. [Ord. 38-2007 § 1 (Exh. 1(A), (H)); Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 673 § 1, 1986].

12.24.030 Names.

The Director shall assign the following name designations within the Ccity of Rancho Cordova:

A. Except as hereinafter provided, the term “street” shall be applied to streets which generally extend in a northerly and southerly direction, regardless of width.

B. Except as otherwise provided, the term “avenue” shall be applied to streets which generally extend in an easterly and westerly direction, regardless of width.

C. Except as hereinafter provided, the term “drive” shall be applied to streets which are 50 feet or greater in width, and are not designated as streets or avenues.

D. The term “way” shall be applied to streets which are 40 feet in width, and are not designated as streets or avenues.

E. The term “road” shall be applied to streets which are 60 feet or greater in width, and are situated in an agricultural zone established pursuant to the city’s zoning code.

F. The terms “court” or “place” shall be applied to streets which terminate in a cul-de-sac, with no intermediate access.

G. The term “circle” shall be applied to streets which begin and terminate in the same street, with no intermediate access.

H. The term “boulevard” shall be applied to streets which are major traffic thoroughfares. [Ord. 38-2007 § 1 (Exh. 1(A), (H)); Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 673 § 1, 1986].

12.24.040 Numbering.

The Director of Public Works shall assign numbers to properties abutting streets within the Ccity of Rancho Cordova in accordance with the following criteria:

There is hereby established a baseline for assigning such numbers for the north-south grid, which is the American River. Numbers shall increase in magnitude from the American River in both northerly and southerly directions generally in accordance with the distance from the river.

There is hereby established a baseline for assigning such numbers south of the American River, for an east-west grid, which is the projection of a line that lies 1,320 feet west of the section line common to Sections 4 and 5, Township 5 North, Range 4 East, Mount Diablo Base and Meridian. Numbers shall increase in magnitude from that baseline in both easterly and westerly directions generally in accordance with the distance from the baseline. Numbers lying west of the baseline shall be ascribed a letter "W" as a suffix to the property number.

There is hereby established a baseline for assigning such numbers north of the American River, for an east-west grid, which is the projection of a line that lies 800 feet east of the section line common to Sections 19 and 20, Township 10 North, Range 5 East, Mount Diablo Base and Meridian. Numbers shall increase in magnitude from that baseline in both easterly and westerly directions generally in accordance with the distance from the baseline. Numbers lying west of that baseline shall be ascribed a letter "W" as a suffix to the property number. [Ord. 38-2007 § 1 (Exh. 1(A)); Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 673 § 1, 1986].

12.24.050 Specifications.

The ~~D~~irector of Public Works shall be authorized to formulate, promulgate and enforce specifications pertaining to the size, color and type of numbers placed upon properties abutting streets within the ~~C~~ity of Rancho Cordova, together with standards regulating the numbering of multiple structures upon the same property. Such specifications and standards shall be formulated for the purpose of facilitating the identification and location of structures and land uses by persons searching for same from the streets, eliminating or reducing the necessity for entry of property by persons conducting such searches. [Ord. 38-2007 § 1 (Exh. 1(A)); Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 673 § 1, 1986].

12.24.060 Application.

Except as hereinafter provided, the standards contained in this chapter shall govern assignment by the ~~D~~irector of Public Works ~~for~~ street designations and numbers pursuant to RCMC 12.24.030 and 12.24.040 for all parcels, lots and streets within the ~~C~~ity of Rancho Cordova, including, but not limited to, those established after the date on which the ordinance codified in this chapter becomes effective.

All street designations and property numbers in existence preceding the effective date of the ordinance codified in this chapter which are consistent with the standards prescribed by RCMC 12.24.030 and 12.24.040 shall be deemed to have been designated by the ~~D~~irector of Public Works pursuant to the provisions of this chapter.

The standards for designating streets and assigning numbers established by RCMC 12.24.030 and 12.24.040 shall not be applicable to a particular lot or parcel of land which is not numbered or is numbered in a manner inconsistent with the standards contained in RCMC 12.24.030 and 12.24.040 until 30 days after:

A. The ~~D~~irector of Public Works designates such streets or numbers to such property in accordance with such standards; and

B. The ~~D~~irector of Public Works has mailed written notice of such designation or numbering, postage prepaid, to the record owner and occupant of the property so numbered or which abuts each street so designated. [Ord. 38-2007 § 1 (Exh. 1(A)); Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 673 § 1, 1986].

12.24.070 Penalty.

It shall be the responsibility of both owners and occupants of property abutting roads within the ~~C~~ity of Rancho Cordova to post numbers upon such property in accordance with those designated by the ~~city director~~ Director of Public Works.

Pursuant to the provisions of Section 36900 of the Government Code, an owner or occupant of property abutting a street within the ~~C~~ity of Rancho Cordova who fails, within 10 calendar days following mailing of written notice to do so, to post a number upon such property corresponding to the number designated by the ~~D~~irector of Public Works shall be guilty of an infraction and subject to a fine of \$50.00 for each day or any portion thereof such

ITEM 11.1.

Rancho Cordova Municipal Code
Chapter 12.24 STREET NUMBERING SYSTEM

ATTACHMENT 4

Page 28/54

violation continues. [Ord. 38-2007 § 1 (Exh. 1(A), (H)); Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 673 § 1, 1986].

Table A:
Special Tax Ordinances

13-2003	Sunridge Anatolia Community Facilities District No. 2003-1 special tax (Special)
16-2003	Special tax for police protection for Sunrise Anatolia III Subdivision (Special)
2-2004	Special tax for police protection for Mather East Subdivision (Special)
14-2004	Special tax for police protection for Sunridge Anatolia III Subdivision (Special)
21-2004	Special tax for police protection for Ellenwood Court Unit No. 2 Subdivision (Special)
23-2004	Special tax for police protection for Quick Fit Tire Subdivision (Special)
27-2004	Special tax for police protection for Stone Creek Subdivision (Special)
28-2004	Special tax for police protection for Sunridge Park Subdivision, Village Nos. 2A and 5A and a portion of Unit A (Repealed by 1-2019)
29-2004	Special tax for police protection for Sunridge Park Subdivision, Unit A (Repealed by 1-2019)
30-2004	Special tax for police protection for Sunridge Park Subdivision, Village Nos. 9A and 10A and a portion of Unit A (Repealed by 1-2019)
31-2004	Special tax for police protection for Villages of Zinfandel, Village No. 7 Subdivision (Special)
32-2004	Special tax for police protection for Sunridge Park Subdivision, Village Nos. 1A, 4A, 6, 7, 8A and 11A and a portion of Unit A (Repealed by 1-2019)
33-2004	Special tax for police protection for Sunridge Park Subdivision, Village No. 3 (Repealed by 1-2019)
34-2004	Special tax for police protection for Anatolia I and II Subdivisions (Special)
35-2004	Special tax for police protection for Anatolia I and II Subdivisions (Special)
39-2004	Sunridge Park Area Community Facilities District No. 2004-1 special tax (Special)
40-2004	Special tax area Zone 9 for police protection for North Douglas I and II Subdivision (Repealed by 1-2019)
52-2004	Special tax for police protection for Luyung Drive Phase 4 Subdivision (Special)
57-2004	Special tax for police protection for Anatolia I, Village 2 Subdivision (Special)
58-2004	Special tax for police protection for Anatolia I, Village 5 Subdivision (Special)
59-2004	Special tax for police protection for Anatolia I, Village 6 Subdivision (Special)
60-2004	Special tax for police protection for Anatolia II, Village 10 Subdivision (Special)
61-2004	Special tax for police protection for Anatolia II, Village 11 Subdivision (Special)
62-2004	Special tax for police protection for Anatolia II, Village 13 Subdivision (Special)
63-2004	Special tax for police protection for Anatolia II, Village 14 Subdivision (Special)
64-2004	Special tax for police protection for Anatolia II, Village 16 Subdivision (Special)
65-2004	Special tax for police protection for Kennedy/Mills Station Road Subdivision (Special)

ITEM 11.1.

Rancho Cordova Municipal Code
Table A: Special Tax Ordinances

ATTACHMENT 4

Page 30/54

1-2005	Special tax for police protection for Anatolia II, Lot 8 Subdivision (Special)
10-2005	Special tax for police protection for Capital Village Subdivision (Special)
26-2005	Sunridge North Douglas Community Facilities District No. 2005-1 special tax (Repealed by 6-2015)
31-2005	Special tax for transit-related services for Capital Village Subdivision (Special)
5-2006	Community Facilities District No. 2005-2 special tax (Special)
24-2006	Special tax for police protection for Montelena Subdivision (Repealed by 11-2013)
25-2006	Special tax for police protection for Sunridge Park, Phase II Subdivision, Lots D, E, F, G and 11 (Repealed by 1-2019)
26-2006	Special tax for police protection for Sunridge Park, Phase II Subdivision, Villages 1B, 4C, 4D, 8C and 11B (Repealed by 1-2019)
27-2006	Special tax for police protection for Sunridge Park, Phase II Subdivision, Villages 2B, 5C and 5D (Repealed by 1-2019)
28-2006	Special tax for police protection for Sunridge Park, Phase II Subdivision, Villages 9B and 10B (Repealed by 1-2019)
29-2006	Special tax for police protection for Anatolia IV Subdivision (Repealed by 16-2018)
30-2006	Special tax for police protection for Arista Del Sol Subdivision (Special)
31-2006	Special tax for police protection for Cresleigh Sunridge Subdivision (Repealed by 1-2019)
32-2006	Special tax for police protection for Douglas 98 Subdivision (Repealed by 1-2019)
33-2006	Special tax for police protection for Douglas 103 Subdivision (Special)
37-2006	Special tax for police protection for Tax Zone 2A, Sundance Subdivision (Special)
38-2006	Special tax for police protection for Grant Line 208 Subdivision (Repealed by 1-2019)
3-2007	Special tax for police protection for Gold Flake Court Subdivision (Special)
17-2007	Special tax for police protection for Ellenwood Commons Subdivision (Special)
19-2007	Special tax for transit-related services for Ed Fund office buildings (Special)
21-2007	Special tax for transit-related services for Old Placerville Road Project (Special)
2-2008	Special tax for transit-related services for the Bloodsource Laboratory building (Special)
7-2008	Special tax for transit-related services for the department of Mather office complex buildings (Special)
8-2008	Special tax for transit-related services for the department of environmental management office complex buildings (Special)
17-2008	Special tax for transit-related services for the Sunrise Palms Plaza project (Special)
22-2008	Special tax for transit-related services, for the 3581 Mather Field Road project (Special)
23-2008	Community Facilities District No. 2008-1 special tax (Special)
25-2008	Special tax for transit-related services for the Zinfandel and Sunrise project (Special)
14-2009	Special tax for transit-related services for the Cordova Casino and Restaurant (Special)

ITEM 11.1.

Rancho Cordova Municipal Code
Table A: Special Tax Ordinances

ATTACHMENT 4

Page 31/54

15-2009	Amends Ords. 24-2006, 25-2006, 26-2006, 27-2006, 28-2006, 29-2006, 30-2006, 31-2006, 32-2006, 33-2006, 37-2006, 38-2006 and 3-2007, police tax area zones (Special)
19-2009	Special tax for transit-related services for 11301 Dismantle Court project (Special)
2-2013	Community Facilities District No. 2013-2 special tax (Special)
14-2014	Community Facilities District No. 2014-1 special tax (Special)
15-2014	Community Facilities District No. 2014-2 special tax (Special)
19-2014	Special tax for transit-related services for 3500 Fitzgerald Road Industrial Building project (Special)
6-2015	Sunridge North Douglas Community Facilities District No. 2005-1 special tax; rescinds Ord. 26-2005 (Special)
8-2016	Special tax for transit-related services, APG warehouse project (Special)
23-2016	Special tax for transit-related services, Monier Circle warehouse project (Special)
6-2018	Special tax for transit-related services, Homewood Suites project (Special)
8-2018	Special tax for transit-related services, Superior Self-Storage project (Special)
18-2018	Community Facilities District No. 2018-2 special tax (Special)
19-2018	Community Facilities District No. 2018-1 special tax (Special)
21-2018	Special tax for transit-related services, European Parts Depot project (Special)
2-2019	Special tax for transit-related services, Gold Valley Center project (Special)
10-2019	Special tax for transit-related services, Bradshaw Village project (Special)
12-2020	Community Facilities District No. 2020-1 special tax (Special)
16-2020	Special tax for transit-related services, White Rock Center project (Special)
6-2021	Special tax for transit-related services, Rio del Oro project (Special)
9-2021	Special tax for transit-related services, High Class Motors project (Special)
19-2021	Special tax for transit-related services, Falconer commercial building project (Special)
20-2021	Special tax for transit-related services, express sewer and drain project (Special)
21-2021	Special tax for transit-related services, Ranch project (Special)
23-2021	Ranch Community Facilities District No. 2021-1 special tax (Special)
5-2022	Special tax for transit-related services, Grantline 220 project (Special)
8-2022	Community Facilities District No. 2022-1 special tax (Special)
14-2022	Special tax for transit-related services, Ranch project (Special)

Table B:
Ordinance Table

This table lists all ordinances. If an ordinance is codified, its location in the code is cited by chapter number at the end of the ordinance description. Ordinance numbers in the text of the code preceded by “SCC” indicate ordinances incorporated in the Sacramento County Code and adopted by the City. Ordinances are codified if they are general, permanent, and/or include penalty provisions for noncompliance. “Not codified” indicates that the ordinance could have been codified but was not for some reason (e.g., superseded by a later ordinance, codified in a separate publication). “Special” means the ordinance was special in nature or for a specific period of time (e.g., budget, annexation, tax levy, street vacation).

1-2003	Adopts all Sacramento County ordinances for a period of 120 days (Expired)
2-2003	Creates city manager position and form of government (2.04)
3-2003	Sales and use tax (3.04)
4-2003	Continues existing Sacramento County Code Chapter 3.08, transient occupancy tax (3.08)
5-2003	Continues one-half of existing Sacramento County documentary transfer tax (3.12)
6-2003	Special gas tax street improvement fund (3.50)
7-2003	Purchasing system (Repealed by 9-2012)
8-2003	Council reimbursement for expenses (2.08)
9-2003	City council member salaries (2.08)
10-2003	Claims against the city (2.38)
11-2003	Consolidates general municipal election with statewide general election (2.42)
12-2003	Sacramento County fees, rates and charges to remain temporarily in effect (Special)
13-2003	Sunridge Anatolia Community Facilities District No. 2003-1 special tax (Tables)
14-2003	Repeals and replaces zoning code Article 7, design review (Zoning Code)
15-2003	Solid waste collection, transportation and disposal (Repealed by 22-2013)
16-2003	Special tax for police protection for Sunrise Anatolia III Subdivision (Tables)
17-2003	Adds zoning code § 101-801; approves RC-03-003 development agreement (Zoning Code)
18-2003	Amends Ch. 2.30, planning commission (2.30)
19-2003	Adopts roadway and transit development fees, park and recreation fee, housing trust fee and Mather Field public facilities financing plan development fee (16.84, 16.87, 16.89, 22.40)
20-2003	Adopts §§ 1.1.110 – 1.1.190, Chs. 3.40, 3.44, 4.02, 4.06, 4.10, 4.14, 4.18, 4.22, 4.23, 4.26, 4.28, 4.29, 4.30, 4.32, 4.34, 4.38, 4.50, 4.54, 4.58, 4.60 and 4.61, Title 5, Chs. 6.04, 6.08, 6.12, 6.16, 6.20, 6.24, 6.28, 6.29, 6.30, 6.32, 6.34, 6.36, 6.50, 6.56, 6.60, 6.64, 6.68, 6.80, 6.82, 6.84, 6.86, 6.87, 6.96, 6.99, 6.110 and 6.120, Title 8, Chs. 9.04, 9.08, 9.12, 9.16, 9.20, 9.28, 9.36, 9.38, 9.40, 9.41, 9.42, 9.44, 9.48, 9.70, 9.74, 9.76, 9.78, 9.80, 9.82, 9.83, 9.92, 9.93, 9.94, 9.96, 9.98 and 9.100, Title 10, Chs. 12.01, 12.03, 12.08, 12.09, 12.12, 12.16, 12.20 and 12.24, Titles 14 and 15, Chs. 16.02, 16.04, 16.08, 16.16, 16.18, 16.20, 16.21, 16.22, 16.23, 16.24, 16.28, 16.32, 16.36, 16.40 and 16.44, Titles 17, 19 and 21, Chs. 22.05, 22.10, 22.15, 22.20, 22.24, 22.25,

ITEM 11.1.

Rancho Cordova Municipal Code
Table B: Ordinance Table

ATTACHMENT 4

Page 33/54

	22.30, 22.50, 22.60, 22.70, 22.80, 22.90, 22.100, 22.110, 22.120, 22.130, 22.140, 22.150, 22.300 and 22.400 of the Sacramento County Code and Titles 1, 2 and 3 of the Sacramento Zoning Code; substitutes city references for Sacramento County references (1.01, 4.14, 4.18, 4.22, 4.23, 4.26, 4.29, 4.30, 4.32, 4.34, 4.38, 4.50, 4.54, 4.58, 4.60, 4.61, 5.04, 5.50, 5.60, 5.64, 5.75, 6.16, 6.24, 6.28, 6.30, 6.32, 6.56, 6.60, 6.64, 6.68, 6.80, 6.84, 6.87, 9.04, 9.08, 9.12, 9.16, 9.20, 9.28, 9.36, 9.38, 9.40, 9.41, 9.44, 9.48, 9.74, 9.78, 9.80, 9.82, 9.83, 9.92, 9.93, 9.94, 9.96, 9.98, 9.100, 10.04, 10.08, 10.12, 10.16, 10.20, 10.24, 10.32, 10.36, 10.40, 10.41, 10.44, 10.48, 10.58, 10.62, 10.64, 10.66, 12.01, 12.03, 12.08, 12.09, 12.12, 12.16, 12.20, 12.24, 14.05, 15.04, 15.05, 15.10, 16.08, 16.16, 16.18, 16.20, 16.22, 16.23, 16.44, 17.12, 19.08, 21.12, 22.05, 22.10, 22.15, 22.20, 22.24, 22.25, 22.30, 22.50, 22.60, 22.70, 22.80, 22.90, 22.100, 22.110, 22.120, 22.130, 22.140, 22.150, 22.160, 22.170, 22.180, 22.300, Zoning Code)
21-2003	Adopts §§ 1.1.110 – 1.1.190, Chs. 3.40, 3.44, 4.02, 4.06, 4.10, 4.14, 4.18, 4.22, 4.23, 4.26, 4.28, 4.29, 4.30, 4.32, 4.34, 4.38, 4.50, 4.54, 4.58, 4.60 and 4.61, Title 5, Chs. 6.04, 6.08, 6.12, 6.16, 6.20, 6.24, 6.28, 6.29, 6.30, 6.32, 6.34, 6.36, 6.50, 6.56, 6.60, 6.64, 6.68, 6.80, 6.82, 6.84, 6.86, 6.87, 6.96, 6.99, 6.110 and 6.120, Title 8, Chs. 9.04, 9.08, 9.12, 9.16, 9.20, 9.28, 9.36, 9.38, 9.40, 9.41, 9.42, 9.44, 9.48, 9.70, 9.74, 9.76, 9.78, 9.80, 9.82, 9.83, 9.92, 9.93, 9.94, 9.96, 9.98 and 9.100, Title 10, Chs. 12.01, 12.03, 12.08, 12.09, 12.12, 12.16, 12.20 and 12.24, Titles 14 and 15, Chs. 16.02, 16.04, 16.08, 16.16, 16.18, 16.20, 16.21, 16.22, 16.23, 16.24, 16.28, 16.32, 16.36, 16.40 and 16.44, Titles 17, 19 and 21, Chs. 22.05, 22.10, 22.15, 22.20, 22.24, 22.25, 22.30, 22.50, 22.60, 22.70, 22.80, 22.90, 22.100, 22.110, 22.120, 22.130, 22.140, 22.150, 22.300 and 22.400 of the Sacramento County Code and Titles 1, 2 and 3 of the Sacramento Zoning Code; substitutes city references for Sacramento County references (1.01, 4.14, 4.18, 4.22, 4.23, 4.26, 4.29, 4.30, 4.32, 4.34, 4.38, 4.50, 4.54, 4.58, 4.60, 4.61, 5.04, 5.50, 5.60, 5.64, 5.75, 6.16, 6.24, 6.28, 6.30, 6.32, 6.56, 6.60, 6.64, 6.68, 6.80, 6.84, 6.87, 9.04, 9.08, 9.12, 9.16, 9.20, 9.28, 9.36, 9.38, 9.40, 9.41, 9.42, 9.44, 9.48, 9.70, 9.74, 9.76, 9.78, 9.80, 9.82, 9.83, 9.92, 9.93, 9.94, 9.96, 9.98 and 9.100, Title 10, Chs. 12.01, 12.03, 12.08, 12.09, 12.12, 12.16, 12.20 and 12.24, Titles 14 and 15, Chs. 16.02, 16.04, 16.08, 16.16, 16.18, 16.20, 16.21, 16.22, 16.23, 16.24, 16.28, 16.32, 16.36, 16.40 and 16.44, Titles 17, 19 and 21, Chs. 22.05, 22.10, 22.15, 22.20, 22.24, 22.25, 22.30, 22.50, 22.60, 22.70, 22.80, 22.90, 22.100, 22.110, 22.120, 22.130, 22.140, 22.150, 22.160, 22.170, 22.180, 22.300, Zoning Code)
22-2003	Amends zoning code §§ 301-04.7 and 301-04.8 (Zoning Code)
23-2003	Continues Sacramento County roadway and transit development impact fees (16.87)
24-2003	Amends Ord. 07-2003, purchasing system (Repealed by 9-2012)
25-2003	Continues Sacramento County park and recreation development impact fee (22.40)
26-2003	Continues Sacramento County housing trust development impact fee (16.89)
27-2003	Continues Sacramento County Mather Field public facilities financing plan development impact fee (16.84)
28-2003	Adds Ch. 16.81, off-site roadway mitigation and library facilities development fees (16.81)
29-2003	Rezone (Special)
30-2003	Amends zoning code § 325-51 (Zoning Code)
1-2004	Rezone (Special)
2-2004	Special tax for police protection for Mather East Subdivision (Tables)

ITEM 11.1.

Rancho Cordova Municipal Code
Table B: Ordinance Table

ATTACHMENT 4

Page 34/54

3-2004	Establishes reduced speed limits for specific streets (10.50)
4-2004	Moratorium on sexually oriented businesses; amends zoning code § 325-51 (Zoning Code)
5-2004	Amends § 16.90.030, construction permit fee schedule (Repealed by 6-2010)
6-2004	Adds zoning code § 101-802; approves RC-03-001 development agreement (Zoning Code)
7-2004	Amends Ch. 4.22, cardrooms (4.22)
8-2004	Adds § 1.05.200; amends §§ 4.02.095, 16.18.204 and 16.22.205, hearings (1.05, 16.18, 16.22)
9-2004	(Number not used)
10-2004	Contract with California Public Employees' Retirement System (Special)
11-2004	Adds zoning code Title I, Chapter 10, Art. 11 and Title II, Chapter 35, Art. 11; repeals zoning code Ch. 21.14 (Zoning Code)
12-2004	Amends Ord. 4-2003, transient occupancy tax (3.08)
13-2004	Adds Ch. 10.30, human habitation of vehicles (10.30)
14-2004	Special tax for police protection for Sunridge Anatolia III Subdivision (Tables)
15-2004	Amends Ch. 16.02, administrative code (Repealed by 12-2019)
16-2004	Amends Ch. 16.24, plumbing code (Repealed by 17-2019)
17-2004	Amends Ch. 16.32, mechanical code (Repealed by 20-2019)
18-2004	Amends Ch. 16.28, electrical code (Repealed by 19-2019)
19-2004	Amends Ch. 16.04, building code (Repealed by 13-2019)
20-2004	Amends §§ 16.36.130, 16.36.210, 16.36.220, 16.36.230, 16.36.240, 16.36.250 and 16.36.310, swimming pools (Repealed by 21-2019)
21-2004	Special tax for police protection for Ellenwood Court Unit No. 2 Subdivision (Tables)
22-2004	Repeals and replaces Ch. 20.04, surface mining and reclamation (20.04)
23-2004	Special tax for police protection for Quick Fit Tire Subdivision (Tables)
24-2004	Adds Ch. 16.83, Sunrise Douglas Community Plan Area public facilities development impact fees (16.83)
25-2004	(Number not used)
26-2004	Rezone (Special)
27-2004	Special tax for police protection for Stone Creek Subdivision (Tables)
28-2004	Special tax for police protection for Sunridge Park Subdivision, Village Nos. 2A and 5A and a portion of Unit A (Repealed by 1-2019)
29-2004	Special tax for police protection for Sunridge Park Subdivision, Unit A (Repealed by 1-2019)
30-2004	Special tax for police protection for Sunridge Park Subdivision, Village Nos. 9A and 10A and a portion of Unit A (Repealed by 1-2019)
31-2004	Special tax for police protection for Villages of Zinfandel, Village No. 7 Subdivision (Tables)
32-2004	Special tax for police protection for Sunridge Park Subdivision, Village Nos. 1A, 4A,

ITEM 11.1.

Rancho Cordova Municipal Code
Table B: Ordinance Table

ATTACHMENT 4

Page 35/54

	6, 7, 8A and 11A and a portion of Unit A (Repealed by 1-2019)
33-2004	Special tax for police protection for Sunridge Park Subdivision, Village Nos. 3 (Repealed by 1-2019)
34-2004	Special tax for police protection for Anatolia I and II Subdivisions (Tables)
35-2004	Special tax for police protection for Anatolia I and II Subdivisions (Tables)
36-2004	Extends moratorium on sexually oriented businesses; amends zoning code § 325-51 (Zoning Code)
37-2004	Adds Ch. 16.18, Art. XV, shopping carts (16.18)
38-2004	Adds zoning code §§ 101-803, 101-804, 101-805, 101-806, 101-807, 101-808 and 101-809; approves development agreement with Sunridge and Villages of Zinfandel (Zoning Code)
39-2004	Sunridge Park Area Community Facilities District No. 2004-1 special tax (Tables)
40-2004	Special tax area Zone 9 for police protection for North Douglas I and II Subdivision (Repealed by 1-2019)
41-2004	Repeals and replaces Ch. 15.12, stormwater management and discharge control (15.12)
42-2004	Repeals and replaces Chs. 4.02, 4.06 and 4.10, business licenses (Repealed by 45-2004)
43-2004	(Number not used)
44-2004	Temporary moratorium on medical marijuana dispensaries (Special)
45-2004	Repeals and replaces Chs. 4.02, 4.06 and 4.10, business licenses (4.02, 4.06, 4.10)
46-2004	Amends Ch. 17.12, weed control (17.12)
47-2004	Amends zoning code §§ 110-83 and 110-86(e) (Zoning Code)
48-2004	Extends moratorium on medical marijuana dispensaries (Special)
49-2004	Rezone (Special)
50-2004	Amends §§ 16.18.102, 16.18.201, 16.18.202, 16.18.203, 16.18.204, 16.18.205, 16.18.301, 16.18.401, 16.18.501, 16.18.503, 16.18.512, 16.18.901, 16.18.902, 16.18.903, and 16.18.1001 and substitutes references (16.18)
51-2004	Amends zoning code (Zoning Code)
52-2004	Special tax for police protection for Luyung Drive Phase 4 Subdivision (Tables)
53-2004	Amends §§ 22.40.035 and 22.40.040; repeals and replaces § 22.40.045, park dedication and in-lieu fees (22.40)
54-2004	Adds zoning code § 101-810; approves development agreement for RC-03-002, North Douglas Project (Zoning Code)
55-2004	Redevelopment agency (Repealed by 15-2022)
56-2004	Amends Ch. 2.30, planning commission (2.30)
57-2004	Special tax for police protection for Anatolia I, Village 2 Subdivision (Tables)
58-2004	Special tax for police protection for Anatolia I, Village 5 Subdivision (Tables)
59-2004	Special tax for police protection for Anatolia I, Village 6 Subdivision (Tables)
60-2004	Special tax for police protection for Anatolia II, Village 10 Subdivision (Tables)

ITEM 11.1.

Rancho Cordova Municipal Code
Table B: Ordinance Table

ATTACHMENT 4

Page 36/54

61-2004	Special tax for police protection for Anatolia II, Village 11 Subdivision (Tables)
62-2004	Special tax for police protection for Anatolia II, Village 13 Subdivision (Tables)
63-2004	Special tax for police protection for Anatolia II, Village 14 Subdivision (Tables)
64-2004	Special tax for police protection for Anatolia II, Village 16 Subdivision (Tables)
65-2004	Special tax for police protection for Kennedy/Mills Station Road Subdivision (Tables)
66-2004	Adds zoning code § 101-811; approves development agreement for Anatolia Commons, Project No. RC-04-070 (Zoning Code)
67-2004	Amends Ord. 2-2003, city manager position and form of government, and Ord. 24-2003, purchasing system (2.04)
1-2005	Special tax for police protection for Anatolia II, Lot 8 Subdivision (Tables)
2-2005	(Number not used or adopted)
3-2005	Adds Ch. 4.07, tobacco retailer license (4.07)
4-2005	Amends Ch. 4.54, fireworks (4.54)
5-2005	Amends zoning code § 325-51; temporary moratorium on sexually oriented businesses (Zoning Code)
6-2005	Adds zoning code Ch. 40; rezone (Zoning Code)
7-2005	Adds zoning code § 101-812; approves development agreement for Capital Village Project (Zoning Code)
8-2005	Amends zoning code § 325-51(A); temporary moratorium on sexually oriented businesses (Zoning Code)
9-2005	Rezone (Special)
10-2005	Special tax for police protection for Capital Village Subdivision (Tables)
11-2005	Amends Ch. 16.28, electrical code (Repealed by 19-2019)
12-2005	Rezone (Special)
13-2005	Rezone (Special)
14-2005	Extends moratorium on medical marijuana dispensaries (Special)
15-2005	Rezone (Special)
16-2005	Amends zoning code Title 2, Chapter 15 and Title 3, Chapter 5 (Zoning Code)
17-2005	Adds Ch. 10.70, street racing (10.70)
18-2005	Amends Ch. 9.28, curfew (9.28)
19-2005	Adds zoning code § 101-812; approves development agreement for Capital Village Project (Zoning Code)
20-2005	Amends contract with California Public Employees' Retirement System (Special)
21-2005	Adds § 2.30.130, planning commission compensation (Repealed by 5-2011)
22-2005	Solid waste collection, transportation and disposal (Repealed by 23-2009)
23-2005	(Number not used or adopted)
24-2005	Adds Ch. 16.84, establishment of development impact fees to finance the cost of transportation facilities (16.84)

ITEM 11.1.

Rancho Cordova Municipal Code
Table B: Ordinance Table

ATTACHMENT 4

Page 37/54

25-2005	Amends § 16.18.401, public nuisances (16.18)
26-2005	Sunridge North Douglas Community Facilities District No. 2005-1 special tax (Repealed by 6-2015)
27-2005	Amends zoning code §§ 305-09.6, 305-13.1 and 305-13.2 (Zoning Code)
28-2005	(Number not used or adopted)
29-2005	Amends zoning code § 101-14 (Zoning Code)
30-2005	Adds zoning code § 101-813; approves development agreement for RC-04-096, Sunridge Park Phase II Project (Zoning Code)
31-2005	Special tax for transit-related services for Capital Village Subdivision (Tables)
32-2005	Extends authorization for development impact fees for transportation improvements (16.84)
33-2005	Adds [amends] Ch. 16.84, establishment of development impact fees to finance the cost of transportation facilities (16.84)
34-2005	(Number not used or adopted)
35-2005	Extends authorization for development impact fees for transportation improvements (16.84)
1-2006	Amends zoning code §§ 110-03, 110-06, 115-30, 120-52, 201-04(36), 225-1, 230-13(19), 301-02.1, 301-54, 301-55, 301-55.5, 301-62.5, 301-63, 301-64, 305-09.5, 305-82, 305-221, 315-02, 315-05, 330-07, 335-04, 335-09.5 and 335-11.1; repeals §§ 305-223 and 330-92.5 (Zoning Code)
2-2006	Amends zoning code § 325-51; extends moratorium on sexually oriented businesses (Zoning Code)
3-2006	(Number not used or adopted)
4-2006	(Number not used or adopted)
5-2006	Community Facilities District No. 2005-2 special tax (Tables)
6-2006	Adds [amends] Ch. 16.84, establishment of development impact fees to finance the cost of transportation facilities (16.84)
7-2006	Adds zoning code §§ 101-813, 101-814, 101-815, 101-816 and 101-817; approves development agreement for Sunridge East Projects (Zoning Code)
8-2006	Rezone (Special)
9-2006	Rezone (Special)
10-2006	Adds zoning code § 101-822; approves development agreement for Montelena (Zoning Code)
11-2006	(Number not used or adopted)
12-2006	Adds § 10.24.075, prohibition of parking commercial and recreational vehicles on public roadways (10.24)
13-2006	Amends zoning code § 607-15(45), (46), (47), (48) and (49) (Zoning Code)
14-2006	Amends conditions of approval relating to traffic phasing requirements attached to land use rezoning ordinance SZC 2002-0014 (Special)
15-2006	Amends zoning code §§ 101-801, 101-803, 101-804, 101-805, 101-806, 101-810 and 101-813 (Zoning Code)
16-2006	(Number not used or adopted)

ITEM 11.1.

Rancho Cordova Municipal Code
Table B: Ordinance Table

ATTACHMENT 4

Page 38/54

17-2006	Amends Ch. 12.09, street trench fee (12.09)
18-2006	Rezone (Special)
19-2006	Adds zoning code § 101-818; approves development agreement for Anatolia IV RC 03-023 (Zoning Code)
20-2006	Rezone (Special)
21-2006	Adds zoning code § 101-819; approves development agreement for Cresleigh Homes RC-03-027 (Zoning Code)
22-2006	Adds zoning code § 101-814; approves development agreement for Sundance Project RC-04-122 (Zoning Code)
23-2006	(Number not used or adopted)
24-2006	Special tax for police protection for Montelena Subdivision (Repealed by 11-2013)
25-2006	Special tax for police protection for Sunridge Park, Phase II Subdivision, Lots D, E, F, G and 11 (Repealed by 1-2019)
26-2006	Special tax for police protection for Sunridge Park, Phase II Subdivision, Villages 1B, 4C, 4D, 8C and 11B (Repealed by 1-2019)
27-2006	Special tax for police protection for Sunridge Park, Phase II Subdivision, Villages 2B, 5C and 5D (Repealed by 1-2019)
28-2006	Special tax for police protection for Sunridge Park, Phase II Subdivision, Villages 9B and 10B (Repealed by 1-2019)
29-2006	Special tax for police protection for Anatolia IV Subdivision (Repealed by 16-2018)
30-2006	Special tax for police protection for Arista Del Sol Subdivision (Tables)
31-2006	Special tax for police protection for Cresleigh Sunridge Subdivision (Repealed by 1-2019)
32-2006	Special tax for police protection for Douglas 98 Subdivision (Repealed by 1-2019)
33-2006	Special tax for police protection for Douglas 103 Subdivision (Tables)
34-2006	Adds zoning code § 101-816; approves development agreement for Pulte Homes Corporation, Grant Line 208 Project (Zoning Code)
35-2006	Rezone (Special)
36-2006	Amends zoning code for the Capital Village Special Planning Area (Zoning Code)
37-2006	Special tax for police protection for Tax Zone 2A, Sundance Subdivision (Tables)
38-2006	Special tax for police protection for Grant Line 208 Subdivision (Repealed by 1-2019)
39-2006	Adds zoning code § 101-820; approves development agreement for Anthology at Anatolia, RC-04-157 (Zoning Code)
40-2006	Rezone (Special)
41-2006	Adds zoning code § 101-822; approves development agreement for Preserve at Sunridge, RC-03-052 (Zoning Code)
42-2006	Amends Ord. 4-2003, Section 2 (3.08)
43-2006	Adopts redevelopment plan (Special)
44-2006	Rezone (Special)
45-2006	Adds zoning code § 101-821; approves development agreement for RC-05-190,

ITEM 11.1.

Rancho Cordova Municipal Code
Table B: Ordinance Table

ATTACHMENT 4

Page 39/54

	Trinity Garden Estates (Zoning Code)
46-2006	Amends zoning code relating to the Capital Village Special Planning Area (Zoning Code)
47-2006	Adds Ch. 6.130, protection of children from sexual offenders (Repealed by 16-2014)
48-2006	Adds zoning code § 101-820; approves development agreement for RC-05-148, Ellenwood Condominium Project (Zoning Code)
49-2006	Amends contract with California Public Employees' Retirement System (Special)
50-2006	Rezone (Special)
51-2006	Adds zoning code § 101-825; approves development agreement for RC-05-183, Old Placerville Road Project (Zoning Code)
52-2006	Franchise grant (Special)
53-2006	Franchise grant (Special)
54-2006	Amends § 16.18.205(d), nuisance violations and penalties (16.18)
55-2006	Amends § 6.130.040(a), protection of children from sexual offenders (Repealed by 16-2014)
56-2006	Amends §§ 4.22.015, 4.22.020 and 4.22.145, cardrooms (4.22)
57-2006	Adds zoning code Title 2, Chapter 40, and adopts Folsom Boulevard specific plan (Zoning Code)
58-2006	Temporary moratorium on establishment of new cardrooms (Special)
59-2006	(Number not used or adopted)
60-2006	Amends § 16.18.205(f), nuisance violations and penalties (16.18)
61-2006	(Number not used or adopted)
62-2006	Extends moratorium on establishment of new cardrooms (Special)
1-2007	Temporary moratorium on establishment of new recycling businesses, check cashing businesses, pawn shops, resale shops, smoke shops and tattoo parlors (Special)
2-2007	Approves development agreement amendment for Anatolia III, Village 23 Project (Special)
3-2007	Special tax for police protection for Gold Flake Court Subdivision (Tables)
4-2007	Repeals and replaces Title 8, animals (8.01, 8.02, 8.03, 8.04, 8.05, 8.08, 8.10)
5-2007	Amends zoning code § 325-51; moratorium on sexually oriented businesses (Zoning Code)
6-2007	Extends moratorium on establishment of new recycling businesses, check cashing businesses, pawn shops, resale shops, smoke shops and tattoo parlors (Special)
7-2007	Amends § 16.90.030, residential photovoltaic solar system permit fees (Repealed by 6-2010)
8-2007	Amends zoning code § 325-51; extends moratorium on sexually oriented businesses (Zoning Code)
9-2007	Adds Ch. 6.135, cemetery operation and maintenance (6.135)
10-2007	Amends § 3.40.060(e), telephone user tax (Repealed by 9-2010)
11-2007	Adds Ch. 16.19, maintenance of boarded and vacant buildings (16.19)

ITEM 11.1.

Rancho Cordova Municipal Code
Table B: Ordinance Table

ATTACHMENT 4

Page 40/54

12-2007	Prezone (Special)
13-2007	Adopts program for use of eminent domain (Special)
14-2007	Extends moratorium on establishment of new cardrooms (Special)
15-2007	Amends zoning code Title II, Chapter 40 (Zoning Code)
16-2007	Temporary moratorium on new and existing massage establishments (Special)
17-2007	Special tax for police protection for Ellenwood Commons Subdivision (Tables)
18-2007	(Not adopted)
19-2007	Special tax for transit-related services for Ed Fund office buildings (Tables)
20-2007	Extends moratorium on new and existing massage establishments (Special)
21-2007	Special tax for transit-related services for Old Placerville Road Project (Tables)
22-2007	Amends § 5.50.112(2)(a) and (9), cable television (5.50)
23-2007	Amends Ch. 9.28, curfew (9.28)
24-2007	(Not adopted)
25-2007	Amends development agreement for Montelena (Special)
26-2007	Adds § 16.20.915 and Art. 12, §§ 16.20.1200 – 16.20.1220; amends §§ 16.20.010, 16.20.015, 16.20.100, 16.20.400, 16.20.560, 16.20.600(a) and (b), 16.20.900, 16.20.905 and 16.20.950; repeals §§ 16.20.430 – 16.20.480, housing code (16.20)
27-2007	Extends moratorium on establishment of new recycling businesses, check cashing businesses, pawn shops, resale shops, smoke shops and tattoo parlors (Special)
28-2007	Amends § 4.54.375(b), fireworks general provisions (4.54)
29-2007	Amends Ch. 16.02, administrative code (Repealed by 12-2019)
30-2007	Amends Ch. 16.04, building code (Repealed by 13-2019)
31-2007	Amends Ch. 16.24, plumbing code (Repealed by 17-2019)
32-2007	Amends Ch. 16.28, electrical code (Repealed by 19-2019)
33-2007	Amends Ch. 16.32, mechanical code (Repealed by 20-2019)
34-2007	Amends §§ 16.36.130, 16.36.210, 16.36.220, 16.36.230, 16.36.240, 16.36.250 and 16.36.310, and renames Article III of Ch. 16.36, swimming pools (Repealed by 21-2019)
35-2007	Amends Ch. 17.04, fire code (Repealed by 20-2018)
36-2007	Rezone (Special)
37-2007	Approves development agreement for North Douglas II (Special)
38-2007	Amends §§ 3.40.040(l), 4.02.100, 4.06.085, 4.06.115, 4.26.000, 4.32.005, 4.34.055(e), 4.34.220, 4.38.055, 4.38.090, 4.50.110, 4.50.150, 4.60.020, 5.04.030(c), 5.04.070, 5.04.090, 5.04.100, 5.04.110, 5.04.120, 5.04.390, 5.04.400, 5.04.510, 5.04.640, 5.04.650, 5.64.010, 5.64.040, 5.64.060, 5.64.130, 5.64.170, 5.64.180, 5.75.802, 6.16.010, 6.16.040, 6.56.210, 6.56.220(b)(iii), 6.56.270, 6.56.320, 6.56.370, 6.60.020, 6.64.060, 6.68.090(i), 6.68.145, 9.36.010, 9.36.030, 9.36.057.5, 9.36.059, 9.36.080, 9.36.081, 9.82.060, 9.92.020(b), 9.98.075, 9.100.020, 10.04.030, 10.24.175, 10.36.010, 10.40.010, 10.44.010, 10.58.150, 12.03.010(a), 12.03.030, 12.03.040, 12.03.210, 12.08.010, 12.08.030, 12.08.060, 12.12.050(b), 12.24.020, 12.24.030(e), 12.24.070, 14.05.010, 14.05.410, 16.16.040, 16.18.1002, 16.18.1007, 16.20.100(e),

	(i) and (j), 16.20.220(f), 16.20.560(d)(1), 16.20.750(a), 16.20.755, 16.20.760, 16.22.300(c), 16.22.500(a), 16.22.501, 16.22.502, 16.40.130, 16.44.020(1), 16.44.130, 16.44.360, 19.04.030(13), 19.04.040, 19.04.050(b), 19.04.060(c), 19.04.070, 19.04.090, 19.04.100(7), 19.04.140, 19.08.020(b), 19.08.040, 19.08.100, 19.08.150, 19.08.160, 19.08.170, 19.08.180, 19.12.040, 19.12.060, 19.12.065, 19.12.070(c), 19.12.160(d), 19.12.200, 19.12.210, 19.12.220, 21.12.070, 22.10.130, 22.10.141, 22.20.017, 22.20.025, 22.20.032, 22.20.045, 22.120.020, 22.120.025, 22.120.030, 22.130.010, 22.130.015, 22.140.010, 22.140.015, and 22.150.010(e); rennumbers Chs. 9.70 to be 22.170, 14.10 to be 22.180 and 21.15 to be 22.160; repeals and replaces § 14.05.430; repeals Ch. 3.44, §§ 4.02.120, 4.50.010, 4.50.060, 4.50.135(d) and 5.64.020(h) and (i), Chs. 6.04, 6.08, 6.12, 6.29, 6.34, 6.36 and 6.50, §§ 6.64.010(d), (e), (f) and (g), 6.64.030, 6.64.040, 6.64.050, 6.64.080, 6.64.090, 6.64.100, 6.64.130 and 6.68.100, Chs. 6.82, 6.96, 6.99, 6.110, 9.42 and 9.76, §§ 10.04.070, 10.04.110, 10.08.070, 10.36.020, 10.36.030, 10.40.040 and 10.58.180, Chs. 10.22, 10.28, 10.42, 10.52 and 10.60, §§ 14.05.300, 14.05.420 and 14.05.440, Ch. 16.21, §§ 19.04.030(3) and (7) and 19.08.020(a), Chs. 21.05 and 21.10, §§ 22.20.030, 22.20.032(b) and (c), 22.20.035, 22.20.038, 22.20.040, 22.20.050, 22.20.055, 22.20.080, and 22.20.085 and Ch. 22.400; updates references in code, specifically Chs. 4.38, 4.50, 5.04, 5.64, 6.16, 6.64, 6.80, 9.36, 10.24, 10.30, 14.05, 16.20, 16.40, 19.12, 21.15 and Title 22 (4.02, 4.06, 4.14, 4.18, 4.23, 4.26, 4.29, 4.30, 4.32, 4.34, 4.38, 4.50, 4.54, 4.58, 4.60, 4.61, 5.04, 5.64, 5.75, 6.16, 6.28, 6.32, 6.56, 6.60, 6.64, 6.68, 6.80, 9.16, 9.36, 9.40, 9.82, 9.83, 9.92, 9.94, 9.96, 9.98, 9.100, 10.04, 10.08, 10.12, 10.24, 10.36, 10.40, 10.41, 10.44, 10.58, 10.64, 10.66, 12.03, 12.08, 12.12, 12.16, 12.24, 14.05, 16.08, 16.16, 16.18, 16.20, 16.22, 16.23, 16.44, 19.08, 21.12, 22.05, 22.10, 22.20, 22.24, 22.30, 22.40, 22.90, 22.110, 22.120, 22.130, 22.140, 22.150, 22.160, 22.170, 22.180, 22.300)
39-2007	(Not adopted)
40-2007	(Not adopted)
41-2007	Amends Ord. 22-2005 § 14, termination or suspension of franchise (Repealed by 23-2009)
42-2007	(Not adopted)
1-2008	Adds Ch. 9.91, social host ordinance (9.91)
2-2008	Special tax for transit-related services for the Bloodsource Laboratory building (Tables)
3-2008	(Not used or adopted)
4-2008	Amends zoning code § 325-51; extends moratorium on sexually oriented businesses (Zoning Code)
5-2008	(Not used or adopted)
6-2008	(Not used or adopted)
7-2008	Special tax for transit-related services for the department of Mather office complex buildings (Tables)
8-2008	Special tax for transit-related services for the department of environmental management office complex buildings (Tables)
9-2008	Amends zoning code Title II, Chs. 25 and 40 and Folsom Boulevard specific plan (Zoning Code)
10-2008	Amends Ch. 4.22, cardrooms (4.22)
11-2008	(Not used or adopted)

ITEM 11.1.

Rancho Cordova Municipal Code
Table B: Ordinance Table

ATTACHMENT 4

Page 42/54

12-2008	(Not used or adopted)
13-2008	Amends Folsom Boulevard specific plan for Folsom Boulevard corridor (Special)
14-2008	Adds §§ 16.83.105 and 16.84.065, temporary deferral of development and impact fee payments (16.83, 16.84)
15-2008	Temporary moratorium on new and existing massage establishments (Special)
16-2008	(Not adopted)
17-2008	Special tax for transit-related services for the Sunrise Palms Plaza project (Tables)
18-2008	(Not adopted)
19-2008	(Not used or adopted)
20-2008	Adds Ch. 6.21, business and multifamily recycling (Repealed by 2-2016)
21-2008	(Not adopted)
22-2008	Special tax for transit-related services for the 3581 Mather Field Road project (Tables)
23-2008	Community Facilities District No. 2008-1 special tax (Tables)
24-2008	Adds Ch. 6.21 [6.22], prohibition against unauthorized entry into waste containers (6.22)
25-2008	Special tax for transit-related services for the Zinfandel and Sunrise project (Special)
26-2008	Adds Ch. 16.17, maintenance of foreclosed property (16.17)
27-2008	Adopts zoning code (23.101, 23.104, 23.107, 23.110, 23.113, 23.116, 23.119, 23.122, 23.125, 23.128, 23.131, 23.134, 23.141, 23.143, 23.146, 23.149, 23.152, 23.155, 23.158, 23.170, 23.173, 23.301, 23.304, 23.307, 23.310, 23.313, 23.316, 23.319, 23.325, 23.501, 23.504, 23.507, 23.510, 23.513, 23.701, 23.704, 23.710, 23.713, 23.716, 23.719, 23.722, 23.725, 23.728, 23.731, 23.734, 23.737, 23.740, 23.743, 23.901, 23.904, 23.907, 23.910, 23.913, 23.916, 23.919, 23.922, 23.1104)
28-2008	Extends moratorium on establishment of new recycling businesses and resale shops (Special)
1-2009	Adds Ch. 16.85, establishment of development impact fees for Measure A transportation improvements (16.85)
2-2009	Adds Art. Vd to Ch. 5.50; amends § 5.50.108, Digital Infrastructure and Video Competition Act (5.50)
3-2009	(Number not used)
4-2009	(Number not used)
5-2009	Amends § 16.81.140, program fee adjustment for Villages of Zinfandel special plan area (16.81)
6-2009	Amends § 16.83.200, program fee adjustment for Sunrise Douglas community plan area (16.83)
7-2009	Amends § 16.84.130, program fee adjustment for transportation impact fees (16.84)
8-2009	Adds §§ 8.01.011, 8.01.012, 8.01.013, 8.01.015, 8.01.016, 8.01.017, 8.01.018, 8.01.019, 8.01.071, 8.01.101, 8.01.110, 8.01.120, 8.01.130, 8.01.140 and 8.03.005; amends § 8.03.060; repeals and replaces Chs. 8.06, 8.07 and 8.09; replaces references in Title 8, animals (8.01, 8.02, 8.03, 8.04, 8.06, 8.07, 8.09)
9-2009	Adds Ch. 4.33; amends §§ 4.06.005, 4.06.065, 4.34.000, 4.34.010, 4.34.055, 4.34.070, 4.34.205, 4.34.210, 4.34.215 and 4.34.220; repeals §§ 4.34.030, 4.34.080,

ITEM 11.1.

Rancho Cordova Municipal Code
Table B: Ordinance Table

ATTACHMENT 4

Page 43/54

	4.34.085, 4.34.095, 4.34.100 and 4.34.105, massage establishments and massage technicians (4.06, 4.34)
10-2009	Amends §§ 16.83.105 and 16.84.065, deferral of development impact fees (16.83, 16.84)
11-2009	Repeals § 16.85.140 (Repealer)
12-2009	Amends Folsom Boulevard specific plan (Special)
13-2009	Amends §§ 4.02.100 and 4.02.105, violations and enforcement (4.02)
14-2009	Special tax for transit-related services for Cordova Casino and Restaurant (Special)
15-2009	Amends Ords. 24-2006, 25-2006, 26-2006, 27-2006, 28-2006, 29-2006, 30-2006, 31-2006, 32-2006, 33-2006, 37-2006, 38-2006 and 3-2007, police tax area zones (Special)
16-2009	(Not adopted)
17-2009	Adds Ch. 9.81, aggressive, intrusive, and unsafe panhandling (9.81)
18-2009	(Not adopted)
19-2009	Special tax for transit-related services for 11301 Dismantle Court project (Special)
20-2009	Resale shop moratorium (Special)
21-2009	(Not adopted)
22-2009	Extends resale shop moratorium (Special)
23-2009	Solid waste regulations; repeals Ords. 22-2005 and 41-2007 (Repealed by 22-2013)
24-2009	Amends Folsom Boulevard specific plan (Special)
25-2009	Amends development agreement, Villages of Zinfandel (Special)
1-2010	Amends § 4.22.115(A), cardrooms (4.22)
2-2010	Amends § 16.90.030(N), construction permit fees (Repealed by 6-2010)
3-2010	Amends § 16.81.140, program fee adjustment for Villages of Zinfandel special plan area (16.81)
4-2010	Amends § 16.83.200, program fee adjustment for Sunrise Douglas community plan area (16.83)
5-2010	Amends § 16.84.130, program fee adjustment for transportation impact fees (16.84)
6-2010	Amends §§ 4.02.100, 4.07.080, 4.07.110, 12.09.030, 12.09.080, 12.09.130, 16.90.010 and 16.90.020; repeals § 16.90.030, fees (4.02, 4.07, 12.09, 16.90)
7-2010	Adds Ch. 23.328; amends Ch. 23.316 and §§ 23.919.060(C)(2)(a) and (f) and 23.1101.020, zoning (23.316, 23.328, 23.919, 23.1104)
8-2010	(Not adopted)
9-2010	Repeals and replaces Ch. 3.40, utility users' tax (3.40)
10-2010	(Not adopted)
11-2010	(Not adopted)
12-2010	(Not adopted)
13-2010	Amends §§ 3.08.020, 3.08.070 and 3.08.160, transient occupancy tax (3.08)
14-2010	Adopts Rio del Oro specific plan (Special)

ITEM 11.1.

Rancho Cordova Municipal Code
Table B: Ordinance Table

ATTACHMENT 4

Page 44/54

15-2010	Amends § 23.322.030(C)(4) and zoning map, Rio del Oro project area (Repealed by 6-2011)
16-2010	Approves development agreement, Rio del Oro project (Special)
17-2010	Adds Ch. 6.90, marijuana cultivation (Repealed by 10-2017)
18-2010	Adds Ch. 3.80, cannabis business tax (3.80)
19-2010	Adds Ch. 3.85, personal cannabis cultivation tax (3.85)
20-2010	Amends Table 23.316-1, industrial zoning (23.316)
21-2010	Adds Ch. 6.140, unattended donation boxes (6.140)
22-2010	Amends Ch. 16.02, administrative code (Repealed by 12-2019)
23-2010	Amends Ch. 16.04, building code (Repealed by 13-2019)
24-2010	Amends Ch. 16.24, plumbing code (Repealed by 17-2019)
25-2010	Amends Ch. 16.28, electrical code (Repealed by 19-2019)
26-2010	Amends Ch. 16.32, mechanical code (Repealed by 20-2019)
27-2010	Amends Ch. 16.36, swimming pool, spa and hot tub code (Repealed by 21-2019)
28-2010	Amends Ch. 17.04, fire code (Repealed by 20-2018)
29-2010	Adds Ch. 16.06, residential code (Repealed by 15-2019)
30-2010	Adds Ch. 16.26, energy code (16.26)
31-2010	Adds Ch. 16.38, green building code (Repealed by 22-2019)
32-2010	Amends §§ 16.83.105 and 16.84.065, development impact fee deferral (16.83, 16.84)
33-2010	Reapproves development agreement, Rio del Oro project (Special)
34-2010	Amends § 3.08.040, transient occupancy tax (3.08)
1-2011	Amends § 16.81.140, program fee adjustment for Villages of Zinfandel special plan area (16.81)
2-2011	Amends § 16.83.200, program fee adjustment for Sunrise Douglas community plan area (16.83)
3-2011	Amends § 16.84.130, program fee adjustment for transportation impact fees (16.84)
4-2011	Amends § 23.313.020(B), commercial mixed-use zoning district (23.313)
5-2011	Amends § 2.30.010; repeals §§ 2.30.020 through 2.30.130, planning commission (2.30)
6-2011	Adds Chs. 23.1000 and 23.1005, special purpose zones and special planning areas; repeals Ch. 23.322 (23.1000, 23.1005)
7-2011	Moratorium on medical marijuana dispensaries (Special)
8-2011	Amends § 4.02.060, business license fees (4.02)
9-2011	Moratorium on medical marijuana dispensaries (Special)
10-2011	(Not adopted)
11-2011	Adopts amendment to Folsom Boulevard specific plan (Special)
12-2011	Amends Title 23, zoning code, and adopts zoning map amendments (23.101, 23.104, 23.107, 23.110, 23.113, 23.116, 23.119, 23.122, 23.125, 23.128, 23.131, 23.134, 23.140, 23.141, 23.143, 23.146, 23.149, 23.152, 23.155, 23.158, 23.170, 23.173,

ITEM 11.1.

Rancho Cordova Municipal Code
Table B: Ordinance Table

ATTACHMENT 4

Page 45/54

	23.301, 23.304, 23.307, 23.310, 23.313, 23.316, 23.319, 23.325, 23.328, 23.701, 23.704, 23.710, 23.713, 23.716, 23.719, 23.722, 23.725, 23.728, 23.731, 23.734, 23.737, 23.740, 23.743, 23.901, 23.904, 23.907, 23.910, 23.913, 23.916, 23.919, 23.922, 23.1104)
13-2011	Rezone (Special)
1-2012	Amends Folsom Boulevard specific plan (Special)
2-2012	Amends Folsom Boulevard specific plan (Special)
3-2012	Amends § 16.81.140, annual program fee adjustment (16.81)
4-2012	Amends § 16.83.200, annual program fee adjustment (16.83)
5-2012	Amends § 16.84.130, annual program fee adjustment (16.84)
6-2012	Adds [amends] §§ 4.22.005, 4.22.105, 4.22.110, 4.22.115, 4.22.125 and 4.22.145; repeals §§ 4.22.165 and 16.17.060, cardrooms (4.22)
7-2012	Adopts amended development agreement for Montelena Project (Repealed by 12-2012)
8-2012	(Not adopted)
9-2012	Amends § 2.04.110; repeals and replaces Ch. 3.60, purchasing system (2.04, 3.60)
10-2012	Moratorium on medical marijuana dispensaries (Special)
11-2012	Repeals and replaces Ch. 6.120; repeals § 16.18.903, abatement of graffiti (6.120)
12-2012	Adopts amended development agreement for Montelena Project; repeals Ord. 7-2012 (Special)
13-2012	(Not adopted)
14-2012	Adds Ch. 3.90, cardroom tax (3.90)
15-2012	Repeals §§ 4.22.020(C) and 4.22.115(B), cardrooms (4.22)
16-2012	Amends Ch. 23.743, signs (23.743)
17-2012	(Not adopted)
18-2012	Adds § 23.731.080(I), electric fences (23.731)
19-2012	Adds § 16.20.221; amends §§ 16.20.015(B), 16.20.1100, 16.20.1115, 16.20.1120, 16.20.1130, 16.20.1135, 16.20.1200(A) and 16.20.1205, and footnote to Art. XI title; repeals §§ 16.20.1105 and 16.20.1150, housing code (16.20)
20-2012	Franchise grant (Special)
21-2012	(Not adopted)
22-2012	Amends §§ 6.21.010, 6.21.020, 6.21.030(A), 6.21.140 and 6.21.150(A); repeals and replaces Ch. 6.20, solid waste management and recycling (Repealed by 17-2020)
23-2012	Amends § 23.743.150, digital freeway signs overlay (23.743)
1-2013	(Not adopted)
2-2013	Community Facilities District No. 2013-2 special tax (Tables)
3-2013	Amends Ch. 16.84, development impact fees to finance the cost of transportation facilities (16.84)
4-2013	Amends § 4.22.115, cardrooms (4.22)
5-2013	Moratorium on computer gaming and Internet access businesses (Special)

ITEM 11.1.

Rancho Cordova Municipal Code
Table B: Ordinance Table

ATTACHMENT 4

Page 46/54

6-2013	Amends Folsom Boulevard specific plan (Special)
7-2013	Amends §§ 16.83.065, 16.83.105 and 16.83.120(C); repeals § 16.83.140(G), public facilities development fees (16.83)
8-2013	Amends §§ 16.81.050 and 16.81.090; repeals § 16.81.110(A), off-site roadway mitigation and library facilities development fees (16.81)
9-2013	Adds Ch. 16.92, construction and demolition debris (Repealed by 3-2016)
10-2013	Extends moratorium on computer gaming and Internet access businesses (Special)
11-2013	Repeals Ord. 24-2006, special tax for police protection for Montelena Subdivision (Repealer)
12-2013	Amends § 9.36.061, park regulations (9.36)
13-2013	Amends §§ 6.20.130, 6.20.150, 6.20.230, 6.20.270, 6.20.290, 6.20.300, 6.20.310 and 6.20.340, solid waste management; adds §§ 23.113.040 and 23.113.050; amends §§ 23.104.030, 23.110.020, 23.110.040, 23.110.150, 23.113.020, 23.113.030, 23.116.010, 23.119.030, 23.131.040, 23.134.060, 23.140.030, 23.140.050, 23.141.030, 23.152.060, 23.164.040, 23.167.020, 23.167.050, 23.170.040, 23.173.080, 23.301.020, 23.301.030, 23.325.050, 23.325.080, 23.704.040, 23.713.080, 23.716.060, 23.719.110, 23.719.120, 23.722.050, 23.725.040, 23.731.030, 23.731.050, 23.731.060, 23.731.070, 23.731.080, 23.734.030, 23.734.050, 23.901.030, 23.904.020, 23.907.020, 23.907.030, 23.913.030, 23.919.060, 23.1101.020 and 23.1104.020, zoning (23.104, 23.110, 23.113, 23.116, 23.119, 23.131, 23.134, 23.140, 23.141, 23.152, 23.170, 23.173, 23.301, 23.325, 23.704, 23.713, 23.716, 23.719, 23.722, 23.725, 23.731, 23.734, 23.901, 23.904, 23.907, 23.913, 23.919, 23.1104)
14-2013	Amends § 23.1000.030(C)(6), Mather Field special planning area (23.1000)
15-2013	Adds Chs. 9.102 and 23.925; amends §§ 4.06.085 and 23.1101.020, medical marijuana dispensaries (4.06, 9.102, 23.925, 23.1104)
16-2013	Adds Ch. 9.102; amends § 4.06.085, medical marijuana dispensaries (4.06, 9.102)
17-2013	Adds Ch. 23.925; amends § 23.1101.020, medical marijuana dispensaries (23.925, 23.1104)
18-2013	Amends § 23.325.020, convention overlay district (23.325)
19-2013	Amends § 23.325.020, convention overlay district; amends Folsom Boulevard specific plan (23.325)
20-2013	Adds Ch. 16.03, safety assessment placards (16.03)
21-2013	Moratorium on medical marijuana dispensaries (Special)
22-2013	Amends Ch. 16.02, uniform administrative code (Repealed by 12-2019)
23-2013	Amends development agreement for Montelena (Special)
24-2013	Approves development agreement amendment for Anatolia III project (Special)
25-2013	Amends §§ 23.158.030(A) and (D), development agreements (23.158)
26-2013	Approves development agreement amendment for Douglas 98 Project (Special)
27-2013	(Number not used)
28-2013	Approves development agreement amendment for Anatolia III project (Special)
29-2013	Rezones parcels within Sunridge planning area (Special)
30-2013	Adds Ch. 8.11; amends Table 23.310-1, keeping of backyard hens (8.11, 23.310)

ITEM 11.1.

Rancho Cordova Municipal Code
Table B: Ordinance Table

ATTACHMENT 4

Page 47/54

31-2013	Amends Ch. 16.02, uniform administrative code (Repealed by 12-2019)
32-2013	Amends Ch. 16.04, building code (Repealed by 13-2019)
33-2013	Amends Ch. 16.06, residential code (Repealed by 15-2019)
34-2013	Amends Ch. 16.24, plumbing code (Repealed by 17-2019)
35-2013	Amends Ch. 16.26, energy code (16.26)
36-2013	Amends Ch. 16.28, electrical code (Repealed by 19-2019)
37-2013	Amends Ch. 16.32, mechanical code (Repealed by 20-2019)
38-2013	Amends Ch. 16.36, swimming pools (Repealed by 21-2019)
39-2013	Amends Ch. 16.38, green building code (Repealed by 22-2019)
40-2013	Amends Title 17, fire prevention (17.12)
41-2013	Adopts SunCreek specific plan (Special)
42-2013	Approves development agreements for SunCreek project (Special)
43-2013	Amends §§ 1.01.190, 6.60.020, 6.90.070, 6.120.020(H) and 8.04.050, title of Ch. 9.80 and §§ 9.80.010, 9.80.040 and 16.18.205(D), code enforcement (1.01, 6.60, 6.120, 8.04, 9.80, 16.18)
44-2013	Amends Folsom Boulevard specific plan and zoning map (Special)
1-2014	Adds § 2.04.115; amends § 2.38.020; repeals § 3.60.030(C), authority to settle third party disputes (2.04, 2.38, 3.60)
2-2014	Amends Sacramento County Zoning Code Ordinance 2002-0014, collection of fees for Sunridge Specific Plan Area (Special)
3-2014	Amends Sacramento County Zoning Code Ordinance 2002-0015 to eliminate certain fee requirements for Sunridge Specific Plan Area (Special)
4-2014	Amends § 16.81.140, annual program fee adjustment (16.81)
5-2014	Amends § 16.83.200, annual program fee adjustment (16.83)
6-2014	Moratorium on computer gaming and Internet access businesses (Special)
7-2014	Adds Ch. 15.11, annual storm water utility fee (15.11)
8-2014	Moratorium on private smokers' lounges, e-cigarette lounges, vapor bars and hookah bars (Special)
9-2014	Adds §§ 6.84.024 and 6.84.041; amends §§ 6.84.045 and 6.86.040, electronic cigarettes and smoking devices (6.84)
10-2014	Approves development agreement for Sunridge Lot J project (Special)
11-2014	Extends moratorium on private smokers' lounges, e-cigarette lounges, vapor bars and hookah bars (Special)
12-2014	Amends Chs. 23.119 and 23.743, signs (23.119, 23.743)
13-2014	Amends § 4.07.030, Ch. 6.84 and § 23.1101.020, smoking (4.07, 6.84, 23.1104)
14-2014	Community Facilities District No. 2014-1 special tax (Tables)
15-2014	Community Facilities District No. 2014-2 special tax (Tables)
16-2014	Repeals Ch. 6.130, protection of children from sexual offenders (Repealer)
17-2014	Adds §§ 9.81.030(D) – (H) and 9.81.050; amends §§ 9.81.010(C) – (E), 9.81.020 and

ITEM 11.1.

Rancho Cordova Municipal Code
Table B: Ordinance Table

ATTACHMENT 4

Page 48/54

	9.81.040, prohibition against aggressive, intrusive and unsafe panhandling (9.81)
18-2014	Approves development agreement amendment for Sunridge North Douglas project (Special)
19-2014	Special tax for transit-related services for 3500 Fitzgerald Road Industrial Building project (Tables)
20-2014	Adds §§ 8.08.050, 8.08.060, 8.08.070, 8.08.080 and 8.08.090; amends §§ 8.01.110, 8.03.010, 8.04.030, 8.06.030(M)(3), 8.07.015, 8.07.040, 8.07.045, 8.07.060(D), 8.09.020, 8.09.030, 8.09.050(A) and 8.09.130(F)(1), (H), (I) and (J)(1), animals (8.01, 8.03, 8.04, 8.06, 8.07, 8.08, 8.09)
21-2014	Adds Ch. 3.05, transactions and use tax (3.05)
22-2014	Adds Art. XVI to Ch. 16.18, repeat nuisance service calls (16.18)
23-2014	Adds § 23.325.090, overlay zoning districts (23.325)
24-2014	Approves development agreement amendment for Arista del Sol project (Special)
25-2014	Moratorium on establishments serving alcohol for on-site consumption within 500 feet of adult businesses (Special)
26-2014	Extends moratorium on establishments serving alcohol for on-site consumption within 500 feet of adult businesses (Special)
27-2014	Adds § 1.01.200; amends §§ 16.18.1001, 16.18.1424, 16.19.100(B), 16.20.700(D), 16.20.750, 16.22.419(B), 16.22.500 and 23.173.100; repeals §§ 16.18.1002 – 16.18.1007, 16.20.755 and 16.22.501 – 16.22.505, special assessments and liens (1.01, 16.18, 16.19, 16.20, 16.22, 23.173)
28-2014	Approves development agreement amendment for Anatolia IV project (Special)
29-2014	Amends Folsom Boulevard specific plan (Special)
1-2015	Amends Ch. 6.90 and Table 23.310-1, marijuana cultivation (23.310)
2-2015	Approves rezone and development agreement amendment (Special)
3-2015	Amends § 16.84.065, temporary deferral for payments of transportation impact fees (16.84)
4-2015	Extends moratorium on private smokers' lounges, e-cigarette lounges, vapor bars and hookah bars (Special)
5-2015	Adopts development agreement amendment for Capital Village special planning area (Special)
6-2015	Sunridge North Douglas Community Facilities District No. 2005-1 special tax; rescinds Ord. 26-2005 (Tables)
7-2015	Rezone and Douglas 103 development agreement amendment (Special)
8-2015	Amends Tables 23.313-1 and 23.316-1 and § 23.1101.020, zoning; amends Folsom Boulevard specific plan (23.313, 23.316, 23.1104)
9-2015	Approves development agreement amendment for Rio Del Oro project (Special)
10-2015	Adds Ch. 16.07, expedited permit process for small residential rooftop solar energy systems (16.07)
11-2015	Amends Table 23.325-1, grocery stores in convention overlay zone (23.325)
12-2015	Adds Ch. 10.25, preferential residential permit parking program (10.25)
13-2015	Amends §§ 10.50.010 and 10.50.020, reduced speed limits on specific streets (10.50)

ITEM 11.1.

Rancho Cordova Municipal Code
Table B: Ordinance Table

ATTACHMENT 4

Page 49/54

14-2015	(Not adopted)
15-2015	Amends Tables 23.313-1 and 23.316-1 and § 23.919.060(C), zoning (23.313, 23.316, 23.919)
16-2015	Amends Capital Village special planning area handbooks (Special)
17-2015	Approves development agreement amendment for Capital Village special planning area (Special)
1-2016	Adds §§ 6.84.040(B) [6.84.030(B)] and 23.919.100; amends Tables 23.313-1 and 23.316-1 and §§ 23.919.010(A) and 23.1101.020, zoning (6.84, 23.313, 23.316, 23.919, 23.1104)
2-2016	Repeals and replaces Ch. 6.21, business and multifamily recycling and organics recycling (Repealed by 17-2020)
3-2016	Repeals and replaces Ch. 16.92, construction and demolition debris reduction, reuse and recycling (16.92)
4-2016	Amends §§ 16.83.105 and 16.84.065, deferral of development impact fees (16.83, 16.84)
5-2016	Rezone, Villages of Zinfandel special planning area (Special)
6-2016	Amends development agreement, Villages of Zinfandel (Special)
7-2016	Adds §§ 22.10.111, 22.10.112, 22.10.141.1; amends §§ 19.12.050, 22.25.010, 22.110.070, 23.158.040, 23.158.050 and 23.325.040, 200-year floodplain (22.10, 22.25, 22.110, 23.158, 23.325)
8-2016	Special tax for transit-related services for APG warehouse project (Tables)
9-2016	Adopts amended Rio Del Oro specific plan (Special)
10-2016	Approves amended Rio Del Oro development agreements (Special)
11-2016	Repeals and replaces Ch. 4.33, massage/massage businesses (4.33)
12-2016	Amends Ch. 16.02, uniform administrative code (Repealed by 12-2019)
13-2016	Amends Ch. 16.04, building code (Repealed by 13-2019)
14-2016	Amends Ch. 16.06, residential code (Repealed by 15-2019)
15-2016	Amends Ch. 16.24, plumbing code (Repealed by 17-2019)
16-2016	Amends Ch. 16.26, energy code (16.26)
17-2016	Amends Ch. 16.28, electrical code (Repealed by 19-2019)
18-2016	Amends Ch. 16.32, mechanical code (Repealed by 20-2019)
19-2016	Amends Ch. 16.36, swimming pools (Repealed by 21-2019)
20-2016	Amends Ch. 16.38, green building code (Repealed by 22-2019)
21-2016	Amends Ch. 16.40, moving buildings (Repealed by 23-2019)
22-2016	(Not adopted)
23-2016	Special tax for transit-related services for Monier Circle warehouse project (Tables)
24-2016	Adds Ch. 3.70; amends § 3.60.110(A), public projects (3.60, 3.70)
1-2017	Amends Table 23.325-1 in § 23.325.020, card rooms (23.325)
2-2017	Amends Folsom Boulevard specific plan (Special)

ITEM 11.1.

Rancho Cordova Municipal Code
Table B: Ordinance Table

ATTACHMENT 4

Page 50/54

3-2017	Amends Ch. 23.313, mixed-use zoning districts (23.313)
4-2017	Adds Ch. 8.12; amends Articles 1, 3, 5, 7, 9 and 11 of Title 23, beekeeping, zoning (8.12, 23.101, 23.104, 23.107, 23.110, 23.113, 23.116, 23.119, 23.122, 23.125, 23.128, 23.131, 23.134, 23.140, 23.141, 23.143, 23.146, 23.149, 23.152, 23.155, 23.158, 23.170, 23.173, 23.301, 23.304, 23.307, 23.310, 23.313, 23.316, 23.319, 23.325, 23.328, 23.501, 23.504, 23.507, 23.510, 23.513, 23.701, 23.704, 23.710, 23.713, 23.716, 23.719, 23.722, 23.725, 23.728, 23.731, 23.734, 23.737, 23.740, 23.743, 23.901, 23.904, 23.907, 23.910, 23.913, 23.915, 23.916, 23.919, 23.922, 23.925, 23.1104)
5-2017	Amends §§ 4.33.040, 4.33.060 and Tables 23.313-1 and 23.316-1, massage establishments (4.33, 23.313, 23.316)
6-2017	(Not adopted)
7-2017	Adds Ch. 16.09, expedited permit process for electric vehicle charging stations (16.09)
8-2017	Amends § 6.120.140, graffiti abatement (6.120)
9-2017	Adds Art. XVII to Ch. 16.18, property maintenance code (16.18)
10-2017	Amends Table 23.310-1; repeals and replaces Ch. 6.90, cannabis cultivation (6.90, 23.310)
11-2017	Approves development agreement amendment for Sundance project (Special)
12-2017	Repeals and replaces Chs. 19.04 and 19.12, tree preservation and protection (19.04, 19.12)
1-2018	Amends §§ 10.50.010 and 10.50.020, reduced speed limits on specific streets (10.50)
2-2018	Approves development agreement amendment for Douglas 98 project (Special)
3-2018	Amends zoning map (Special)
4-2018	Adds Figure 23.716-3 [23.716-2a] and § 23.913.050; amends § 23.107.020(A), Tables 23.313-1, 23.316-1, 23.316-2, 23.325-1, § 23.704.030, Table 23.719-1, § 23.719.130(C), Ch. 23.728, §§ 23.743.050, 23.743.065(B), 23.1104.040 and 23.1104.050, zoning (23.107, 23.313, 23.316, 23.325, 23.704, 23.716, 23.719, 23.728, 23.743, 23.913, 23.1104)
5-2018	Adds Ch. 16.86; amends § 16.87.010(A), transit development impact fees for transit improvements (16.86, 16.87)
6-2018	Special tax for transit-related services for Homewood Suites project (Tables)
7-2018	Amends § 23.719.130, off-street RV, trailer and vessel parking for private residences (23.719)
8-2018	Special tax for transit-related services for Superior Self-Storage project (Tables)
9-2018	Amends §§ 20.04.060(I) and 23.325.040(F)(1), FEMA flood insurance map effective date (20.04, 23.325)
10-2018	Amends § 23.901.080, family day care (large) (Repealed by 1-2020)
11-2018	Amends Ch. 23.907, utility, transportation, and communication uses (23.907)
12-2018	Adopts fourth amendment to development agreement for Montelena project (Special)
13-2018	Adopts third amendment to development agreement for Douglas 98 project (Special)
14-2018	Adopts second amendment to development agreement for Grantline 208 project (Special)

ITEM 11.1.

Rancho Cordova Municipal Code
Table B: Ordinance Table

ATTACHMENT 4

Page 51/54

15-2018	Amends §§ 6.56.130, 6.56.160, 23.140.020, Tables 23.313-1, 23.316-1, §§ 23.719.130 and 23.1104.040, zoning (6.56, 23.140, 23.313, 23.316, 23.719, 23.1104)
16-2018	Repeals Ord. 29-2006, special tax for police protection for Anatolia IV Subdivision (Repealer)
17-2018	Amends Ch. 4.26, Table 23.313-1 and Folsom Boulevard specific plan; repeals Ch. 4.28, bingo (4.26, 23.313)
18-2018	Community Facilities District No. 2018-2 special tax (Tables)
19-2018	Community Facilities District No. 2018-1 special tax (Tables)
20-2018	Repeals and replaces Ch. 17.04, fire code (Repealed by 24-2019)
21-2018	Special tax for transit-related services for European Parts Depot project (Tables)
22-2018	Adopts first amendment to development agreement for Anthology at Anatolia project (Special)
23-2018	Adds Ch. 16.94, aquatic resources protection (16.94)
24-2018	Adds Ch. 22.45, South Sacramento Habitat Conservation Plan mitigation fees (22.45)
1-2019	Repeals Ords. 28-2004, 29-2004, 30-2004, 32-2004, 33-2004, 40-2004, 25-2006, 26-2006, 27-2006, 28-2006, 31-2006, 32-2006 and 38-2006, special police tax areas (Repealer)
2-2019	Special tax for transit-related services for Gold Valley Center project (Tables)
3-2019	Amends §§ 4.29.030, Tables 23.313-1 [23.310-1] 23.313-1, 23.316-1, 23.719-1, §§ 23.728.020, 23.734.030, 23.922.030(B) and 23.1104.040; amends and rennumbers §§ 6.68.230 as 6.68.190 and 6.68.240 as 6.68.200; repeals §§ 6.68.190 through 6.68.220, bingo suppliers, noise control, zoning (4.29, 6.68, 23.310, 23.313, 23.316, 23.719, 23.728, 23.734, 23.922, 23.1104)
4-2019	Amends §§ 4.54.000 – 4.54.020, street businesses (4.54)
5-2019	Amends Tables 23.313-1, 23.316-1, 23.319-1, §§ 23.716.070(C)(4), 23.731.050 and 23.922.030(B), zoning (23.313, 23.316, 23.319, 23.716, 23.731, 23.922)
6-2019	Amends Villages of Zinfandel special planning area (Special)
7-2019	Approves development agreement, Bradshaw Village subdivision (Special)
8-2019	Amends §§ 16.83.105 and 16.84.065, deferral of development impact fees (16.83, 16.84)
9-2019	Adds Ch. 9.84, personal property storage on public property (9.84)
10-2019	Special tax for transit-related services for Bradshaw Village project (Tables)
11-2019	Reapproves amended development agreement, Rio Del Oro project (Special)
12-2019	Repeals and replaces Ch. 16.02, administrative code (Repealed by 16-2022)
13-2019	Repeals and replaces Ch. 16.04, building code (Repealed by 17-2022)
14-2019	Adds Ch. 16.05, historical building code (16.05)
15-2019	Repeals and replaces Ch. 16.06, residential building code (Repealed by 19-2022)
16-2019	Adds Ch. 16.10, existing building code (16.10)
17-2019	Repeals and replaces Ch. 16.24, plumbing code (Repealed by 21-2022)
18-2019	Adds [amends] Ch. 16.26, energy code (16.26)
19-2019	Repeals and replaces Ch. 16.28, electrical code (Repealed by 23-2022)

ITEM 11.1.

Rancho Cordova Municipal Code
Table B: Ordinance Table

ATTACHMENT 4

Page 52/54

20-2019	Repeals and replaces Ch. 16.32, mechanical code (Repealed by 24-2022)
21-2019	Repeals and replaces Ch. 16.36, swimming pool and spa code (Repealed by 25-2022)
22-2019	Repeals and replaces Ch. 16.38, green building code (Repealed by 26-2022)
23-2019	Repeals and replaces Ch. 16.40, moving buildings (Repealed by 27-2022)
24-2019	Repeals and replaces Ch. 17.04, fire code (Repealed by 28-2022)
25-2019	Adds Ch. 23.930, tenant protection (Expired)
1-2020	Amends Tables 23.310-1, 23.313-1, §§ 23.728.030(C) and 23.731.070; repeals § 23.901.080, zoning (23.310, 23.313, 23.728, 23.731)
2-2020	Amends §§ 22.40.035(B) and (C), calculating area of land dedication (22.40)
3-2020	Rezone (Special)
4-2020	Approves development agreement, ranch special planning area project (Special)
5-2020	Adds § 16.18.1703(Y), boats, recreational vehicles and trailers (16.18)
6-2020	Urgency ordinance adding Ch. 16.21, temporary moratorium on eviction of residential tenants (Not codified)
7-2020	Urgency ordinance adding Ch. 4.56, temporary moratorium on eviction of commercial tenants (Not codified)
8-2020	Adds Ch. 16.21, temporary moratorium on eviction of residential tenants (16.21)
9-2020	Adds Ch. 4.56, temporary moratorium on eviction of commercial tenants (4.56)
10-2020	Amends Arts. XI and XII of Ch. 16.20; repeals Art. VIII of Ch. 16.20, housing code (16.20)
11-2020	Amends §§ 6.56.130, 16.18.1702(I) – (R), 16.18.1703, 16.18.1704, Table 23.316-1, §§ 23.325.070, 23.719.130, 23.731.060 and 23.901.030, abandoned vehicles, nuisance, zoning (6.56, 16.18, 23.316, 23.325, 23.719, 23.731, 23.901)
12-2020	Community Facilities District No. 2020-1 special tax (Tables)
13-2020	Amends Suncreek specific plan (Special)
14-2020	Amends §§ 6.84.020 and 6.84.040, regulation of smoking (6.84)
15-2020	Adds Ch. 16.95, storm drainage impact fee program (16.95)
16-2020	Special tax for transit-related services, White Rock Center project (Tables)
17-2020	Repeals and replaces Chs. 6.20 and 6.21, solid waste management, business and multifamily recycling and organics recycling (6.20, 6.21)
18-2020	Adds Ch. 3.06, Rancho Cordova relief and recovery 2020 transactions and use tax (3.06)
19-2020	Repeals § 6.86.110, purchase of tobacco products by minors prohibited (Repealer)
20-2020	Amends §§ 10.50.010 and 10.50.020, reduced speed limits on specific streets (10.50)
1-2021	Amends §§ 23.313.030, 23.743.150(A) and (B) and 23.1104.040, zoning (23.313, 23.743, 23.1104)
2-2021	Amends development agreement for Montelena (Special)
3-2021	Amends the Ranch special planning area (Special)
4-2021	Amends development agreement, the Ranch (Special)

ITEM 11.1.

Rancho Cordova Municipal Code
Table B: Ordinance Table

ATTACHMENT 4

Page 53/54

5-2021	Urgency ordinance establishing temporary limit on third-party delivery service fees (Not codified)
6-2021	Special tax for transit-related services, Rio del Oro project (Tables)
7-2021	Adds § 8.07.065; amends §§ 8.01.110, 8.01.120, 8.07.040, 8.07.055 and 8.07.060, potentially dangerous and vicious animals (8.01, 8.07)
8-2021	Adds Ch. 23.902; amends §§ 23.316.030 and 23.1104.040, zoning (23.316, 23.902, 23.1104)
9-2021	Special tax for transit-related services, High Class Motors project (Tables)
10-2021	Amends §§ 16.83.040 and 16.83.070, Sunrise Douglas community plan funds (16.83)
11-2021	Amends §§ 23.313.030 and 23.325.020, zoning (23.313, 23.325)
12-2021	Amends SunCreek specific plan (Special)
13-2021	Adds § 4.54.305, fireworks host liability (4.54)
14-2021	Amends development agreement for Montelena Villages (Special)
15-2021	Adds §§ 16.81.010(E), 16.81.120(E) and 16.81.130(E); amends §§ 16.81.020 through 16.81.040 and 16.81.070; repeals §§ 16.81.080 through 16.81.100, 16.81.110(B) and 16.81.140, development fees to finance cost of off-site roadway mitigation and library facilities (16.81)
16-2021	Amends development agreement, Rio Del Oro project (Special)
17-2021	Adds Chs. 23.137 and 23.707; amends Chs. 23.104, 23.110, 23.141, 23.710 and § 23.901.060, zoning (23.104, 23.110, 23.137, 23.141, 23.707, 23.710, 23.901)
18-2021	Cancels development agreement, Preserve at Sunridge project (Special)
19-2021	Special tax for transit-related services, Falconer commercial building project (Tables)
20-2021	Special tax for transit-related services, express sewer and drain project (Tables)
21-2021	Special tax for transit-related services, The Ranch project (Tables)
22-2021	Amends Chs. 2.30, 23.104 and 23.110, planning commission (2.30, 23.104, 23.110)
23-2021	Community Facilities District No. 2021-1 special tax (Tables)
1-2022	Amends Chs. 23.128, 23.307, 23.310, 23.313, 23.316, 23.719, § 23.743.085, Ch. 23.901 and § 23.1104.040, zoning (23.128, 23.307, 23.310, 23.313, 23.316, 23.719, 23.743, 23.901, 23.1104)
2-2022	Amends Ch. 2.30, planning commission (2.30)
3-2022	Moratorium on electronic cigarette retailers, electronic cigarette lounges and vapor bars (Special)
4-2022	Extends moratorium on electronic cigarette retailers, electronic cigarette lounges and vapor bars (Special)
5-2022	Special tax for transit-related services, Grantline 220 project (Tables)
6-2022	Rezone (Special)
7-2022	Approves development agreement (Special)
8-2022	Community Facilities District No. 2022-1 special tax (Tables)
9-2022	Adds Ch. 16.82, SunCreek specific plan development impact fees (16.82)
10-2022	Amends Ch. 4.07, §§ 6.84.020 and 23.919.100; repeals Ch. 6.86, tobacco sales and use (4.07, 6.84, 23.919)

ITEM 11.1.

Rancho Cordova Municipal Code
Table B: Ordinance Table

ATTACHMENT 4

Page 54/54

11-2022	Approves amendments to development agreements and reapproves development agreement for SunCreek project (Special)
12-2022	Amends §§ 16.18.205, 16.18.503, 17.12.020, 23.313.030, Ch. 23.325, 23.1104.040 and Folsom Boulevard specific plan, nuisance, weed control, zoning (16.18, 17.12, 23.313, 23.1104)
13-2022	Adds Ch. 9.85, protection of critical infrastructure and wildfire risk areas (9.85)
14-2022	Special tax for transit-related services, Ranch project (Special)
15-2022	Amends §§ 2.30.010, 4.10.155, Ch. 6.90, §§ 10.64.030, 16.95.070(A), 21.12.010, 21.12.020(A) and (B), 21.12.025, 21.12.030, 21.12.040, 21.12.045, 21.12.050, 21.12.055, 21.12.075, 22.10.060, 22.10.075, 22.20.076, 22.25.010, 22.30.015, 22.40.005, 22.50.010, 22.110.035, 22.110.065 and Ch. 23.104; repeals Ch. 2.34, housekeeping ordinance (2.30, 4.10, 6.90, 10.64, 16.95, 21.12, 22.10, 22.20, 22.25, 22.30, 22.40, 22.50, 22.110, 23.104)
16-2022	Repeals and replaces Ch. 16.02, administrative code (16.02)
17-2022	Repeals and replaces Ch. 16.04, building code (16.04)
18-2022	Adds [amends] Ch. 16.05, historical building code (16.05)
19-2022	Repeals and replaces Ch. 16.06, residential building code (16.06)
20-2022	Adds [amends] Ch. 16.10, existing building code (16.10)
21-2022	Repeals and replaces Ch. 16.24, plumbing code (16.24)
22-2022	Adds [amends] Ch. 16.26, energy code (16.26)
23-2022	Repeals and replaces Ch. 16.28, electrical code (16.28)
24-2022	Repeals and replaces Ch. 16.32, mechanical code (16.32)
25-2022	Repeals and replaces Ch. 16.36, swimming pool and spa code (16.36)
26-2022	Repeals and replaces Ch. 16.38, green building code (16.38)
27-2022	Repeals and replaces Ch. 16.40, moving buildings (16.40)
28-2022	Repeals and replaces Ch. 17.04, fire code (17.04)
29-2022	Amends §§ 5.50.104 and 5.50.112, cable television commission (5.50)

Chapter 15.10 STORM DRAINAGE FEE

Sections:

- 15.10.010 Purpose.**
- 15.10.020 Findings.**
- 15.10.030 Definitions.**
- 15.10.040 Levy of charge for storm drainage services.**
- 15.10.050 Reduction in charge.**
- 15.10.060 Billing procedure.**
- 15.10.070 Lien.**
- 15.10.080 Collection of fees with general taxes.**
- 15.10.090 Administration and enforcement.**
- 15.10.100 Administrative appeal.**
- 15.10.110 Deposit of collections.**
- 15.10.120 Operative date.**
- 15.10.130 Severability.**

15.10.010 Purpose.

The purpose of this chapter is to establish a mechanism for funding the operation and maintenance of the Ccity storm drainage system in order that storm and surface waters may be properly drained and controlled so that the health, safety and welfare of the city and its inhabitants may be safeguarded and protected. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 0985 § 1, 1995].

15.10.020 Findings.

The Ccity Council hereby finds as follows:

ITEM 11.1.**ATTACHMENT 4**

- A. The Ceity maintains a system of storm and surface water management facilities within ~~the unincorporated area of the~~ Ceity, including but not limited to inlets, conduits, manholes, channels, ditches, drainage easements, retention and detention basins, infiltration facilities, overland release corridors, pump stations, and other components as well as natural waterways.
- B. Those elements of the Ceity's storm and surface water management system that provide for the collection, storage, treatment, and conveyance of storm drainage are of benefit and provide services to all developed property within ~~the unincorporated area of the~~ Ceity.
- C. The cost of operating and maintaining the storm drainage management system, including necessary repairs, should, to the extent practicable, be allocated in relationship to the benefits enjoyed and services received therefrom.
- D. Erosion and the discharge of nutrients, metals, oil, grease, and other substances into and through the storm drainage system ~~is resultsing~~ in a degradation in water quality if not properly managed.
- E. The public health, safety and welfare are adversely affected by poor water quality and flooding resulting from inadequate storm drainage management practices.
- F. The storm drainage management practices necessary to protect water quality are largely established by federal and state statutes, regulations and permitting requirements.
- G. Real property either uses or benefits from the presence and operation of the storm drainage management system.
- H. The use of the storm drainage system is dependent on factors that influence runoff, including land use and impervious area.
- I. The Ceity has the authority under Section 5471 of the Health and Safety Code to prescribe, revise and collect fees, tolls, rates, rentals and other charges for facilities and services furnished by it in connection with its storm drainage system.
- J. The Legislature, through the adoption of Section 5471 of the Health and Safety Code, has specifically authorized the Ceity to provide storm drainage services as a utility function for which service charges may be levied.

ITEM 11.1.

ATTACHMENT 4

K. Storm drainage services are currently provided ~~in the unincorporated area of the city~~ by both the Ceity ~~and the water agency~~ and funded through a combination of property tax revenue and benefit assessments.

~~L. Property taxes have proven to be an unreliable source of revenue due to the state of California's recent proclivity for shifting local property tax revenue from the city and special districts to schools.~~

~~M.L.~~ Benefit assessments are an undesirable revenue mechanism because of the significant lag-time between the time that the assessments are approved and the time that they are received as part of the real property tax collection and allocation process. This lag-time creates the need to include a component in the assessment to provide a reserve for dry period financing purposes.

~~N.M.~~ A fee to fund storm drainage services offers a reliable and consistent source of revenue that is locally controlled and independent of the vagaries of the state of California's budget process. [Ord. 212003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 0985 § 1, 1995].

15.10.030 Definitions.

The meanings ascribed to the terms set forth in this section shall govern the interpretation of this chapter.

"Administrative charge" means the charge imposed by the Ceity's consolidated utility billing service for the actual cost of billing for, and collection of, storm drainage service fees.

~~"Chief of water resources" means the chief of the water resources division of the department of district engineering or his designee.~~

"City" means the Ceity of Rancho Cordova.

"City storm drainage system" means the system of storm and surface water management facilities, including but not limited to inlets, conduits, manholes, channels, ditches, drainage easements, retention and detention basins, infiltration facilities, overland release corridors, pump stations and other components as well as natural waterways; within the ~~unincorporated area of the~~ Ceity that ~~is~~ are either owned or operated by the Ceity ~~or the water agency~~.

"Commercial/office use" means the use of any developed parcel for any of the following or similar purposes: offices, wholesale or retail sales, establishments, or the provision of personal, professional or business services, including, but not limited to, retail stores, shopping centers, restaurants, service stations, car washes, vehicle, boat and trailer sales lots, parking lots, automobile repair and service

ITEM 11.1.**ATTACHMENT 4**

facilities, auction yards, advertising offices, nurseries, general offices, financial service facilities, medical and dental offices, clinics and laboratories, and veterinary offices, clinics and hospitals.

“Developed parcel” means any parcel of land altered from its natural state by the construction, ~~creation~~creation, or addition of impervious area.

“Engineer” means the ~~administrator of the Ceity’s Ppublic Wworks agency-Director~~ or ~~their~~his designee.

“Equivalent contributing parcel area” means the calculated area which, when multiplied by the impervious factor for the parcel’s use classification, yields the parcel’s measured impervious area.

“Exempt use” means the use of any public or undeveloped property and the use of any other parcel for any of the following purposes: agricultural land used for crops or pasture, aquatic farms, orchards, Ceity-maintained drainage ditches, property within a floodplain recognized by the Ceity on which improvements are prohibited, and levees.

“Fiscal year” means the annual period beginning July 1st ~~-~~and ending June 30th.

“Impervious area” means the total area of a parcel of property covered by an impervious surface.

“Impervious factor (IF)” means a factor which represents the percentage of impervious area on a parcel which consists of a numerical value that is calculated on the basis of generally accepted engineering standards, review and application of such standards to local conditions, and statistics compiled by measuring impervious areas depicted on aerial photographs of real property.

“Impervious surface” means ~~any surface on or in any parcel which reduces the rate of infiltration of storm water into the soil.~~ aA surface covering or pavement of a developed parcel of land that prevents the land's natural ability to absorb and infiltrate rainfall/storm-water. Impervious surfaces include, but are not limited to: roof tops, walkways, patios, driveways, parking lots, storage areas, impervious concrete and asphalt, and any other continuous watertight pavement or covering. Landscaped soil and pervious pavement, including pavers with pervious openings and seams, underlain with pervious soil or pervious storage material, such as a gravel layer sufficient to hold the specified volume of rainfall runoff are not impervious surfaces.

“Industrial use” means the use of any developed parcel for any of the following or similar purposes: ~~to~~ manufacture, fabricate, process or package products, to process or store food or chemical products, or for storage or warehousing purposes, including, but not limited to, processing, fabrication and assembly plants, warehouses, wrecking yards, aerospace facilities, truck and other transportation

ITEM 11.1.**ATTACHMENT 4**

terminals, building materials storage, bakeries, canneries, wineries, creameries, meat and frozen food processing facilities, meat packing plants, slaughter yards, inspection and weighing stations, airports, railroads and railroad spurs, wells, electrical substations, water or sewage treatment plants, and ministorage facilities.

“Institutional use” means the use of any developed parcel for any of the following or similar purposes: hospitals, nursing facilities, residential care facilities, retirement homes, day nurseries, mortuaries, churches, and schools.

“Low impervious development use” means the use of any developed parcel for any of the following or similar purposes: golf courses, surface mines, cemeteries, marinas, and sports fields.

“Multifamily residential use” means the use of any developed parcel for any of the following or similar purposes: triplexes, fourplexes, apartments, mobile home parks, hotels, boarding and rooming houses, fraternity and sorority houses, motels, the common areas of condominiums and planned unit developments, and bed and breakfast inns.

“Parcel” means the smallest separately segregated lot, unit or plot of real property having an identified owner, boundaries, and surface area which is documented for property tax purposes and given a tax lot number by the county assessor.

“Parcel area” means the square footage of a parcel measured or estimated using the outside boundary dimensions in feet in order to obtain the total square footage without regard for any topographic features of the enclosed surface.

“Person” means any individual, firm, company, association, society, partnership, corporation, organization, group or public agency.

“Public agency” means the United States or any department or agency thereof, the state of California or any department or agency thereof, a city, a county, and any district or other local authority or public body of or within this state.

“Public property” means any property owned by a public agency.

“Residential dwelling unit” means any residential premises designed to house a single family.

“Single-family residential use” means the use of any developed parcel for any of the following or similar purposes: single-family residences, condominiums and planned unit developments, row houses, halfplexes, duplexes, and mobile homes located on individually owned parcels.

ITEM 11.1.**ATTACHMENT 4**

“Street” means any public highway, road, street, avenue, way, alley or right-of-way.

“Undeveloped use” means any parcel that has not been altered from its natural state, as evidenced by a complete lack of impervious surface.

“Unit service charge (USC)” means the cost of storm drainage services attributable to storm drainage from one square foot of impervious area.

“Use code” means the six-digit alphanumeric code assigned by the County Assessor’s Office to every parcel within the Ceity.

“User” means the owner of a parcel of real property that is charged for storm drainage services.

~~“Water agency” means the Sacramento County water agency. [Revised during 2008 codification; Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 0985 § 1, 1995].~~

15.10.040 Levy of charge for storm drainage services.

A. There is hereby levied by the Ceity on all parcels in the Stormwater Utility Zone 1 and Stormwater Utility Zone 2 areas ~~within the boundaries of Zone 12 of the water agency,~~ other than those classified as an exempt use, ~~a~~ a storm drainage service fee to be calculated as set forth in this section.

B. Any parcel classified as a single-family residential use shall pay a monthly charge which shall be calculated as follows: the administrative charge + (USC x 3,500 x phase-in multiplier x each residential dwelling unit) = monthly charge.

C. All parcels other than those parcels classified as an exempt or single-family residential use shall pay a monthly charge that shall be calculated as follows: the administrative charge + (parcel area x USC x IF x phase-in multiplier) = monthly charge.

D. The impervious factors (IF) to be used in the calculation set forth in subsection (C) of this section shall be based on the following table:

Bill Category	Impervious Factor
Commercial/office	0.80
Industrial	0.70
Multifamily residential	0.60
Institutional	0.50

E. The phase-in multiplier for all parcels to be used in the calculations in subsections (B) and (C) of this section shall be:

Phase-In Multiplier, Effective:

Oct. 1, 1996	Oct. 1, 1997	Oct. 1, 1998
0.50	0.75	1.0

F. The unit service charge (USC) to be used in the calculation set forth in subsections (B) and (C) of this section shall be as follows: effective October 1, 1996, it shall be \$0.001583 per square foot of impervious area. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1046 § 1, 1996; SCC 1026 § 1, 1996; SCC 0985 § 1, 1995].

15.10.050 Reduction in charge.

A. The owner of any parcel subject to the storm drainage fee, other than parcels classified as a single-family residential use, may file an application with the ~~chief of water resources~~Public Works Director to have the fee levied on such parcel reduced by means of one of the following mechanisms:

1. By designing, constructing and maintaining at the owner's expense storm drainage detention facilities approved by the ~~chief of water resources~~Public Works Director; or
2. Demonstrating to the satisfaction of the ~~chief of water resources~~Public Works Director that less than five percent of the parcel area drains into a ~~C~~eity storm drainage system; ~~or~~
- ~~3. Demonstrating to the satisfaction of the chief of water resources that the actual impervious area of the parcel is at least 10 percent less than that calculated using the impervious factor for the parcel's use classification.~~

B. After receipt and review of the application, the ~~chief of water resources~~Public Works Director shall either deny any reduction in the fee or approve a reduced fee calculated pursuant to subsection (C) of this section. The ~~chief of water resources~~Public Works Director, in approving any reduction in the otherwise applicable fee, may attach reasonable conditions to any such approval. If the applicant is dissatisfied with the action of the ~~chief of water resources~~Public Works Director, he may file a petition pursuant to RCMC 15.10.100.

C. Any storm drainage facilities constructed by a parcel owner pursuant to this section shall meet the standards set forth in the ~~C~~eity's improvements standards. Upon approval of any reduction in the

ITEM 11.1.**ATTACHMENT 4**

otherwise applicable fee pursuant to this section, the revised fee shall be calculated on the basis of the equivalent contributing parcel area. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 0985 § 1, 1995].

15.10.060 Billing procedure.

- A. The storm drainage fee shall be billed to all users no less frequently than a bimonthly basis. The bill is due and payable on presentation and shall become delinquent 45 days after for a bimonthly billing, or 21 days after for a monthly billing after the date of billing. The storm drainage fee shall be billed as part of the Ceity's consolidated utility billing service.
- B. The storm drainage service fee billing shall be based on the use of the parcel as determined by the chief of water resourcesPublic Works Director. For each parcel of property there shall be only one unit for purposes of billing for storm drainage services. In no case shall a parcel be divided into smaller units for billing purposes.
- C. The storm drainage service fee shall be billed to the owner of record of the parcel, to the successor in interest of such person, or to such person's single designee if approved by the chief of water resourcesPublic Works Director. All requests to bill a party other than the owner of record must be made in writing to the chief of water resourcesPublic Works Director by both the owner of record and the party to be billed. The chief of water resourcesPublic Works Director may approve or deny such requests at his sole discretion. The chief of water resourcesPublic Works Director shall notify the owner of record if the billing is changed to comply with such a request and the owner of record shall remain liable for any delinquent fees.
- D. The opening bills shall be based on current parcel numbers, square footage and use codes on record in the county assessor's office, unless the chief of water resourcesPublic Works Director determines that the actual use of the parcel is different than the use reflected in the use codes in which case the billing shall be based on the actual use of the parcel.
- E. Any adjustment of charges may be initiated by either the chief of water resourcesPublic Works Director or by the owner of a parcel subject to the storm drainage service fee. If the chief of water resourcesPublic Works Director denies any adjustment proposed by an owner or an owner objects to an adjustment proposed by the chief of water resourcesPublic Works Director, any adjustment shall be made pursuant to the procedure set forth in RCMC
- 15.10.100. Any debit adjustments shall be added to the charge in the succeeding billing period. Any credit adjustments shall first be credited against the previous balance and then any remaining credit shall be applied to subsequent bimonthly charges. No debits or credits shall be made for any period

ITEM 11.1.**ATTACHMENT 4**

more than three years prior to the date that an adjustment is proposed by the ~~chief of water resources~~Public Works Director or requested by the owner of record pursuant to RCMC 15.10.100.

F. Any delinquent storm drainage fee shall incur an added penalty charge of 10 percent of the amount that is delinquent. The delinquent amount, including the 10 percent penalty charge, shall thereafter incur an added penalty charge of one and one-half percent per month until paid or placed on the annual property tax bill. If collected with property taxes, the total amount delinquent, plus all penalties, shall incur an additional 10 percent lien penalty. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1214 § 1, 2002; SCC 0985 § 1, 1995].

15.10.070 Lien.

A. The ~~C~~eity shall notify the assessee shown on the latest equalized assessment roll whenever delinquent and unpaid fees which would become a lien on the parcel pursuant to subsection (B) of this section remain delinquent and unpaid for 60 days.

B. The storm drainage service fee and any penalties levied pursuant to this chapter shall constitute alien upon the parcel subject to the fee, as provided for in Section 5473.11 of the Health and Safety Code, if the fee remains delinquent for a period of 60 days and the ~~C~~eity has notified the assessee of the parcel shown on the latest equalized assessment roll of the delinquent fees and the lien provided by this section.

C. The lien provided herein shall have no force or effect until a certificate specifying the amount of the unpaid fees is recorded with the county recorder. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 0985 § 1, 1995].

15.10.080 Collection of fee with general taxes.

Any delinquent storm drainage service fees and penalties may be collected on the tax roll in the same manner and at the same time as the county's ad valorem property taxes. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 0985 § 1, 1995].

15.10.090 Administration and enforcement.

The engineer shall be responsible for the administration and enforcement of the provisions of this chapter. The engineer shall have the authority to adopt rules and regulations not inconsistent with the provisions of this chapter for purposes of carrying out and enforcing the payment, collection and remittance of the fee herein levied. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 0985 § 1, 1995].

15.10.100 Administrative appeal.

ITEM 11.1.

ATTACHMENT 4

- A. Any owner who disputes the amount of the storm drainage service fee charged to his parcel, the classification of the property in terms of its use, any adjustment proposed by the ~~chief of water resources~~Public Works Director, or any other determination affecting the property made by or on behalf of the Ceity pursuant to this chapter may petition the engineer for a hearing with regard to any such issue. The engineer may conduct such hearing himself or may designate an employee of the Ppublic Wworks agency to conduct such hearing on his behalf. Any such petition may only be filed once in connection with the issue or issues presented in the petition, except upon a showing of changed circumstances sufficient to justify the filing of such additional petition.
- B. Any such petition shall be in writing, signed by the owner under penalty of perjury and filed with the engineer. The petition shall include the following information:
1. A complete description of the factual basis for the appeal;
 2. The legal basis for the appeal; and
 3. The remedy sought by the appellant.

Within 10 days after receipt of the petition, the engineer shall mail written notice to the appellant of the date, time and place of the scheduled hearing.

- C. At the hearing, the engineer or designated hearing officer may hear any oral or documentary evidence that the appellant may offer in addition to the information in the petition, together with any oral or written information that may be submitted by Ceity representatives in support of the determination that is the subject of the appeal. Within 30 days after the conclusion of the hearing, the engineer or the designated hearing officer shall make and serve by mail written findings of fact based upon all relevant information presented in the petition or at the hearing, shall make a determination of issues based upon such findings and, if appropriate, an order setting forth an appropriate remedy subject to the limitations set forth in RCMC 15.10.060(E). The determination of the engineer or designated hearing officer shall be final. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 0985 § 1, 1995].

15.10.110 Deposit of collections.

There is hereby created in the Ceity ~~treasury~~ a special revenue fund to be known as the "Ceity ~~Sstorm~~ ~~D~~rainage ~~S~~service ~~F~~fee ~~F~~fund." All storm drainage service fee revenue collected by the Ceity shall be deposited in such fund. The revenue deposited in such fund shall be used only for the acquisition, construction, reconstruction, maintenance, permitting, and operation of Ceity storm drainage facilities. [Ord. 212003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 0985 § 1, 1995].

ITEM 11.1.
15.10.120 Operative date.

ATTACHMENT 4

Notwithstanding the effective date of this chapter, the storm drainage service fee levied in RCMC [15.10.040](#) shall be operative as of July 1, 1995. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 0985 § 1, 1995].

15.10.130 Severability.

If any section, subsection, subdivision, paragraph, sentence, clause or phrase of this chapter or any part thereof is for any reason held to be invalid, such invalidity shall not affect the validity of the remaining portion of this chapter or any part thereof. The Ccity Council hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause and phrase thereof, irrespective of the fact that any one or more sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases be declared invalid. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 0985 § 1, 1995].

The Rancho Cordova Municipal Code is current through Ordinance 29-2022, passed November 7, 2022.

Disclaimer: The Ccity Clerk's Office has the official version of the Rancho Cordova Municipal Code. Users should contact the Ccity Clerk's Office for ordinances passed subsequent to the ordinance cited above.

City Website: <https://www.cityofranchocordova.org/>

City Telephone: (916) 851-8720

[Code Publishing Company](#)

Chapter 15.12
~~STORM WATER~~STORMWATER MANAGEMENT AND DISCHARGE CONTROL

Sections:

Article I. General Provisions

[15.12.010](#)~~---~~ Findings.

[15.12.020](#)~~---~~ Purpose and intent.

[15.12.025](#)~~---~~ ~~Authorization for Sacramento County to perform city's storm water management and discharge control responsibilities.~~

[15.12.030](#)~~---~~ Definitions.

[15.12.035](#)~~---~~ Construction.

[15.12.040](#)~~---~~ Applicability.

[15.12.050](#)~~---~~ Regulatory consistency.

[15.12.060](#)~~---~~ Compliance disclaimer.

[15.12.070](#)~~---~~ Severability.

[15.12.080](#)~~---~~ Administration.

[15.12.090](#)~~---~~ Disclaimer of liability.

Article II. Prohibited Non-Stormwater Discharges

[15.12.100](#)~~---~~ Prohibited non-stormwater discharge.

[15.12.110](#)~~---~~ Exceptions to non-stormwater discharge prohibition.

[15.12.120](#)~~---~~ Exception to otherwise applicable exemptions.

[15.12.130](#)~~---~~ ~~General discharge prohibition.~~

[15.12.1340](#)~~---~~ Threatened prohibited non-stormwater discharge.

[15.12.1450](#)~~---~~ Illicit connections prohibited.

[15.12.1560](#)~~---~~ Negligence or intent not required.

Article III. Reduction of Pollutants in ~~Storm Water~~Stormwater

[15.12.200](#)~~---~~ General requirements.

[15.12.210](#)~~---~~ Containment and notification of spills.

[15.12.220](#)~~---~~ Reduction of trash discharge.

[15.12.230](#)~~---~~ Hydromodification control.

[15.12.240](#)--- [Construction sites with building permits.](#)

[15.12.250](#)--- [Post construction requirements for new development and significant redevelopment.](#)

[15.12.260](#)--- [Best management practices.](#)

[15.12.270](#)--- [Best ~~management practices maintenance requirements.~~](#)

[15.12.2830](#)--- [Administrative rules and regulations.](#)

Article IV. Inspection and Monitoring

[15.12.300](#)--- [Scope of inspections.](#)

[15.12.350](#)--- [Fees.](#)

Article V. Enforcement

[15.12.400](#)--- [Notice of noncompliance.](#)

[15.12.410](#)--- [Administrative compliance orders.](#)

[15.12.4120](#)--- [Cease and desist orders.](#)

[15.12.4230](#)--- [Delivery of notice.](#)

[15.12.430](#)--- [Enforcement actions-content](#)

[15.12.440](#)--- [Administrative appeals.](#)

[15.12.450](#)--- [Nuisance and abatement.](#)

[15.12.460](#)--- [Civil penalties.](#)

[15.12.470](#)--- [Criminal penalties.](#)

[15.12.480](#)--- [Miscellaneous enforcement provisions.](#)

Article VI. Recovery of Costs of Abatement

[15.12.500](#)--- [Costs of abatement – Confirmation.](#)

[15.12.510](#)--- [Costs – Assessments.](#)

[15.12.520](#)--- [Treble costs.](#)

[15.12.530](#)--- [Hearing of protests.](#)

[15.12.540](#)--- [Assessment for summary abatement.](#)

[15.12.550](#)--- [Time for contest of assessment.](#)

[15.12.560](#)--- [Filing copy of report with county auditor.](#)

[Article VII. Commercial and Industrial Facilities](#)

[15.12.600](#)--- [Purpose and Intent](#)

15.12.610-- Delegation of authority to County Environmental Management Department (EMD)

Article I. General Provisions

15.12.010 Findings.

A. The Federal Clean Water Act provides for the regulation and reduction of pollutants discharged into the waters of the United States by extending National Pollutant Discharge Elimination System (NPDES) requirements to ~~storm water~~stormwater and urban runoff discharges into the City's municipal separate storm sewer system (MS4) ~~of which the city's storm sewer system is a designated part~~.

~~(hereinafter collectively referred to as the "county storm water conveyance system").~~

B. The State Water Resources Control Board ("State Water Board") is the state water pollution control agency for all purposes of the Federal Clean Water Act pursuant to Section 13160 of the California Water Code. The State Water Board is authorized by the United States Environmental Protection Agency (EPA) to administer the NPDES program within the state. The Porter-Cologne Water Quality Control Act (Water Code section 13000 et seq.) provides authority for the State NPDES program, including provisions to issue NPDES permits and Waste Discharge Requirements (WDR's) to regulate discharges of stormwater to the waters of the state.

C. Storm waterStormwater flows from individual properties to the ~~City's MS4~~county storm water conveyance system and then ultimately to the ~~W~~waters of the United States.

D. The City of Rancho Cordova, the County of Sacramento and the cities of Citrus Heights, Elk Grove, and Folsom, Galt, and Sacramento and the county of Sacramentoare subject to the waste discharge requirements ~~of the for the county of Sacramento, cities of Sacramento, Folsom, and Galt Area-Wide Storm Water Discharges from Municipal Separate Storm Sewer Systems, Sacramento County Order No. 96105, dated May 3, 1996, which also serves as the~~ National Pollutant Discharge Elimination System (NPDES) Permit And Waste Discharge Requirements General Permit For Discharges From Municipal Separate Storm Sewer Systems (Order R5-2016-0040, NPDES No. CA0085324) (Municipal Stormwater Permit)-2597 under the Federal Clean Water Act, under which ~~NPDES permit~~the City and Sacramento County are co-permittees. As co-permittee with Sacramento Countys, the ~~City and county are~~ required to possess the necessary legal authority, and to

implement appropriate procedures, to regulate the entry of pollutants and non-~~storm water~~stormwater discharges into the Ceity's MS4 county storm water conveyance system.

~~ED~~. The Ceity's county's Mmunicipal ~~storm water~~Sstormwater ~~P~~permit requires the ~~eCeity ounty and city~~ effectively ~~to prohibit non-~~storm waterstormwater discharges ~~from the incorporated area of the city~~ into the MS4 storm water conveyance system, except as otherwise allowed by the permit or permitted by federal law. The Municipal Stormwater Ppermit and this chapter require regular compliance inspections and enforcement at certain commercial and industrial facilities, as defined by the permit.

~~FE~~. The Ceity Cecouncil finds in this regard that the provisions of this chapter are necessary to provide the county Ceity with the legal authority necessary to implement and otherwise comply with the requirements of its Mmunicipal ~~storm water~~Sstormwater ~~P~~permit and to protect the waters of the state for the benefit of its people and the environment. [Ord. 41-2004 § 2].

15.12.020 Purpose and intent.

A. This chapter is adopted pursuant to Article XI, Section 7 of the California Constitution, which authorizes the Ceity to exercise its police power to protect and promote the public health, safety, and general welfare. While ~~storm water~~stormwater runoff is one step in the natural cycle of water, human activities, including, but not limited to, agriculture, construction, and the operation of an urban infrastructure, may result in undesirable discharges of pollutants and certain sediments. Such discharges may accumulate in local drainage channels and waterways ~~and eventually~~ may eventually be deposited in the ~~WW~~waters of the United States. The purpose of this chapter is to protect and enhance the water quality of watercourses, water bodies and wetlands within the Ceity unincorporated area of the county in a manner consistent with the Federal Clean Water Act, the Porter-Cologne Water Quality Control Act, and Municipal Discharge Permit No. CA0082597 and No. CAS0085324, Order R5-2016-0040, together with all subsequent amendments and renewals, by controlling the contribution of urban pollutants to ~~storm water~~stormwater runoff which enters the Ceity's county storm waterstormwater conveyance system.

B. It is the intent of the Ceity Cecouncil in adopting this chapter to provide the Ceity with the legal authority to accomplish the following goals:

1. To benefit the people and environment of the Ceity of Rancho Cordova by protecting water quality in Waters of the United States and Waters of the sState~~e~~;
2. ~~To~~ reduce the discharge of pollutants in stormwater to the maximum extent practicable~~;~~;

3. To effectively prohibit non-stormwater discharges into the Ceity's stormwater conveyance system;
4. To comply with the requirements of the Federal Clean Water Act, the Porter-Cologne Water Quality Control Act and NPDES Municipal Stormwater Discharge Permit No. CA0082597 and No.CAS0085324, and Order R5-2016-0040, together with all subsequent amendments and renewals as they apply to the discharge of pollutants into and from the Ceity's MS4;
5. To fully implement the Ceity's comprehensive annual WorkStormwater Quality Improvement Plans (SQIP) as approved by the Regional Water Quality Control Board (Regional Water Board);
6. To protect the physical integrity and function of the Ceity's MS4 from the effects of pollutants and materials other than stormwater;
7. To prevent the contamination of groundwater as a result of pollution migration from the cityurban stormwater runoff;
- ~~8. To promote cost effective management and beneficial use of sediments in the city stormwater conveyance system;~~
- ~~89.~~ To protect the health and safety of maintenance personnel and the public who may be exposed to pollutants in the city's MS4;
- ~~940.~~ To provide for the recovery of regulatory costs incurred by the Ceity in the implementation of its comprehensive Stormwater Quality Improvement PlanProgram, including, but not limited to, enforcement activities, compliance assistance, inspections, investigations, sampling, and monitoring; and
- ~~101.~~ ~~To~~ establish appropriate enforcement procedures and penalties for violations of the provisions of this chapter. [Ord. 41-2004 § 2].

~~15.12.025 Authorization for Sacramento County to perform city's storm water management and discharge control responsibilities.~~

~~A. Pursuant to Article XI, Section 8 of the California Constitution, the city and county may enter into agreements whereby the county assumes and discharges specified municipal functions within the city, such as storm water management and discharge control functions described in this chapter.~~

~~B. The city council, pursuant to city Resolution No. 78-2004, and the county board of supervisors, pursuant to the Sacramento County Charter, may agree that the county act as the regulatory body authorized to administer~~

~~and enforce the provisions of this chapter, with respect to commercial and industrial facilities located within the city, and to ensure compliance with NPDES permit No. CA0082597. If the city and county so agree, the county is hereby authorized to administer and enforce this chapter, as described herein, and may do so as part of the county's own commercial and industrial storm water compliance program.~~

~~C. If the city and county enter into an agreement or agreements described in subsection (B) of this section:~~

~~1. The county and its authorized official(s) and employee(s) may, on behalf of the city, enforce the provisions of this chapter as they apply to commercial and industrial facilities located within the city, in accordance with the provisions of this chapter and such agreement(s); and~~

~~2. The county and its authorized official(s) and employee(s) may, on behalf of the city, take any action permitted by this chapter and such agreement(s).~~

~~D. If the city and county enter into an agreement or agreements described in subsection (B) of this section, any administrative or civil enforcement by the county of any provision of this chapter shall be governed by, and conducted pursuant to, Chapter 15.12SCC, as it may be amended from time to time; provided, that no amendments shall take effect until the city has adopted such amendments in accordance with all applicable laws, and the administrative or civil enforcement provisions of this chapter (i.e., Article V. Enforcement) shall not apply to such administrative or civil enforcement by the county. [Ord. 41-2004 § 2].~~

15.12.030 Definitions.

Any term(s) defined in the Federal Clean Water Act, as amended, and/or defined in the regulations for the stormwater discharge permitting program issued by the Environmental Protection Agency, as amended, and which are not specifically defined in this chapter shall, when used in the chapter, have the same meaning as set forth in said act or regulation.

As used in this chapter, the following words and phrases shall have the meanings set forth below unless the context clearly indicates otherwise:

"Administrator" means the ~~Ceity's~~ engineer-Public Works Director or another ~~Ceity~~ official designated by the City Manager to administer the Ceity's Sstormwater Pprogram.

~~or other city official administering the city's industrial and commercial facilities storm water program or, where the city and county have entered into an agreement pursuant to RCMC 15.12.025, whereby the county is~~

~~authorized to assume and discharge on behalf of the city the requirements of this chapter, the administrator of the county's public works agency, and his or her designees.~~

"Best management practices (BMP)" means schedules of activities, prohibition of practices, general good housekeeping practices, pollution prevention and educational practices, maintenance procedures, and other management practices to prevent or reduce to the maximum extent practicable, the discharge of pollutants directly or indirectly to waters of the United States. BMPs shall also be defined to include structural controls, treatment controls, training requirements, operating procedures, and practices to control ~~plant~~ site runoff, spillage, ~~or~~ leaks, sludge or waste disposal, and drainage from raw materials storage.

~~"Board" means the board of supervisors of the county of Sacramento.~~

"City ~~C~~ouncil" or "~~e~~Council" means the ~~C~~eity ~~C~~ouncil of the ~~C~~eity of Rancho Cordova.

"~~C~~ity~~ounty~~" means the ~~e~~Ceity of Rancho Cordova ~~ounty~~ of Sacramento.

"~~C~~ity ~~ounty~~ storm-water conveyance system" means those public and natural facilities within the ~~incorporated area of the~~ ~~C~~ity, which are operated, maintained or controlled by the ~~C~~ity~~ounty~~, by which ~~storm water~~ ~~stormwater~~ may be conveyed to ~~waters~~ ~~Waters~~ of the United States ~~or Waters of the State~~, including, but not limited to, any roads with drainage systems, municipal streets, catch basins, water quality basins, detention basins, constructed wetlands, natural and artificial channels, ~~aqueducts, canyons,~~ stream beds, gullies, curbs, gutters, ditches, sumps, pumping stations, and storm drains. The ~~county~~ ~~C~~ity's storm-water conveyance system includes natural creeks and small streams which are also defined as receiving waters by the ~~M~~municipal ~~storm water~~ ~~s~~Stormwater ~~P~~permit, but does not include the ~~Sacramento River, American River,~~ ~~Cosumnes River,~~ ~~Mokelumne River,~~ or navigable waterways of the delta. ~~For purposes of this chapter, the county storm water conveyance system also includes the portion of the system designated as the city's storm sewer system.~~

~~"County" means County of Sacramento.~~

"Discharge" means the release or placement of any material into the ~~county~~ ~~C~~ity's stormwater conveyance system, including, but not limited to, storm-water, wastewater, solid materials, liquids, hazardous waste, raw materials, debris, litter, or any other substance.

"Discharger" means any person, ~~business, construction project, or entity~~ ~~whethat~~ discharges, or causes to discharge, either directly or indirectly, stormwater or any other material into the ~~C~~eity's MS4.

“Hydromodification” means the changes in the natural watershed hydrologic processes and runoff characteristics (e.g., interception, infiltration, overland flow, and groundwater flow) caused by urbanization or other land use changes that result in increased stream flows and sediment transport. In addition, alteration of stream and river channels, such as stream channelization, concrete lining, installation of dams and water impoundments, and excessive streambank and shoreline erosion are also considered hydromodification, due to their disruption of natural watershed hydrologic processes. For the purposes of this Chapter,
“hydromodification” refers to ecologically significant modification of a watershed’s natural hydrograph, characterized by increased volume, velocity, rate, duration, and/or overall energy ~~(collectively, “flow”).~~

“Hydromodification control” means measures to mitigate artificial acceleration of natural erosion and sedimentation processes within the receiving waters through attenuation, infiltration, and dispersion of additional runoff created by impervious surfaces and earthwork compaction to prevent or reduce to the maximum extent practicable the discharge of pollutants directly or indirectly to waters of the United States.

“Illicit connection” means any physical connection to the ~~county~~ City’s storm-water conveyance system which is not permitted pursuant to a valid NPDES permit and/or expressly authorized by the ~~administrator~~ City.

“Illicit Discharge” ~~—means any~~ discharge to the MS4 that is not composed entirely of stormwater, except discharges pursuant to a NPDES permit and non-storm water discharges, such as those resulting from firefighting activities [40 CFR 122.26(b)(2)].

“Implementing agency” means the agency or department designated by the City Manager ~~administrator~~ to enforce the provisions of this chapter with respect to a particular program, site, facility, or industry category.

“Industry or industrial activity” means any service, business, enterprise, or any other activity conducted by any person or entity ~~for the purpose of~~ monetary gain or other compensation or in support of or promotion of such activity. ~~— This term shall also mean any similar activity conducted by a non-profit corporation as defined by the State of California.~~

“Low impact development” (LID) means a stormwater management and land development strategy that emphasizes conservation and the use of on-site natural features integrated with engineered, small-scale hydrologic controls to more closely reflect pre-project hydrologic functions. LID includes land development strategies that emphasize conservation and the use of on-site natural features integrated with engineered, small-scale hydrologic controls to more closely reflect pre-project hydrologic functions.

“LID Strategies” include retention practices that do not allow runoff, such as infiltration, rainwater harvesting and use, and evapotranspiration.

“Material” means any substance, including, but not limited to, raw materials, finished products, garbage and debris, lawn clippings, leaves and other vegetation, biological and fecal waste, sediment and sludge, oil and grease, gasoline, paints, solvents, cleaners and any fluid or solid containing chemicals.

“Municipal ~~storm water~~ Stormwater ~~P~~ermit” means NPDES Permit No. ~~CA0082597~~ CAS0085324, together with all subsequent amendments and renewal, issued by the Regional Water Board to ~~the county~~ Sacramento County and the cities of Rancho Cordova, Citrus Heights, Elk Grove, Folsom, Galt, and Sacramento.

“National Pollution Discharge Elimination System permit” or “NPDES permit” means a permit issued by either the Regional Water Board or the State Water Resources Control Board pursuant to Chapter 5.5 (commencing with Section 13370) of Division 7 of the California Water Code or the United States Environmental Protection Agency to control discharges from point sources to Waters of the United States.

“Non-stormwater discharge” means any discharge to the Ceity’s MS4— or directly to the natural surface waters which did not originate from storm events and snow melt, but essentially resulted from human activities, or materials or processes under a person’s control.— Non-stormwater discharges include but are not limited to discharges of: (1) water that has been used by a person or entity for any purpose such as cleaning, rinsing, cooling, irrigation, aquaculture, recreation, cooking, and industrial processes; (2) water or wastewater that originates or flows from equipment, valves, piping, hoses, containers, tanks, or other man-made apparatus; or (3) any discharge of materials or wastes other than water.

“Person” means any ~~natural person as well as any corporation~~ individual, firm, company, society, organization, partnership, public agency, trust, estate, cooperative association, joint venture, business entity or other similar entity, or the agent, employee, or representative of any of the above.

“Pollutant” means any contaminant or other substance which, as determined by the Administrator, is discharged or has a reasonable potential to be discharged in sufficient quantities or concentrations to cause exceedance of receiving water limitations defined in the ~~M~~municipal ~~storm water~~ Stormwater ~~P~~ermit, or any successor section, or otherwise cause a violation of the ~~M~~municipal ~~storm water~~ Stormwater ~~P~~ermit.

Pollutant may include, but is not limited to, solid waste, sewage, garbage, medical waste, wrecked or discarded equipment, radioactive material, dredged soil, rock, sand, industrial waste, feces, fecal coliform, fecal streptococcus, enterococcus, volatile organic carbon, surfactants, oil and grease, petroleum hydrocarbon, organic solvents, metals, phenols, pesticides, nutrients, suspended or settleable solids, materials causing an

increase in biochemical or chemical oxygen or total organic carbon, substances which alter pH, and those pollutants defined in Section 1362(6) of the Federal Clean Water Act.

“Potential user” means any person or entity who by nature of the enterprise, activity, or industry in which such person or entity is engaged, or by the use, possession, or ownership of specified types of equipment, is determined by the administrator to generate or have the capacity to generate wastes or wastewater which have significant potential to be discharged to the City MS4 county storm water conveyance system.

“Premises” means any building, lot, parcel or land, or portion thereof, whether improved or unimproved.

“Prohibited discharge” means any ~~non-storm~~non-stormwater ~~water~~ discharge to the City MS4 county storm water conveyance system or directly to receiving waters, to the Sacramento River, the Cosumnes River, the Mokelumne River, navigable waters of the delta, or the American River, which is not otherwise specifically authorized by this chapter, the Regional Water Quality Control Board, state, or federal law, or an NPDES permit.

“Receiving water limitations” means those restrictions defined and listed in Section IV. of the City’s Municipal storm water ~~stormwater~~ Permit (NPDES Permit No. CAS0085324) or any successor permit section.

“Receiving waters” means surface bodies of water, as defined by the ~~Municipal~~ stormwater ~~Permit~~, including, but not limited to, creeks and rivers, which serve as discharge points for the City’s MS4 county storm water conveyance system.

“Regional Water Board” means the California Regional Water Quality Control Board, Central Valley Region.

~~“Significant redevelopment”~~ means the creation or addition of at least 5,000 square feet of impervious surfaces on an already developed site. ~~Significant redevelopment~~ includes, but is not limited to, expansion of a building footprint, or replacement of a structure; replacement of impervious surface that is not part of a routine maintenance activity and land-disturbing activities related to structural or impervious surfaces.

“Specific performance requirements” means standards adopted by the ~~City~~ that define required conditions or results regarding the elimination of non-stormwater discharges or the control of pollutants in stormwater from specified sources.

“State ~~Cgeneral~~ construction General ~~P~~permit” means the State Water Resources Control Board’s Order No. 99-08-DWQ superseded by Order No. 2010-2014 ~~-National Pollutant Discharge Elimination System (NPDES)~~

General Permit No. CAS000021 Waste Discharge Requirements (WDRS) for Discharges of Stormwater Runoff Associated with Construction Activity, and any successor documents.

"State Industrial General Permit" means the ~~S~~state Water Resources Control Board's Order No. 97-03-DWQ and Order No. 2014-0057 National Pollutant Discharge Elimination System General Permit No. CAS000001, Waste Discharge Requirements for Discharges of Stormwater Associated with Industrial Activities Excluding Construction Activities, ~~and any successor documents.~~

"Stormwater" means surface runoff and drainage resulting from storm events and snow melt, ~~including surface runoff and drainage that contains pollutants as a result of contact with man-made or natural sources.~~

"Subject activity" means any industrial activity which is determined by the ~~A~~Administrator to discharge or have the potential to discharge pollutants into ~~storm water~~ stormwater or non-stormwater storm water in quantities or concentrations which may cause exceedance of receiving water limitations.

"Threatened prohibited non-storm water stormwater discharge" means any condition or activity which does not currently result in a prohibited discharge but is nevertheless determined by the ~~A~~Administrator to be a condition which results in a substantial likelihood of a future prohibited non-storm water stormwater discharge.

"User" means any person who discharges, or causes to discharge, either directly or indirectly, storm water stormwater or any other material into the ~~county storm water conveyance system~~ Ceity's MS4.

"Waters of the United States" means any surface water or groundwater, including saline waters within the boundaries of the State. [40 CFR 120.2(a)]. ~~has the same meaning as set forth in Part 122.2 of Title 40 of the Code of Federal Regulations or any successor provision. [Ord. 41-2004 § 2].~~

15.12.035 Construction.

The provisions of this chapter shall be construed to assure consistency with the requirements of the Federal Clean Water Act and any acts amendatory thereof or supplementary thereto, applicable implementing regulations, and NPDES Municipal Stormwater Discharge Permit ~~No. CA0082597 and CAS0085324.~~ No. CAS0085324, and Order R5-2016-0040, and any amendment, revision, or reissuance thereof, and together with all subsequent amendments and renewals. In the event of a conflict between this chapter and any

federal or state law, regulation, order or permit, the requirement which establishes the higher standard for public health and safety shall govern. [Ord. 41-2004 § 2].

15.12.040 Applicability.

The provisions of this chapter shall be applicable to all ~~users and potential users~~ dischargers and potential dischargers located within the ~~incorporated area of the City~~ and all users that discharge either directly or indirectly into the ~~county storm water system~~ ~~City's MS4~~. This chapter shall also apply, within the ~~incorporated area of the City~~, to non-stormwater discharges made directly to ~~the Sacramento, American River, Cosumnes River, Mokelumne River, or local creeks and channels~~ ~~navigable waters of the delta~~. This chapter shall not be applicable to ~~persons/entities~~ located outside ~~of the incorporated area of the City~~ if their ~~stormwater~~ ~~storm water~~ or non-~~storm water~~ ~~stormwater~~ discharge enters a storm-water conveyance facility owned or operated by another public agency which is subject to a valid NPDES permit for discharges from a municipal separate storm sewer system prior to entering the ~~county storm water~~ ~~downstream~~ conveyance system.

This chapter shall ~~not~~ apply to facilities subject to and in compliance with the State General Construction Activity Storm Water Permit and/or the ~~county City's E~~rosion and ~~S~~ediment ~~C~~ontrol ~~O~~rdinance, ~~City Grading Permit, Building Permit, or any other instrument of the County City that establishes p~~Pollutant control ~~provisions for construction sites. Non-storm water discharges at construction sites between one and five acres in size, and which the Administrator determines are in accordance with the non-storm water discharge standards of the State General Permit for Construction Activity, are in compliance with this chapter.~~

This chapter shall not apply to ~~activities conducted by or~~ facilities operated by the state of California or by agencies of the federal government. [Ord. 41-2004 § 2].

15.12.050 Regulatory consistency.

The provisions of this chapter shall take precedence over and are controlling with respect to any conflicting or inconsistent provisions in this code. [Ord. 41-2004 § 2].

15.12.060 Compliance disclaimer.

Compliance by any person ~~or entity~~ with the provisions of this chapter shall not preclude the need to comply with other local, state, or federal statutory or regulatory requirements relating to the control of pollutant discharges or protection of stormwater quality, or both. [Ord. 41-2004 § 2].

15.12.070 Severability.

If any section, subsection, subdivision, paragraph, sentence, clause, or phrase of this chapter is for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining sections, subsections, subdivisions, paragraphs, sentences, clauses, or phrases of this chapter. The ~~C~~council hereby declares that it would have adopted this chapter and each section, subsection, subdivision, paragraph, sentence, clause, or phrase thereof without regard to whether any other section, subsection, subdivision, paragraph, sentence, clause, or phrase of this chapter would subsequently be declared to be invalid or unconstitutional. [Ord. 41-2004 § 2].

15.12.080 Administration.

Except as otherwise provided herein, the ~~A~~administrator shall be responsible for the administration, implementation, and enforcement of the provisions of this chapter. Any powers granted to ~~u~~ or duties imposed upon the ~~a~~Aadministrator may be delegated by the ~~A~~administrator to other ~~C~~city employees or, upon the approval of the ~~C~~council, to employees of other public agencies. [Ord. 41-2004 § 2].

15.12.090 Disclaimer of liability.

The degree of protection required by this chapter is considered reasonable for regulatory purposes and is based on scientific, engineering, and other relevant technical considerations. The standards set forth herein are minimum standards and this chapter does not imply that compliance will ensure that there will be no unauthorized discharge of pollutants into the ~~W~~waters of the United States. This chapter shall not create liability on the part of the ~~C~~city or any officer or employee thereof for any damages that result from reliance on this chapter, or any administrative decision lawfully made thereunder. [Ord. 41-2004 § 2].

Article II. Prohibited Non-Stormwater Discharges

15.12.100 Prohibited non-stormwater discharge.

Except as provided in RCMC 15.12.110, it shall be unlawful for any person to make or cause to be made any non-~~storm water~~stormwater discharge ~~into indirectly or directly to~~ the ~~C~~city ~~or directly to natural surface receiving~~ waters. [Ord. 41-2004 § 2]

15.12.110 Exceptions to non-stormwater discharge prohibition.

The following discharges to the ~~county storm water conveyance system~~MS4 are exempt from the otherwise applicable discharge prohibition set forth in RCMC 15.12.100:

A. Any discharge regulated under an NPDES permit issued to the discharger and administered by the state pursuant to Chapter 5.5 of Division 7 of the California Water Code; provided, that any such discharge is in compliance with all requirements of the NPDES permit and all other applicable laws and regulations.

B. Any discharge from any of the following activities; provided, that any such discharge does not cause or contribute to the violation of any receiving water limitation as determined by the [Administrator](#):

1. Water line flushing;
2. Landscape irrigation;
3. Diverted stream flows;
4. Rising ground waters;
5. Uncontaminated groundwater infiltration (as defined in 40 CFR 35.2005(b)(20)) to separate storm sewers;
6. Uncontaminated pumped groundwater;
7. Discharges from potable water sources;
8. Foundation drains;
9. Air conditioning condensate;
10. Irrigation water;
11. Springs;
12. Water from crawlspace pumps;
13. Footing drains;
14. Lawn watering;
15. Individual residential car washing;
16. Flows from riparian habitats and wetlands;

17. Dechlorinated ~~dibrominated~~ swimming pool/spa discharges;

~~18. Street wash water; and or~~

~~19. 8-Essential Non-Emergency and Emergency Firefighting Activities.~~

~~Discharges or flows from emergency fire-fighting activities.~~

C. Any discharges which the ~~A~~administrator, the ~~C~~city ~~P~~public ~~W~~works ~~D~~director, or the Regional ~~W~~ater Board determines in writing are necessary for the protection of public health or safety.

D. Additional categories of non-stormwater discharges which do not cause or contribute to the violation of any receiving water limitation may be excepted from the otherwise applicable prohibition by the ~~A~~administrator upon approval of the executive officer of the Regional ~~W~~ater Board, as provided in the ~~M~~municipal ~~S~~stormwater ~~P~~permit, ~~and all subsequent amendments and renewals. or any successor sections.~~ [Ord. 41-2004 § 2].

15.12.120 Exception to otherwise applicable exemptions.

Notwithstanding the exemptions provided for in RCMC ~~15.12.110~~, if the Regional ~~W~~ater Board or the ~~A~~administrator determines that a discharge which is otherwise exempt from the prohibition on discharges causes or significantly contributes to the violation of any receiving water limitation or results in the conveyance of significant quantities of pollutants to surface waters, or is otherwise a danger to public health or safety, the administrator may give written notice to the owner or operator of the facility that the discharge exception shall not apply to the discharge at issue following expiration of the 30-day period commencing upon delivery of the notice. Upon expiration of such 30-day period, any such discharge shall be unlawful. ~~Upon finding that any continuance of the discharge poses an immediate significant threat to the environment or to public health and safety, the Aadministrator may waive the 30-day waiting period and require immediate cessation of the discharge.~~ [Ord. 41-2004 § 2].

15.12.130 General discharge prohibition.

It shall be unlawful for any person to discharge, or cause to be discharged, any material to the ~~county-C~~city's storm-water conveyance system which results in, or contributes to, a violation of the ~~M~~municipal ~~S~~storm-water ~~P~~permit. [Ord. 41-2004 § 2].

15.12.140 Threatened prohibited non-stormwater discharge.

It shall be unlawful for any person to maintain, or cause to be maintained, a threatened prohibited non-~~storm water~~stormwater discharge after having received notice of the administrator's determination as to the existence of a threatened prohibited non-~~storm water~~stormwater discharge. This section may be enforced pursuant to Article V of this chapter. [Ord. 41-2004 § 2].

15.12.150 Illicit connections prohibited.

A. It shall be unlawful for any person or entity to establish, use or maintain, or cause to establish, use or maintain, any illicit connection. Illicit connections shall be subject to removal and abatement by the Ceity pursuant to Chapter 16.02 RCMC.

B. The prohibition set forth in subsection (A) of this section shall apply to illicit connections in existence at the time that the ordinance codified in this chapter becomes effective. Upon the effective date of the ordinance codified in this chapter, any person or entity who maintains an illicit connection shall have 30 days from the effective date of the ordinance codified in this chapter to disconnect and discontinue use of such connection. Notwithstanding the provisions of this section, any person who maintains an illicit connection, as defined in RCMC 15.12.030, may apply to the Aadministrator to continue the connection subject to applicable Ceity standards. [Ord. 41-2004 § 2].

15.12.160 Negligence or intent not required.

A violation of the provisions of this article shall occur irrespective of the negligence or intent of the violator to construct, maintain, operate, or utilize an illicit connection or to cause, allow or facilitate any prohibited discharge. [Ord. 41-2004 § 2].

Article III. Reduction of Pollutants in ~~Storm Water~~Stormwater

15.12.200 General requirements.

A. The Aadministrator may designate as subject activities those industrial activities which are identified as potential sources of discharges of pollutants to the Ceity MS4.

B. Any person whom the Aadministrator determines is conducting any subject activity shall reduce the discharge of pollutants from those activities through the implementation of BMPs in accordance with RCMC 15.12.260.

C. The [Administrator](#) shall conduct a notification and comment process for designations or determinations made pursuant to subsection (A) of this section.

D. Any determination made by the [Administrator](#) pursuant to subsection (B) of this section shall be subject to the provisions for the adoption of regulations set forth in RCMC [15.12.250](#). [Ord. 41-2004 § 2].

15.12.210 Containment and notification of spills.

A. Any person [or entity](#) owning or occupying a premise, or conducting any activity, that has knowledge of any [non-storm-water-stormwater](#) discharge or threatened prohibited non-[storm-waterstormwater](#) discharge from the premises or activity to the [Ceity'sounty](#) storm-water conveyance system shall immediately take all reasonable actions to contain and otherwise minimize any such discharge.

B. The [Administrator](#) may designate types of industries where the owner or operator of the industry shall be required to notify the [Administrator](#) or the implementing agency within 24 hours of the discovery of an actual discharge into the [Ceity'sounty](#) storm-water conveyance system.

C. For any discharge subject to the reporting requirements of Sections [13271](#) and [13272](#) of the California Water Code, notification in compliance therewith shall constitute sufficient notification for the purposes of this section. [Ord. 41-2004 § 2].

15.12.220 Reduction of trash discharge.

[New development and significant redevelopment projects in the Ceity are required to incorporate trash capture measures. The Amendments to the Water Quality Control Plan for the Ocean Waters of California to Control Trash and Part 1 Trash Provisions of the Water Quality Control Plan for Inland Surface Waters, Enclosed Bays, and Estuaries of California \(Trash Amendments\) were adopted on April 7, 2015. The Trash Amendments established a statewide water quality objective for trash to control trash down to 5 mm, and implementation provisions using a land-use based compliance approach that targets high trash generating areas.](#)

[The Trash Amendments focus on structural and institutional program controls at high trash generating areas within municipalities. The Trash Amendments identified five priority land use \(PLU\) areas for trash control:](#)

- ~~▲~~ High density residential (10 units or more);
- ~~▲~~ Industrial;
- ~~▲~~ Commercial;
- ~~▲~~ Mixed urban; and
- ~~▲~~ Public transportation stations.

New development and redevelopment projects classified as priority land uses are required to incorporate Full Capture Systems. The Trash Amendments define these systems as:

“A treatment control, or series of treatment controls, including but not limited to, a multi-benefit project or a low-impact development control that traps all particles that are 5 mm or greater, and has a design treatment capacity that is either:

- Not less than the peak flow rate, Q, resulting from a one-year, one-hour, storm in the subdrainage area, or
- ~~▲~~ Appropriately sized to, and designed to carry at least the same flows as, the corresponding storm drain.”
-

15.12.230 Construction sites with building permits.

Any person or entity owning or operating a construction site for which a building permit has been issued shall implement BMPs to control the discharge of pollutants to the maximum extent practicable and eliminate non-stormwater discharges that are not in compliance with an NPDES Permit. See RCMC Chapter 16 for more details. (SCC 1280 § 2, 2004)

15.12.240 Post construction requirements for new development and significant redevelopment.

A. – The ~~AA~~ administrator shall be authorized to establish specified performance requirements and requirements for BMPs as appropriate to minimize the long-term, post construction discharge of stormwater pollutants from

new development or significant redevelopment, to implement the development standards plan, and to comply with the requirements associated with the development standards in the Municipal Stormwater Permit. The requirements for new development or redevelopment may include but are not limited to performance standards, source control measures, treatment control measures, hydromodification management measures, low impact development measures, operational BMPs, building material specifications or limitations, site design requirements, signage and marking, and associated maintenance programs or schedules.

B. Requirements established pursuant to subsection (A) of this section may be included in development standards, building codes, building permits, conditions of development, or any other appropriate instrument administered by the Ceity. (SCC 1280 § 2, 2004).

15.12.250 Best management practices.

A. The Aadministrator may adopt regulations for specified subject activities. Such regulations shall describe best management practices which, if implemented by persons or entities conducting such specified activities, shall satisfy the requirements of RCMC 15.12.200.

B. Persons or entities conducting subject activities may implement BMPs not contained in the adopted regulations to satisfy the requirement of RCMC 15.12.200 (B) through either of the following mechanisms:

1. By submitting and receiving prior written approval for the alternative BMPs from the administrator if he or she determines that the proposed alternative BMPs provide a level of protection from storm-water stormwater discharges equivalent to the BMPs contained in the regulations adopted pursuant to subsection (A) of this section; or
2. By implementing alternative BMPs which provide a level of protection from storm-water stormwater discharges equivalent to the BMPs contained in the regulations adopted pursuant to subsection (A) of this section.

C. Any alternative BMPs implemented pursuant to subsection (B)(2) of this section shall be subject to review and approval by the administrator as part of the inspection procedures set forth in Article IV of this chapter. If a person or entity conducting subject activities implements alternative BMPs without the prior written approval of the administrator and subsequently receives written notice from the administrator that the alternatives BMPs do

not provide the required equivalent level of protection from stormwater discharges, the continued implementation of such alternative BMPs shall be deemed to be a violation of the requirements of RCMC [15.12.200](#)(B) as of the date of delivery of such notice unless it is ultimately determined pursuant to an administrative appeal pursuant to RCMC [15.12.440](#) that the alternative BMPs provide the required equivalent level of protection from ~~storm water~~ [stormwater](#) discharges.

D. Any facility that it is in compliance with its state or federal NPDES permit for ~~storm water~~ [stormwater](#) discharges for that facility shall be deemed to have met the requirements of RCMC [15.12.200](#)(B).

E. The [A](#)administrator shall develop regulations for determining when BMPs have been successfully implemented. [Ord. 41-2004 § 2].

15.12.260 Best management practice maintenance requirements.

The [A](#)administrator may require a property owner to execute a maintenance agreement for any post construction stormwater quality measure- to ensure continued compliance with specified performance requirements. This requirement will apply to measures required by the City or measures -that were voluntarily installed. A maintenance agreement -may be required when the [A](#)administrator determines that proper maintenance is necessary to protect public safety, health, infrastructure, or the environment, or to otherwise meet the purposes of this chapter. Maintenance requirements established pursuant to this subsection must be appropriate for the site conditions and design of the proposed measures. (SCC 1295 § 6, 2005; SCC 1280 § 2, 2004)

15.12.270 Administrative rules and regulations.

A. The [A](#)administrator shall have the authority to promulgate regulations for the implementation of this chapter. Prior to the [A](#)administrator's initiation of any proposed regulations, the [A](#)administrator shall submit such proposal to the [C](#)city [C](#)ouncil for its approval.

B. All regulations promulgated by the [A](#)administrator shall be consistent with the provisions of this chapter. Any such regulations, or amendments thereof, shall be filed with the [C](#)city [C](#)lerk. The clerk shall cause announcement of said rules or regulations to be published in a newspaper of general circulation within 10 calendar days. Such announcements shall provide a reasonable summary of the content of the rule. In addition, the administrator shall make a reasonable effort to identify, notify, and provide copies to any industries which are specifically designated by the [A](#)administrator as subject to a rule or regulation. However, neither the failure of the [A](#)administrator to provide such notice nor the failure to receive individual notice shall exempt an industry from that rule or regulation. No regulations promulgated by the [A](#)administrator, or amendments

there~~toof~~, shall be enforced or become effective until 30 calendar days following the date on which notification of the regulations is published.

C. Any person or entity who asserts that ~~he or she is~~they are aggrieved by the terms or application of a regulation issued pursuant to this section may appeal the issuance of such regulation by filing a written notice of appeal with the Ceity Clerk. The notice of appeal shall specifically identify the regulation or regulations from which the appeal is taken and the reasons for the appeal. Upon receipt of such notice, the Ceity Clerk shall schedule the appeal for a public hearing by the council. At the conclusion of the public hearing the council shall be vested with jurisdiction to deny the appeal or to rescind or modify the regulation. The Council's determination ofin this ~~regard-matter~~ shall be final.

D. Any regulation from which an appeal is filed prior to its effective date shall not become effective until the date of a determination by the council of the appeal. Any regulation from which an appeal is filed on or subsequent to the effective date thereof shall remain in full force and effect during the pendency of the appeal, and any decision which rescinds or modifies the regulation shall apply prospectively. [Ord. 41-2004 § 2].

Article IV. Inspection and Monitoring

15.12.300 Scope of inspections.

A. Prior to commencing any inspection authorized pursuant to this section, the Aadministrator shall obtain the consent of the owner or occupant of the premises, or an administrative inspection warrant, ~~or a criminal search warrant~~. Routine or area inspections shall be based upon such reasonable selection processes as may be deemed necessary to carry out the objectives of this chapter, including, but not limited to, random sampling, sampling in areas with evidence of storm-water contamination, illicit connections, discharge of non-storm-water to the ~~county-City storm water conveyance system~~ MS4 or similar factors.

B. The ~~a~~AAdministrator may enter upon private property to investigate the source of any discharge to any public street, inlet, gutter, storm drain or the ~~county stormwater conveyance system~~ Ceity's stormwater conveyance system. Routine or area inspections shall be based upon such reasonable selection processes as may be deemed necessary to carry out the objectives of this chapter, including, but not limited to, random sampling, sampling in areas with evidence of stormwater contamination, illicit connections, discharge of non-stormwater to the Ceity MS4 or similar factors.

C. The Aadministrator may enter upon private property for the purpose of verifying compliance with the provisions of this chapter, including, but not limited to, the following:

1. Identifying products produced, processes conducted, chemicals used, and materials stored on or contained within the property;
2. Identifying point(s) of discharge of all wastewater, process water systems, pollutants, and other discharges from the property;
3. Investigating the natural slope of the premises, including drainage patterns and artificial conveyance systems;
4. Establishing the location of all points of discharge from the property, whether by surface runoff or through a storm drain~~:-~~;
5. Locating any illicit connection or the source of any prohibited non-~~storm water~~ stormwater discharge; and
6. Evaluating implementation of BMPs.

D. For purposes of verifying compliance with the provisions of this chapter, the Aadministrator may inspect any vehicle, truck, trailer, tank truck or other mobile equipment, or any stationary equipment, which may reasonably be believed to be used by the business for business-related activities and to be associated with industrial sources of pollutants or with non-~~storm water~~ stormwater discharges.

E. The Aadministrator may inspect all records of the owner or occupant of any premises relating to chemicals or processes presently or previously occurring on site, including materials and/or chemical inventories, facilities maps or schematics or diagrams, material safety data sheets, hazardous waste manifests, business plans, pollution prevention plans, state general permits, monitoring program plans or any other records relating to illicit connections, prohibited discharges or the potential discharge of pollutants to the county stormwater conveyance system~~County MS4~~. In addition, the Aadministrator may require the owner or occupant to furnish within a reasonable time period, copies of all such records listed in this section.

F. The Aadministrator may inspect, sample, and test any area runoff, soils area (including any groundwater testing), process discharge, materials within any waste storage area (including any container contents), and/or treatment system discharge for the purpose of determining the potential for the contribution of pollutants to the County MS4 storm water conveyance system. The Aadministrator may investigate the integrity and layout of

all storm~~_~~drain and sanitary sewer systems or other pipelines on the premises using appropriate tests, including, but not limited to, smoke and dye tests or video surveys. The Aadministrator may take photographs or videotape, make measurements or drawings, and create any other record ~~reasonable~~reasonably necessary to document conditions on the premises.

G. The Aadministrator may erect and maintain monitoring and sampling devices for ~~the purpose of for~~ measuring any discharge or potential source of discharge to the Ceity MS4~~county storm water conveyance system~~. [Ord. 41-2004 § 2].

15.12.310 Fees.

The aAadministrator shall collect such fees as may be authorized by the Ceity Cecouncil ~~or, where the city and county have entered into an agreement pursuant to RCMC 15.12.025 whereby the county is authorized to assume and discharge on behalf of the city the requirements of this chapter, as authorized by the county board of supervisors~~, to provide for the recovery of regulatory costs, including routine inspections and other regulatory functions associated with this chapter. Failure of any person or entity to pay required fees within the time period set in the policy established by the Aadministrator shall be a violation of this chapter. ~~—~~ There shall be no fee assessed to appeal the determination that a person or entity conducts any subject activity. Any such fees shall be established by resolution of the Ceity Cecouncil ~~or, where applicable, the county board of supervisors~~, and shall be in accordance with all other applicable legal requirements. [Ord. 41-2004 § 2].

Article V. Enforcement

15.12.400 Notice of noncompliance.

A. The Aadministrator may ~~issue deliver a~~ Notice and Order to any of the following:

1. to The owner or occupant of any premises, or to any premises requiring abatement of conditions on the premises that cause or may cause a prohibited discharge in violation of this chapter;
2. Any person or entity who fails to implement BMP's in accordance with RCMC 15.12.200 (B);
3. Any person or entity responsible for a prohibited discharge or maintenance of a threatened prohibited non-stormwater discharge;
4. Any person or entity who fails to comply with the Trash Amendment requirements;
5. Any person or entity who fails to comply with the ~~Hydromodification~~Post Construction Stormwater Control Measures;
6. Any or entity person responsible for an illicit connection; ~~and;~~

~~7. prohibited discharge, maintenance of a threatened prohibited discharge, failure to implement BMPs in accordance with RCMC 15.12.200(B), or Any person or entity responsible for a~~any other violation of this chapter, ~~a notice of noncompliance.~~

~~B.~~ The notice ~~and order of noncompliance~~ shall be delivered in accordance with RCMC 15.12.430.

~~C.B.~~ The notice of noncompliance shall identify the provision of this chapter that has been violated. ~~The notice of noncompliance shall identify a compliance date that must be met; provided, however, that the compliance date may not exceed 90 days unless the administrator extends the compliance deadline an additional period not exceeding 90 days when good cause exists for the extension. [Ord. 41-2004 § 2]~~ The notice of noncompliance shall state that continued noncompliance may result in additional enforcement actions, including the recovery of any costs incurred by the city or, where applicable, the county.

~~C.~~ ~~The notice of noncompliance shall identify a compliance date that must be met; provided, however, that the compliance date may not exceed 90 days unless the administrator extends the compliance deadline an additional period not exceeding 90 days when good cause exists for the extension. [Ord. 41-2004 § 2]~~

15.12.410 Administrative compliance orders.

A. The ~~a~~Administrator may issue an administrative compliance order. The administrative compliance order shall be delivered in accordance with RCMC 15.12.430. The administrative compliance order may be issued to any of the following:

1. The owner or occupant of any premises requiring abatement of conditions on the premises that cause or may cause a prohibited discharge in violation of this chapter.
2. A person or entity who fails to implement BMPs in accordance with RCMC 15.12.200(B).
3. Any person or entity responsible for a prohibited discharge or maintenance of a threatened prohibited discharge.

B. ~~The An~~ administrative compliance order may include the following terms and conditions:

1. Specific steps and time schedules for compliance as reasonably necessary to prevent threatened or future unauthorized discharges, including, but not limited to, the threat of any prohibited discharge from any pond, pit, well, surface impoundment, holding or storage area.

2. Specific requirements for containment, cleanup, removal, storage, or proper disposal of any material having the potential to contribute pollutants to storm-water runoff.
3. Specific requirements for the installation of overhead covering.
4. Any terms or conditions reasonably calculated to prevent continued or threatened violations of this chapter.
5. Any other measures necessary or appropriate to fully implement BMPs in accordance with RCMC [15.12.200](#)(B). [Ord. 41-2004 § 2].

15.12.420 Cease and desist orders.

- A. ~~Any violation of this chapter in which~~ The Administrator may issue a cease and desist order, delivered in accordance with RCMC 15.12.430 if he or she determines that a violation ~~in this chapter also determines that the violation constitutes an immediate threat to public health or safety, including by way of illustration and not limitation, significant harm to human or aquatic life or to the Ceity stormwater conveyance system or natural surface waters, may result in an order to immediately cease and desist all activities causing such immediate threat.~~ The Administrator may issue a cease and desist order to any person or entity to immediately cease any activity that may lead to a violation of receiving water limitations.
- B. A cease and desist order shall ~~direct the owner or occupant of any premises subject to this chapter, or any person or entity named therein which is subject to this chapter: (1), to immediately discontinue all or specified prohibited conditions or discharges to the Ceity stormwater conveyance system, natural surface waters, or otherwise, until such time as abatement actions sufficient in the determination of the Aadministrator have been satisfactorily effected and so confirmed by written amendment to said cease and desist order; (2) i~~ immediately discontinue any other violation of this chapter; ~~and (3) clean up the area affected by the violation.~~
- C. Any cease and desist order may be appealed pursuant to the administrative appeals process of this chapter; ~~(Section 15.12.440) provided, however, the cease and desist order shall remain in effect pending final determination thereof. Nothing shall limit the Aadministrator's authority to continue enforcement actions under a pending cease and desist order, including modifying a cease -and -desist order consistent with the purpose and intent of this chapter.~~
- D. Any ~~cease -and -desist~~ order shall be cumulative and not exclusive of any other ~~with all the remedies in this chapter and as provided by law.~~

E. A cease and desist order shall inform the discharger of the Administrator's authority and intent to conduct abatement of the violation or threatened violation according to Section 15.12.4550, if the discharger fails to comply with the requirements of the cease and desist order within the specified time frame.

F. If the discharger fails to comply with a cease-and-desist order within the time specified in the order, the Administrator may conduct abatement of the violation according to Section 15.12.4550.

G. Nothing in this section requires the Administrator to issue a cease and desist order before conducting summary abatement as provided under Section 15.12.4550. (SCC 1295 § 12, 2005; SCC 1280 § 2, 2004).

H. The administrator may issue a cease and desist order. A cease and desist order shall be delivered in accordance with RCMC 15.12.430. A cease and desist order may direct the owner or occupant of any premises, or any other person responsible for any violation of this chapter, to take any of the following actions:

1. Immediately discontinue any prohibited discharge to the city/county storm water/stormwater conveyance system.
2. Immediately discontinue any other violation of this chapter.
3. Clean up the area affected by the violation.

B. The administrator may direct by a cease and desist order that any person immediately cease any activity that may lead to a violation of receiving water limitations

15.12.430 Delivery of notice.

Any notice of noncompliance, administrative compliance order, cease and/or desist order, or other enforcement order pursuant to the requirements of this chapter shall be subject to the following requirements:

A. The notice shall state that the recipient has a right to appeal the matter as set forth in RCMC 15.12.440.

B. The notice shall state that the recipient or the property owner, or both, may be liable for all enforcement costs incurred by the Ccity or, where applicable, the county, in correcting the violation.

C. Delivery shall be deemed complete upon either personal delivery to the recipient or deposit in the U.S. Mail, postage prepaid, for first class delivery.

D. Where the recipient of the notice is the owner of the property, the address for notice shall be the address from the most recently issued equalized assessment roll for the property.

E. Where the owner or occupant of any premises cannot be located after reasonable efforts of the administrator, the notice shall be deemed delivered after posting on the premises for a period of 10 business days. [Ord. 41-2004 § 2].

15.12.440 Enforcement Actions

A. In addition to any other content, a notice and order, or a cease and desist order shall contain the following elements:

1. The street address and assessor's parcel number or such other legal description sufficient for identification of the premises responsible for the violation.
2. A statement of the Administrator's findings that indicates a violation has occurred.
3. A citation of the provision of this chapter that has been violated.
4. A date by which any person or entity must be in compliance with this chapter, or a date by which an action plan must be submitted by the person or entity to propose a means and time frame by which to correct violations. The Administrator may extend the compliance date when good cause exists for such an extension.
5. Notification that continued non-compliance may result in additional enforcement action being taken against the business, facility, or any responsible persons or entities.
6. Notification that the City may recover any costs incurred by the City as a result of the violation.
7. Notification that a violation of this chapter may result in an administrative civil penalty of up to five thousand dollars (\$5,000.00) per violation for each day that the violation occurs, or in a criminal penalties.
8. Notification that the recipient has a right to a hearing on the matter as set forth in Section 15.12.540 of this chapter, to determine the enforcement of any administrative civil penalty sought by the

Administrator, or to appeal any findings or required corrective actions established by the Administrator.

9. Notification of hearing dates, appeal deadlines, and procedures for requesting a hearing established according to Section 15.12.540 of this chapter.

B. In addition to any other content, a notice and order or a ~~cease-and-desist~~ order, or a notice of administrative civil penalty may establish required corrective actions, including the following:

1. Terms, conditions, and requirements reasonably related to the provisions of this chapter, including the following:

- a. Cessation of illicit discharges.
- b. Correction of prohibited conditions.
- c. Requirement for submittal of a written action plan for achieving and maintaining compliance with this chapter. The Administrator may require the action plan to address specific items, including the following:
 - I. Specific time schedules for compliance.
 - II. Description of BMPs that will be implemented for containment, cleanup, removal, storage, or proper disposal of any material having the potential to contribute pollutants to stormwater runoff.
 - III. Identification of persons or entities responsible for compliance with this chapter.
- d. Reporting requirements to demonstrate ongoing compliance.

2. A requirement that the person or entity receiving any notice pursuant to this section shall submit written certification to the administrator that the necessary corrective actions have been completed. As appropriate for the type of correction action taken, the notice of violation may require documentation that substantiates the certification, including but not limited to receipts, contracts, or photographs.

3. Any other terms or conditions reasonably necessary to prevent additional or on-going violations of this chapter.

C. A notice and order, a ~~cease-and-desist~~ order, or a notice of administrative civil penalty may be issued separately or in combination with another notice or order for the same violations or set of related violations. (SCC 1295 § 13, 2005; SCC 1280 § 2, 2004)

15.12.450 Administrative appeals.

A. Except as set forth in subsection (C) of this section, any person or entity receiving: ~~a notice of noncompliance (1)~~, a designation as a person or entity who conducts subject activities; ~~(2)~~, a notice and order; ~~n administrative compliance order or~~ ~~(3)~~ who is otherwise subject to an adverse determination pursuant to this chapter may appeal the matter by requesting an administrative hearing before a hearing officer appointed by the council.

B. Any person or entity appealing a ~~notice of noncompliance, notice and order~~ ~~administrative compliance order~~, designation as a person or entity who conducts subject activities or other adverse determination shall file, within 30 days of receipt of notice thereof, a written request for an administrative hearing, accompanied by an administrative hearing fee as established by resolution of the city council, with the Aadministrator. A hearing on the matter shall thereafter be held before a hearing officer within 45 days of the filing of the written request unless, in the reasonable discretion of the hearing officer and pursuant to a request by the appealing party, a continuance of the hearing is granted.

C. An administrative hearing on the issuance of a cease and desist - order or following an emergency abatement action shall be held within five (5) business days following the issuance of the order or the action of abatement, unless the hearing or the time requirement for the hearing is waived in writing by the party subject to the cease-and-desist order or the emergency abatement. A request for an administrative hearing shall not be required from the person or entity subject to the cease-and-desist order or the emergency abatement.

D. The Aadministrator shall appear in support of the notice, order, designation, determination or emergency abatement action and the appealing party shall appear in support of the withdrawal of the notice, order, designation, determination or in opposition to the emergency abatement action. The Ccity shall have the burden of supporting any enforcement or other action by a preponderance of the evidence. Each party shall have the right to present testimony and other documentary evidence as necessary for the appropriate presentation of the case.

E. Except in the case of a proceeding to determine the validity of a ~~cease-and-desist~~ cease-and-desist order or a hearing following an emergency abatement, the final decision of the hearing officer shall be issued within 10 business days of the conclusion of the hearing and shall be delivered by first class mail, postage prepaid, to the appealing party. In the case of a proceeding to determine the validity of a ~~cease-and-desist~~ cease-and-desist order or a hearing following an emergency abatement, the final decision of the hearing officer shall be issued within five business days following the conclusion of the hearing. The final decision shall include notice that any legal challenge to the final decision shall be made pursuant to the provisions of Sections 1094.5 and 1094.6 of

the California Code of Civil Procedure and shall be commenced within 90 days following the final decision. Any administrative hearing fee paid by a prevailing party shall be refunded. [Ord. 41-2004 § 2].

15.12.460 Nuisance and abatement.

A. Any condition in violation of the provisions of this chapter, including, but not limited to, the maintenance or use of any illicit connection or the occurrence of any prohibited discharge, shall constitute a threat to the public health, safety and welfare and is declared and deemed to be a public nuisance.

B. At the request of the [Administrator](#), the [City](#) may seek a court order to enjoin or abate the nuisance, or both. Prior to seeking any court order to enjoin or abate a nuisance or threatened nuisance, the [Administrator](#) shall provide notice of the proposed injunction or abatement to the owner and occupant, if any, of the premises where the nuisance or threatened nuisance is occurring.

C. At the request of the [Administrator](#), the [City](#) may seek an abatement warrant or other appropriate judicial authorization to enter the premises where any nuisance or threatened nuisance is occurring and to abate the condition and restore the area.

D. In the event the nuisance constitutes an imminent danger to public safety or the environment, the administrator may enter the premises from which the nuisance emanates, abate the nuisance and restore any property affected by the nuisance without prior notice to or consent from the owner or occupant thereof and without judicial warrant.

1. An imminent danger shall include, but is not limited to, exigent circumstances created by the dispersal of pollutants, where such pollutants present a significant and immediate threat to the public safety or the environment.

2. Notwithstanding the authority of the [City](#) to conduct an emergency abatement action, an administrative hearing pursuant to RCMC [15.12.440](#) shall follow the emergency abatement action. [Ord. 41-2004 § 2].

15.12.470 Administrative civil penalties.

A. In addition to any other remedies provided by this chapter, there is hereby imposed an administrative civil penalty of up to \$5,000 for each violation of this chapter. Notice of any administrative civil penalty shall be served and proof of service shall be made in the same manner as provided in RCMC [15.12.430](#).

The notice shall provide that any administrative civil penalty imposed shall be administratively reviewed by a hearing officer before it is enforced. When violation of this chapter pertains to a continuing violation that does not create an immediate danger to health or safety, as determined by the [Administrator](#), the violator shall be provided with a reasonable time to correct or otherwise remedy the violation prior to imposition of the penalty. The [Administrator](#) shall determine and notify the violator of the time within which the violator must correct or remedy the violation. The notice shall provide that an administrative civil penalty will be imposed if the continuing violation is not remedied or corrected within the time stated.

B. Enforcement of the administrative civil penalty imposed by the [Administrator](#) shall be by written order issued by the hearing officer following notice and an opportunity for hearing.

Procedures concerning notice, conduct of the hearing, and service shall be as provided in RCMC [15.12.440](#).

The order of the hearing officer concerning the administrative civil penalty shall be in writing, resolving the essential issues raised and confirming, amending, or rejecting the administrative civil penalty imposed by the [Administrator](#). In reaching a decision concerning any administrative civil penalty, the hearing officer shall be guided by factors including, but not limited to, ~~the following~~ the danger to public health, safety and welfare represented by the violation, recidivism, and any economic benefit associated with noncompliance.

C. The manner of contesting the final order of the hearing officer concerning any administrative civil penalty is governed by Section [53069.4](#) of the California Government Code, or any successor provision thereto. Service of the notice of appeal authorized by Section [53069.4](#) of the Government Code on the [City](#) shall be served upon the [City Clerk](#). [Ord. 41-2004 § 2].

15.12.480 Criminal penalties.

A. Any person who negligently or knowingly violates any provision of this chapter, undertakes to conceal any violation of this chapter, continues any violation of this chapter after notice thereof, ~~or~~ fails to implement BMPs

in accordance with RCMC [15.12.200\(B\)](#) or fails to comply with a specified requirement or a provision of a Ceity stormwater permit shall be guilty of a misdemeanor and upon conviction thereof be fined not more than \$1,000 or imprisoned for not more than six months in the county jail, or both.

B. Each day in which a violation occurs and each separate failure to comply with either a separate provision of this chapter, an administrative compliance order, a cease ~~and~~ ~~desist~~ order, or failure to implement BMPs in accordance with RCMC [15.12.200\(B\)](#) shall constitute a separate violation of this chapter punishable by fines or sentences in accordance herewith.

C. The ~~A~~administrator may authorize specifically designated ~~C~~city employees to issue citations for misdemeanor violations of this chapter pursuant to Section [836.5](#) of the Penal Code. [Ord. 41-2004 § 2].

15.12.490 Miscellaneous enforcement provisions.

A. Each and every remedy available for the enforcement of this chapter shall be nonexclusive and it is within the discretion of the ~~A~~administrator to seek cumulative remedies. ~~The remedies available to the City pursuant to the provisions of this chapter shall not limit the right of the Ceity or any law enforcement agency to seek any other legal or equitable remedy that may be available to it.~~

B. The ~~A~~administrator may request the ~~C~~city to file a civil action in a court of competent jurisdiction seeking an injunction against any threatened or continuing noncompliance with the provisions of this chapter. Any temporary, preliminary or permanent injunction issued pursuant to this subsection may include an order for reimbursement to the ~~C~~city of all costs incurred in enforcing this chapter, including, but not limited to, costs of inspection, investigation and monitoring, the costs of abatement undertaken at the expense of the ~~C~~city, costs relating to the restoration of the environment, ~~and~~ any other costs or expenses authorized by law.

C. The ~~A~~administrator may request the ~~C~~city to file an action for civil damages in a court of competent jurisdiction seeking recovery of any of the following:

1. All costs incurred in the enforcement of this chapter, including, but not limited to, costs relating to investigation, sampling, monitoring, inspection, administrative expenses, all other expenses authorized by law and consequential damages.
2. All costs incurred in mitigating harm to the environment or reducing the threat to human health.

3. Damages for irreparable harm to the environment.

D. The Ceity is authorized to file actions for civil damages resulting from any trespass or nuisance occurring on public property or to the Ceity eunty storm waterstormwater conveyance system from any violation of this chapter where such violation has caused damage, contamination or harm to the environment, public property, or the Ceity eunty storm waterstormwater conveyance system.

~~E. The remedies available to the Ceity pursuant to the provisions of this chapter shall not limit the right of the city or any law enforcement agency to seek any other legal or equitable remedy that may be available to it.~~

EF. Each day in which a violation occurs and each separate failure to implement BMPs in accordance with RCMC 15.12.200(B) or to comply with either a separate provision of this chapter, an administrative compliance order, or a cease -and -desist order shall constitute a separate violation of this chapter punishable by administrative penalties in accordance with this chapter. [Ord. 41-2004 § 2].

Article VI. Recovery of Costs of Abatement

15.12.500 Costs of abatement – Confirmation.

A. When proceedings under this chapter result in the correction of a violation of this chapter or in a final determination that a violation exists after the date specified in any notice issued pursuant to the provisions of this chapter, the costs of such proceedings incurred by the Ceityeunty may be assessed against the property. Such costs may include, but are not limited to, those incurred in inspecting property, publication, mailing and posting of notices, conducting hearings, processing appeals and pursuing any judicial action. It is the purpose of this section to allow the assessment against property of costs of proceedings if a violation is corrected in any manner.

B. The Aadministrator shall keep an account of the administrative and other costs of abatement and clean up and shall submit to the council for confirmation an itemized written report showing such costs and their proposed assessment to the respective properties. The report shall be filed with the Ceity Clerk not later than 15 calendar days in advance of the confirmation hearing required below.

C. Upon receipt of the report, the Ceity Clerk shall schedule a public hearing to receive protests and confirm the report. A statement of the proposed assessment and notice of the time, date, and place of the hearing, together with reference to the report on file with the clerk, shall be mailed to the owner or owners of each parcel of property proposed to be assessed shown on the last equalized assessment roll available on the date of mailing of the notice or any other address or addresses ascertained to be more accurate. Such notice shall be

mailed not later than 15 calendar days in advance of the hearing. Notice of the time, date, and place of the public hearing by the council shall be published once in a newspaper of general circulation published within the ~~Ceity. county.~~

With respect to each property proposed to be assessed for which the name of the owner or owners is not shown on the last equalized assessment roll or no address for an owner is shown on the last equalized assessment roll, the notice shall show the name or names of the owner or owners, if such name or names are shown on the last equalized assessment roll, the assessor's parcel number, the street address of the property, if the property has an address and the address is known to the Administrator, the name of the street or road upon which such property abuts, if the property abuts upon a street or road, the amount of the proposed assessment and reference to the report on file with the clerk. Such publication shall be made not later than 15 calendar days in advance of the hearing.

D. At the time fixed for receiving and considering the report, the ~~Ceity~~ Council shall conduct a public hearing and shall receive and consider any objections from members of the general public or property owners liable to be assessed for the abatement. Written protests or objections shall specify the date, hour, and description of the subject property under hearing. The Council may continue the hearing and delegate to the ~~Ceity Mmanager eounty executive~~ or his designee the responsibility of hearing individual protests and submitting a recommendation with respect thereto; provided, that the Council provides an opportunity for individual consideration of each project upon receipt of the recommendation by the ~~Ceity Mmanager eounty executive~~ or ~~his-their~~ designee. The Council may modify the report if it is deemed necessary. The council shall then confirm the report by motion or resolution. [Ord. 41-2004 § 2].

15.12.510 Costs – Assessments.

A. If the costs as confirmed are not paid within 30 days of the date of mailing of the notice or date of publication pursuant to RCMC [15.12.500](#), such costs shall be assessed against the parcel of land pursuant to Section [25845](#) of the California Government Code, and shall be transmitted to the tax collector for collection and shall be subject to the same penalties and the same procedures and sale in case of delinquency as provided for ad valorem taxes.

B. If, subsequent to the mailing of the notice of noncompliance and prior to transmittal of the notice of unpaid costs to the tax collector for collection as set forth in subsection (A) of this section, the property subject to the notice of noncompliance is sold or title otherwise transferred to a bona fide purchaser, said costs shall be the responsibility of the owner of record as of the date ~~the~~ said notice of noncompliance was placed in the United States Postal System or posted on the property.

C. In addition to assessing the unpaid costs as provided in subsection (A) of this section, the tax collector or his designated representative may pursue any remedy provided by law for collection of the unpaid costs. [Ord. 41-2004 § 2].

15.12.520 Treble costs.

Pursuant to Section [25845.5](#) of the California Government Code, upon entry of a second or subsequent civil or criminal judgment within a two-year period finding that an owner is responsible for a condition in violation of this chapter that may be abated pursuant to Section [25845](#) of the Government Code, a court may order the owner to pay treble the costs of abatement. [Ord. 41-2004 § 2].

15.12.530 Hearing of protests.

Upon the day and hour fixed for the hearing, the [City Council](#) shall hear and pass upon the report of the [Administrator](#) together with any such protests or objections. The [Council](#) may make such revision, correction or modification of the report or the charge as it may deem just, and in the event the [Council](#) is satisfied with correctness of the charge, the report of the [Administrator](#) (as submitted or as revised, corrected or modified) together with the charge, shall be confirmed or rejected. The decision of the [Council](#) on the report and the charge and on all objections or protests shall be final and conclusive. [Ord. 41-2004 § 2].

15.12.540 Assessment for summary abatement.

Where the charge to be made is the result of summary abatement pursuant to RCMC [15.12.460](#)(C), the [City Council](#) may determine whether or not the action to abate was proper, and may confirm the charge or not as it may deem proper. [Ord. 41-2004 § 2].

15.12.550 Time for contest of assessment.

The validity of any assessment made under the provisions of this chapter shall not be contested in any action or proceeding unless the same is commenced within 30 days after the assessment is ordered to be placed upon the assessment roll as provided herein. [Ord. 41-2004 § 2].

15.12.560 Filing copy of report with ~~county auditor~~City Clerk.

A certified copy of the assessment shall be filed with the ~~county auditor~~City Clerk on or before August 1st of each fiscal year. The descriptions of the parcels reported shall be those used for the same parcels on the map books of the county assessor for the current fiscal year. [Ord. 41-2004 § 2].

Article VII. Commercial and Industrial Facilities

15.12.600 Purpose and intent.

The purpose of this article is to provide for tracking, inspection, and enforcement of the Ceity's stormwater ordinance with respect to commercial and industrial facilities within the City as required by the ~~Municipal Stormwater Permit~~. [Ord. 17-2016 §5, eff. 9-23-2016; Ord. 7-2009 §3, eff. 5-1-2009; Ord. 26-2004 §3, eff. 8-18-2004]

15.12.610 Delegation of authority to County Environmental Management Department (EMD).

A. Subject to an agreement approved by the City Council under which the County of Sacramento shall assume responsibility for tracking, inspecting, and enforcing the City's stormwater ordinance at certain commercial and industrial facilities specified in the municipal stormwater permit, the City hereby authorizes and delegates to the County of Sacramento the authority to enforce the city's stormwater ordinance at certain commercial and industrial facilities specified in the municipal stormwater permit, and the term "Administrator," as used in this chapter, shall also mean the Director of the Sacramento County Environmental Management Department and his or her designees.

B. Any administrative or civil enforcement by the Director of the Sacramento County EMD or his or her designees of any provision of this chapter under this article shall be governed by and conducted pursuant to Chapter 15.12 of the RCMC.

C. Sacramento County may establish and collect from commercial and industrial facilities located within the city such fees as may be necessary to cover the actual costs incurred by Sacramento County to include these facilities in its commercial and industrial compliance program; provided, that the fees are established and collected in accordance with the provisions of the agreement and all applicable legal requirements.

D. The authority delegated to Sacramento County under this article is limited to that necessary to allow the Director of the County EMD to track, inspect, and ensure compliance with the city's stormwater ordinance at commercial and industrial facilities as required under the municipal stormwater permit and in accordance with

[any agreement between the City of Rancho Cordova and Sacramento County EMD. \[Ord. 17-2016 §6, eff. 9-23-2016; Ord. 7-2009 §3, eff. 5-1-2009; Ord. 26-2004 §3, eff. 8-18-2004\]](#)

[5373464.1](#)

Chapter 16.44

LAND GRADING AND EROSION CONTROL

Sections:

[16.44.010 Purpose.](#)
[16.44.020 Definitions.](#)
[16.44.030 Delegation.](#)
[16.44.040 Administration.](#)
[16.44.050 Permits required.](#)
[16.44.060 Permits not required.](#)
[16.44.065 Exemptions.](#)
[16.44.070 Improvement plans.](#)
[16.44.080 Application contents.](#)
[16.44.090 Plans.](#)
[16.44.100 Specifications.](#)
[16.44.110 Security.](#)
[16.44.120 Right of entry.](#)
[16.44.130 Permit fees.](#)
[16.44.140 Environmental review.](#)
[16.44.150 Application review.](#)
[16.44.160 Contents of permit.](#)
[16.44.170 Conditions.](#)
[16.44.180 Procedure for imposition.](#)
[16.44.190 Term.](#)
[16.44.200 Transferability.](#)
[16.44.210 Denial of permit.](#)
[16.44.220 Amendment of permit.](#)
[16.44.230 Request for inspection.](#)
[16.44.240 Reports.](#)
[16.44.250 Cessation of work.](#)
[16.44.260 Completion of work.](#)
[16.44.270 Inspection.](#)
[16.44.280 Grounds for suspension and revocation.](#)
[16.44.290 Method of suspension or revocation.](#)
[16.44.300 Appeals.](#)
[16.44.310 Appeal fee.](#)
[16.44.320 Appeal hearings.](#)
[16.44.330 Actions on appeals.](#)
[16.44.340 Notices.](#)
[16.44.350 Action against and release of security.](#)
[16.44.360 Violations.](#)
[16.44.370 Laws not enforced.](#)

16.44.010 Purpose. SHARE

It is the intent of the [City Council](#) in enacting this chapter to minimize damage to surrounding properties and public rights-of-way, the degradation of the water quality of watercourses, and the disruption of natural or [City-authorized](#) drainage flows caused by the activities of clearing and grubbing, grading, filling and excavating of land, and sediment and pollutant runoff from other construction-related activities, and to comply with the provisions of the [City's](#) National Pollutant

Discharge Elimination System (NPDES) permit No. CA0082597, issued by the California Regional Water Quality Control Board (Regional Board).

These goals will be achieved by establishing administrative procedures, minimum standards of review, and implementation and enforcement procedures for controlling erosion, sedimentation and other pollutant runoff, including construction debris and hazardous substances used on construction sites, and the disruption of existing drainage and related environmental damage caused by the aforementioned activities. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1002 § 3, 1995; SCC 0928 § 2, 1993].

16.44.020 Definitions. SHARE

As used in this chapter, the following words and phrases shall have the meanings given in this section:

“Administrator” means the [City’s Public Works Director](#) ~~of the city~~ or his or her designated representative(s).

“Applicant” means any person [or entity](#) who submits an application for a permit pursuant to this chapter.

“City” means the city of Rancho Cordova.

“City specifications” means the [City](#) improvement standards, [City](#) standard construction specifications and other standards included in applicable [City](#) ordinances, regulations and manuals, as amended from time to time.

“Civil engineer” means a professional engineer in the branch of civil engineering holding a valid certificate of registration issued by the state of California.

“Clearing and grubbing” means moving or removing by manual or mechanical means trees, vegetation and/or the top four inches or greater of soil.

“Compaction” means the act of compacting or consolidating soil and rock material to a specified density, and the resulting compacted state of the material.

“Construction site” means any land area on which the activity of clearing and grubbing, grading, excavating, or filling is occurring.

“Engineering geology” means the application of geologic knowledge and principles in the investigation and evaluation of naturally occurring rock and soil for use in the design of civil works.

“Environmental coordinator” means the [City](#) official designated by the [City Manager](#) to prepare and process environmental documents.

“Erosion” means the transport of the ground surface or soil as a result of the movement of wind or water.

“Erosion control measures” means seeding, mulching, vegetative buffer strips, sod, plastic covering, burlap covering, watering and other measures which control the movement of the ground surface or soil.

“Grade” means the elevation of the ground surface as measured from a known vertical control.

“Grading” includes the act or result of digging, excavating, transporting, spreading, depositing, filling, compacting, settling, or shaping of land surfaces and slopes, and other operations performed by or controlled by human activity involving the physical movement of rock or soil.

“Hazardous substances” means those materials listed in Title [40](#) of the Code of Federal Regulations ([40](#) CFR) Part 117 and/or [40](#) CFR Part [302](#).

“National Pollutant Discharge Elimination System (NPDES)” means the national program for issuing, modifying, revoking and reissuing, terminating, monitoring and enforcing permits, and imposing and enforcing pretreatment requirements under Sections 307, 402, 318, and 405 of the Clean Water Act.

“Permittee” means the applicant in whose name a valid permit is issued pursuant to this chapter and the applicant’s agents, employees and designated representative(s).

“Person” means any individual, corporation, partnership, association of any type, public agency or any other legal entity.

“Pollutants” is as defined in Title [40](#) CFR ~~§~~[Part 122.2](#).

“Runoff” means surface runoff and drainage related to storm events, snow melt, street washwaters related to street cleaning or maintenance and other waters associated with construction activity which are or may be introduced into the municipal separate storm sewer system.

“Sediment” means soil or earth material deposited by water.

“Sediment control measures” means dikes, sediment detention traps, sediment detention basins, filters, fences, barriers, swales, berms, drains, check dams, and other measures which control the deposit of soil or earth material.

“Site” means a parcel or parcels of real property owned by one or more than one person on which activity regulated by this chapter is occurring or is proposed to occur.

“Slope” means an inclined ground surface the inclination of which is expressed as a percent.

“Structure” means anything constructed or erected which requires location on the ground or attached to something having location on the ground.

“Watercourse” means a river, stream, creek, basin, lake, pond, waterway, or channel, natural or manmade, having a defined bed and banks. Whenever a watercourse consists of an ordinary channel, and in addition thereto, an overflow channel, the watercourse shall be deemed to include all property lying between the banks of the overflow channel.

“Wetlands” means those areas that are inundated or saturated by surface or groundwater at a frequency sufficient to support, and that under normal circumstances do support, a prevalence of

vegetation typically adapted for life in saturated soil conditions, such as swamps, bogs and marshes. [Ord. 38-2007 § 1 (Exh. 1(A), (J)); Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1002 § 3, 1995; SCC 0928 § 2, 1993].

16.44.030 Delegation. SHARE

Whenever in this chapter an authority or power is vested in or a duty is imposed upon an officer or official, an employee subordinate to the officer or official to whom an appropriate delegation has been made shall be entitled to exercise the power or authority and perform the duty. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1002 § 3, 1995; SCC 0928 § 2, 1993].

16.44.040 Administration. SHARE

Except as otherwise provided, the [Administrator](#) is responsible for administering this chapter and grading and erosion control permits, and is authorized from time to time to promulgate and enforce rules or regulations consistent with and necessary to implement the purposes, intent and express terms of this chapter.

Any rules or regulations promulgated by the [Administrator](#), or amendments thereof, shall be filed with the [City Clerk](#) ~~of the city council~~. The clerk shall cause said rules or regulations to be published in a newspaper of general circulation within 10 calendar days. No rules or regulations promulgated by the [Administrator](#), or amendments thereof, shall be enforced or become effective until 30 calendar days following the date on which the rules or regulations are published. Any [Person](#) shall have 15 days after the date of publication in which to file an appeal in accordance with the provisions of RCMC [16.44.300](#). [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1002 § 3, 1995; SCC 0928 § 2, 1993].

16.44.050 Permits required. SHARE

Except as provided by RCMC [16.44.060](#), [16.44.065](#) or [16.44.070](#), a grading and erosion control permit shall be required to (A) grade, fill, excavate, store or dispose of 350 cubic yards or more of soil or earthy material or (B) clear and grub one acre or greater of land within the [City of Rancho Cordova](#). A separate permit is required for work on each site unless sites are contiguous, have the same ownership, and are included in the approved plan. Any determination by the [Administrator](#) as to whether a permit is required may be appealed pursuant to the provisions of RCMC [16.44.300](#). [Ord. 38-2007 § 1 (Exh. 1(A)); Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1002 § 3, 1995; SCC 0928 § 2, 1993].

16.44.060 Permits not required. SHARE

A. A grading and erosion control permit shall not be required to:

1. Grade, fill, excavate, store or dispose of less than 350 cubic yards of soil or earthy material; or
2. Clear and grub less than one acre of land within the [city of Rancho Cordova](#) ~~City~~; or
3. For the grading, filling, excavating, storing, disposing, or clearing and grubbing for:

- a. Swimming pools, basements, or footings of structures if authorized by a valid building permit;
- b. Underground utilities;
- c. Mining or quarry operations, if a use permit has been granted by the [Ceity](#);
- d. Refuse disposal sites operated by a governmental agency;
- e. The production of planted agricultural crops.

B. Notwithstanding the provisions of subsection (A) of this section exempting specified activities from the otherwise applicable permit requirements, the activities described in subsection (A) of this section shall be subject to the standards and requirements of this chapter. Any building permit issued in connection with the activities described in subsection (A) of this section or in connection with any building permit issued for a single-family residence on an individual lot may be conditioned on compliance with the standards and requirements of this chapter. Any inspections required pursuant to this chapter or any other chapter of this title shall include a determination of compliance with the purposes of this chapter. [Ord. 38-2007 § 1 (Exh. 1(A)); Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1002 § 3, 1995; SCC 0928 § 2, 1993].

16.44.065 Exemptions. SHARE

A grading and erosion control permit shall not be required for, and the provisions of this chapter shall not apply to, grading, filling, excavating, storing, disposing, or clearing and grubbing for situations where, in the determination of the [Administrator](#), there is a clear and imminent danger to life or property, or threat of loss of services for which there is an overriding public concern. The [Administrator](#) may, at the time of granting such exemption, impose conditions in accordance with RCMC [16.44.170](#), including, but not limited to, the requirement for the posting of security. Such exemption must be requested from the [Administrator](#) and approved in writing prior to the commencement of any activity regulated by this chapter. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1002 § 3, 1995].

16.44.070 Improvement plans. SHARE

Where an improvement plan is being processed in conjunction with either an approved tentative, parcel, or final map, or a development plan is being processed in accordance with the provisions of RCMC Title [12](#), such plan shall also be considered as a request to undertake those activities regulated by this chapter. Such plans shall be reviewed and approved, conditionally approved or denied in accordance with the [applicable Ceity and county](#) standards and requirements set forth in this chapter and other applicable [Ceity and county improvement standards and](#) specifications. For an approved tentative, parcel, or final map, or development plan, any submitted improvement plans shall include provisions to require compliance with the [Ceity and county improvement](#) standards, and requirements of this chapter. If an improvement plan is approved, then a grading and erosion control permit shall not be required. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1002 § 3, 1995; SCC 0928 § 2, 1993].

16.44.080 Application contents. SHARE

The application for a grading and erosion control permit shall be filed in the office of the ~~A~~administrator, and submitted on a form ~~and submitted with such~~ information ~~as is~~ prescribed by the ~~A~~administrator, including the following:

- A. The name, address and telephone number of the applicant and the applicant's engineer;
- B. The address and parcel number of the location for which the permit is sought;
- C. A copy of all entitlements granted for the property by the Ceity, including conditions of approval and the environmental documentation;
- D. A copy of all required state and federal permits;
- E. Plans conforming with the requirements of RCMC 16.44.090;
- F. Specifications conforming with the requirements of RCMC 16.44.100, if ~~the administrator expressly required~~ d by the Administrators this information;
- G. Security conforming with the requirements of RCMC 16.44.110;
- H. Right of entry conforming with the requirements of RCMC 16.44.120;
- I. Fees conforming with the requirements of RCMC 16.44.130;
- J. Other information as may be required by the ~~A~~administrator. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1002 § 3, 1995; SCC 0928 § 2, 1993].

16.44.090 Plans. SHARE

Plans shall be prepared by a civil engineer in conformance with Ceity and county specifications and shall include the following:

- A. A vicinity map indicating the site location and significant geographic features;
- B. A site delineation map indicating boundary lines of the property and each lot or parcel into which the site is proposed to be divided;
- C. The location of on-site and surrounding watercourses and wetlands, existing and proposed drainage systems, and drainage area boundaries and acreages. Additional hydrologic analysis shall be provided as required by the ~~A~~administrator;
- D. The location of existing and proposed roads and structures on the site and on adjacent property;
- E. Accurate contours at two-foot intervals for slopes up to 10 percent and five-foot intervals for slopes over 10 percent showing topography of existing ground and locations of existing vegetation, including all oak trees, all other trees over six inches in diameter measured at four and one-half feet above the ground, groves of trees, and natural features such as rock outcroppings. Spot elevations will be required where relatively flat conditions exist. The spot elevations or contour lines shall be extended off site for a minimum distance of 50 feet, or 100 feet in flat terrain;

F. Elevations, location, extent and slope of all proposed grading shown by contours, cross-sections or other means, and location of any disposal areas, fills or other special features to be included in the work;

G. A statement of the quantity of material to be excavated, the quantity of material to be filled, whether such excavation or fill is permanent or temporary, and the amount of such material to be imported to or exported from the site;

H. A delineation of the area to be cleared and grubbed;

I. A statement of the estimated starting date, grading completion date, and when site improvements will be completed;

J. The location, implementation schedule, and maintenance schedule of all erosion control measures and sediment control measures to be implemented or constructed prior to, during or after the proposed activity;

K. A description of measures designed to control dust and stabilize the construction site road and entrance;

L. A description of the location and methods of storage and disposal of construction materials;

M. Any additional plans required by the administrator. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1002 § 3, 1995; SCC 0928 § 2, 1993].

16.44.100 Specifications. SHARE

When required by the [Administrator](#), the following information shall be prepared and signed by a civil engineer, and submitted with the application for a grading and erosion control permit:

A. Preparation of natural ground to occur prior to placement of fill, including provisions for removal of organic or deleterious materials;

B. Quality control of native or imported fill material;

C. Degree of compaction;

D. Gradient of cut and fill slopes;

E. Geotechnical engineering or engineering geology reports used in the development of the above information. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1002 § 3, 1995; SCC 0928 § 2, 1993].

16.44.110 Security. SHARE

A. Prior to issuance of the permit, the applicant shall provide security in an amount estimated by the [Administrator](#) to be the cost for stabilizing the activity site if the site is abandoned or work is stopped during the performance of the activity described in the permit. The security shall be one of the following, subject to the approval of the [Administrator](#):

1. Bond or bonds by one or more duly authorized corporate sureties.
2. A deposit, either with the [Ceity](#) or a responsible escrow agent or trust company, at the option of the [Ceity](#), of money or negotiable bonds of the kind approved for securing deposits of public monies.
3. An instrument of credit from an agency of the state, federal or local government when an agency of the state, federal, or local government provides at least 20 percent of the financing for the project, or from one or more financial institutions subject to regulation by the state or federal government and pledging that the funds necessary are on deposit and guaranteed for payment, or a letter of credit by such financial institution.

B. The security shall be released to the permittee upon either:

1. Issuance of a certificate of completion, provided no administrative or legal action against such security has been commenced prior to that date and the permittee has complied with the provisions of RCMC [16.44.260](#); or
2. Voluntary relinquishment of the permit by the holder thereof to the [Ceity](#), provided no administrative or legal action against such security has been commenced prior to that date and the permittee has complied with the provisions of RCMC [16.44.250](#). [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1002 § 3, 1995; SCC 0928 § 2, 1993].

16.44.120 Right of entry. SHARE

Whenever any portion of the work requires entry onto adjacent property for any reason, the applicant shall obtain the written consent of the adjacent property owner or his authorized representative, and shall file a copy of said consent with the administrator before a permit for such work may be issued. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1002 § 3, 1995; SCC 0928 § 2, 1993].

16.44.130 Permit fees. SHARE

A fee shall be paid by the applicant to the [Ceity](#) for plan checking and review, materials testing, site inspections, processing, issuance and other services performed by the administrator in connection with the investigation of an application for, and administration of, a grading and erosion control permit. The fees for these services shall be in the amount of the actual costs incurred by the [Ceity](#) based on the hourly rate of the personnel performing the services, including all overhead costs, and as determined by the [Administrator](#).

A minimum deposit of \$750.00 shall be paid by the applicant at the time of and with the filing of the application with the [Administrator](#). In the event the accrued costs exceed the initial deposit, the [Ceity](#) shall submit a monthly bill to the applicant for the amount owing as of the date on the bill. Interest of one and one-half percent per billing period (28-day cycle) compounded each billing period shall be added to the unpaid balance due to any amount which has not been paid in full within 28 days from the date on the bill.

The administrator shall not perform any services for an applicant if an amount owing is not paid within 28 days, until such time that all amounts owing and interest thereon are paid in full. The balance of fees owing shall be paid in full prior to final inspection. In the event the actual costs do not exceed the minimum deposit amount, the [Ceity](#) shall reimburse the applicant the difference between

the deposit amount and the actual total charges. [Ord. 38-2007 § 1 (Exh. 1(J)); Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1002 § 3, 1995; SCC 0928 § 2, 1993].

16.44.140 Environmental review.

Grading and erosion control permits, and amendments thereto, are subject to the requirements of the California Environmental Quality Act (CEQA). The applicant shall furnish a copy of the application to the environmental coordinator for preparation and processing of the appropriate environmental documents. The [Administrator](#) is authorized to hold public hearings on negative declarations, draft environmental impact reports and final environmental impact reports prepared on applications for [grading](#) and erosion control permits, for the purposes of receiving comments from the public. The administrator shall not approve a grading and erosion control permit prior to considering the applicable environmental document and complying with the requirements of CEQA and the [City](#) procedures for preparation and processing of environmental documents. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1002 § 3, 1995; SCC 0928 § 2, 1993].

16.44.150 Application review.

The [Administrator](#) shall review and approve, conditionally approve or deny grading and erosion control permit applications and improvement plans in accordance with the provisions of this chapter. Grading and erosion control permit applications and improvement plans shall be issued or approved unless the [Administrator](#) finds in writing that:

- A. The applicant has failed to provide sufficient or adequate plans, information or other data necessary to allow determinations respecting compliance with the provisions of this chapter or [City](#) specifications;
- B. The environmental review has not been completed, other provisions of this code or of state law pertaining to environmental review have not been satisfied, or the activity will have significant adverse environmental impacts which cannot be substantially mitigated. Where the activity will have significant adverse impacts, the [Administrator](#) may approve the permit in accordance with the provisions of this chapter, RCMC Title [20](#), and the California Environmental Quality Act of 1970;
- C. The proposed activity will violate provisions of this chapter, [City](#) specifications, or state or federal laws, and such violation cannot be resolved by the imposition of conditions pursuant to RCMC [16.44.170](#);
- D. The proposed activity will adversely affect surrounding properties and public rights-of-way, the water quality of watercourses, and existing drainage. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1002 § 3, 1995; SCC 0928 § 2, 1993].

16.44.160 Contents of permit.

The grading and erosion control permit shall include but not be limited to a complete description of the activity for which it is issued, the property for which it is issued, the date of issuance and the date of expiration, and a description of any and all conditions upon which the permit has been issued. The permit shall be kept at the site during the activity for which the permit was issued. A grading and erosion control permit authorizes the permittee to undertake only that activity described in the permit and only on the property for which the permit is issued. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1002 § 3, 1995; SCC 0928 § 2, 1993].

16.44.170 Conditions.

The [Administrator](#) may at the time of issuance of the grading and erosion control permit impose such conditions as are necessary to ensure compliance with this chapter, [Ceity and county improvement standards and specifications](#), [Ceity floodplain ordinance](#), or state or federal laws. Such conditions shall be reasonably related to the public needs created by the proposed activity. Conditions to mitigate environmental impacts of the activity may also be imposed by the [Administrator](#). [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1002 § 3, 1995; SCC 0928 § 2, 1993].

16.44.180 Procedure for imposition.

Any condition imposed pursuant to the provisions of RCMC [16.44.170](#) shall be embodied, together with the reasons therefor, in the permit and served upon the applicant or permittee. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1002 § 3, 1995; SCC 0928 § 2, 1993].

16.44.190 Term.

A grading and erosion control permit shall be effective on the date of issuance, and shall remain in force for one year, unless suspended or revoked by the [Administrator](#), or voluntarily relinquished by the permittee. Before the expiration of a permit, a permittee may apply for an extension of time in which to complete the activity. One extension of not more than one year may be granted by the [Administrator](#). [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1002 § 3, 1995; SCC 0928 § 2, 1993].

16.44.200 Transferability.

A grading and erosion control permit shall not be transferable or assignable from one person to another, unless approved by the [Administrator](#) and the person to whom the permit is to be transferred agrees to comply with the requirements of the original permit and to any conditions imposed therein. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1002 § 3, 1995; SCC 0928 § 2, 1993].

16.44.210 Denial of permit.

The [Administrator](#) shall deny an application for a grading and erosion control permit if any of the findings in RCMC [16.44.150](#) are made. Notice shall be served on the applicant, in writing, with the reasons stated therefor, pursuant to the provisions of RCMC [16.44.340](#). [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1002 § 3, 1995; SCC 0928 § 2, 1993].

16.44.220 Amendment of permit.

Any proposed changes in the activity authorized by the permit shall be submitted to the [Administrator](#) for review. The permittee shall not undertake or allow activity to occur which does not conform with the plans or conditions of the original permit, unless approved by the [Administrator](#). The [Administrator](#) shall review any proposed changes in the same manner and pursuant to the same standards as the original application. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1002 § 3, 1995; SCC 0928 § 2, 1993].

16.44.230 Request for inspection. SHARE

A. Requests for inspection of any site subject to the provisions of this chapter shall be made to the [Administrator](#) within at least two full business days in advance of the desired day of inspection at the following phases of activity. ~~Such a request shall be made at least two full business days in advance of the desired day of inspection.~~

1. When the site has been cleared of vegetation and unapproved fill, and scarified, benched, or otherwise prepared and before any fill is placed; and the erosion control and sediment control measures to be implemented in this phase have been placed;
2. When approximate final elevations have been established; drainage terraces, swales and other drainage devices have been graded and are ready for paving; berms have been installed at the top of slopes; and the erosion control and sediment control measures to be implemented in this phase have been placed;
3. When work has been completed; slope planting established and irrigation systems installed, if required; and the erosion control and sediment control measures to be implemented in this phase have been placed.

B. The [Administrator](#), upon inspection of the site, shall notify the person or permittee:

1. That the phase of work inspected is approved; or
2. What deficiencies, corrections or other work needs to be completed before approval of that phase. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1002 § 3, 1995; SCC 0928 § 2, 1993].

16.44.240 Reports. SHARE

Notification to the [Administrator](#) shall be required within 24 hours following the failure of authorized measures to prevent erosion or sediment from leaving the construction site, the deposit of debris or material on adjoining property or public rights-of-way, or the interference with any existing watercourses or drainage facilities. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1002 § 3, 1995; SCC 0928 § 2, 1993].

16.44.250 Cessation of work. SHARE

If activity is ceased on site for any reason for a period in excess of 15 calendar days, and before the activity being conducted under the permit is completed, all necessary steps shall be taken to prevent damage through erosion or sedimentation to adjoining properties or to the public rights-of-way or to any natural or artificial drainage facilities or watercourses. The premises shall also be graded to blend into the adjacent terrain. The [Administrator](#) shall be notified as soon as possible, but no later than 15 calendar days after the cessation of work. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1002 § 3, 1995; SCC 0928 § 2, 1993].

16.44.260 Completion of work. SHARE

After completion of work in accordance with and conforming with an approved permit and delivery to the [Ceity](#) of record plans and a grading plan as finally implemented, and payment of all fees, the [Aadministrator](#) shall issue a certificate of completion. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1002 § 3, 1995; SCC 0928 § 2, 1993].

16.44.270 Inspection. SHARE

The administrator may enter and inspect property for which a grading and erosion control permit has been applied to determine applicability or compliance with this chapter ~~and~~, [Ceity and county improvement standards or](#) specifications. The [Aadministrator](#) may also inspect any and all property on which grading, filling, clearing and grubbing or excavating activities are occurring. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1002 § 3, 1995; SCC 0928 § 2, 1993].

16.44.280 Grounds for suspension and revocation. SHARE

A grading and erosion control permit may be suspended if:

- A. The physical state of the property differs from the descriptions, plans or information furnished to the [Aadministrator](#) in the permit application;
- B. The activity does not conform to the approved plans, grades, conditions or terms of the permit;
- C. The activity is in violation of this chapter, [Ceity](#) specifications, or state or federal laws;
- D. Any reports required to be submitted to the [Aadministrator](#) have not been submitted; or
- E. Any of the information contained in reports submitted to the [Aadministrator](#) is in error. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1002 § 3, 1995; SCC 0928 § 2, 1993].

16.44.290 Method of suspension or revocation. SHARE

The [Aadministrator](#) may suspend or revoke a grading and erosion control permit by issuing a notice of suspension or revocation, stating the reasons therefor, and serving same upon the permittee. Upon suspension or revocation of a permit, in accordance with the provisions of this section, the permittee shall immediately cause all grading, filling, excavating, storing, disposing or clearing and grubbing to cease until written authorization is received from the administrator to proceed with the activity.

The permittee shall have 15 calendar days after the date of service of the suspension or revocation in which to file an appeal in accordance with the provisions of RCMC [16.44.300](#). If such an appeal is filed, the suspension or revocation shall remain in force and be effective until a final decision on the appeal is issued by the [Ceity Ceouncil](#).

If the [Aadministrator](#) suspends a permit, such permit may either be reinstated or revoked by the [Aadministrator](#), depending upon whether the permittee corrects the grounds stated for the suspension in the notice issued by the [Aadministrator](#). If the permittee fails to remedy the grounds for suspension within a time period specified by the [Aadministrator](#), but in no event later than 60 calendar days, the [Aadministrator](#) shall revoke the permit. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1002 § 3, 1995; SCC 0928 § 2, 1993].

16.44.300 Appeals. SHARE

If the applicant for a grading and erosion control permit, the permittee, or other person whose property rights may be affected is dissatisfied with any determination made by the [Administrator](#), such person may appeal to the [City Council](#). Any such appeal shall be in writing, shall state the specific reasons therefor and grounds asserted for relief, and shall be filed with the [clerk of the city council](#) ~~City Clerk~~ not later than 15 calendar days after the date of the action being appealed. If an appeal is not filed within the time or in the manner prescribed above, the right to review of the action against which the complaint is made shall be deemed to have been waived. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1002 § 3, 1995; SCC 0928 § 2, 1993].

16.44.310 Appeal fee. SHARE

The [City Council](#) shall by resolution adopt and, from time to time, amend a fee for the filing of appeals. Such fee shall be for the sole purpose of defraying costs incurred for the administration of appeals. The fee for an appeal shall be paid at the time of and with the filing of an appeal. No appeal shall be deemed valid unless the prescribed fee has been paid. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1002 § 3, 1995; SCC 0928 § 2, 1993].

16.44.320 Appeal hearings. SHARE

After the filing of an appeal within the time and in the manner prescribed by RCMC [16.44.300](#), the [City Council](#) shall conduct a hearing for the purpose of determining whether the appeal should be granted. Written notice of the time, date and place of the hearing shall be served upon the administrator and the appellant not later than 10 days preceding the date of the hearing. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1002 § 3, 1995; SCC 0928 § 2, 1993].

16.44.330 Actions on appeals. SHARE

The [City Council](#) shall review the entire proceeding or proceedings relating to the act or decision being appealed, de novo, and may make any order it deems just and equitable, including the granting of a grading and erosion control permit. Any hearing may be continued from time to time.

At the conclusion of the hearing, the [City Council](#) shall prepare a written decision which either grants or denies the appeal, and contains findings of fact and conclusions. The written decision, including a copy thereof, shall be filed with the [clerk of the city council](#) ~~City Clerk~~. The clerk shall serve such decision on the applicant or permittee and the [Administrator](#). The decision of the [City Council](#) shall become final upon the date of filing and service with respect to any appeal. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1002 § 3, 1995; SCC 0928 § 2, 1993].

16.44.340 Notices. SHARE

Any notice authorized or required by this chapter shall be deemed to have been filed, served and effective for all purposes on the date when it is personally delivered in writing to the party to whom it is directed or deposited in the United States Mail, first class, postage prepaid, and addressed to the party to whom it is directed.

Whenever a provision in this chapter requires a public hearing to be conducted, notice of the time, date, place and purpose of the hearing shall be published at least once not later than 10 calendar days in advance of the date of commencement of the hearing in a newspaper of general circulation

which is published within the city. The same type of notice shall also be served on each permittee whose permit may be affected by the action taken at the conclusion of the hearing. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1002 § 3, 1995; SCC 0928 § 2, 1993].

16.44.350 Action against and release of security.

A. The [Administrator](#) may commence action against the security provided by a permittee if:

1. The permittee ceases activities on site prior to completion of work without complying with the provisions of RCMC [16.44.250](#);
2. The permittee fails to comply with the terms of the permit;
3. The activity has caused or is threatening to cause damage or injury to persons, property or the environment.

B. The monies so obtained shall be used solely to finance remedial work undertaken by the [City](#) or a private contractor under contract to the [City](#), and to reimburse the [City](#) for any administrative costs and expenses incurred in remedying the situation, including attorneys' fees and legal costs incurred in any necessary action to obtain the security. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1002 § 3, 1995; SCC 0928 § 2, 1993].

16.44.360 Violations.

Except as otherwise specifically provided, pursuant to the provisions of Section 36900 of the Government Code, violation of any of the provisions contained in this chapter shall constitute an infraction subject to a fine of \$100.00 for each day (~~1st time offender first violation~~), ~~\$500.00 for each day (second or subsequent two or more violations)~~, or any portion thereof ~~if~~ a violation continues.

Violation of any of the provisions of this chapter following notice to the permittee by the [Administrator](#) advising of the violation and ordering a cessation thereof shall, pursuant to the provisions of RCMC [1.01.190](#), constitute a misdemeanor.

Violation of any of the provisions of this chapter may be remedied by injunction or other civil proceeding commenced in the name of the [City](#) pursuant to direction by the [City Council](#). [Ord. 38-2007 § 1 (Exh. 1(J)); Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1002 § 3, 1995; SCC 0928 § 2, 1993].

16.44.370 Laws not enforced.

There are many ordinances and other laws applicable to activities permitted under this chapter which are not sought to be enforced under this permitting process. Such laws include, but are not limited to, building, floodplain management, and land development measures. The issuance of a grading and erosion control permit shall not be deemed to constitute a representation that the activity so permitted or the property upon which such activity is occurring complies with such other ordinances or other laws. Nor shall the existence of such an unrevoked permit be deemed to preclude any criminal or civil remedy for violation of such other ordinances or laws. The possession of a grading and erosion control permit shall not be deemed to relieve the holder of the requirement to apply for or obtain any other license or permit required by ordinance or statute. [Ord. 21-2003 §§ 2, 4; Ord. 20-2003 §§ 2, 4; SCC 1002 § 3, 1995; SCC 0928 § 2, 1993].

Chapter 16.84

DEVELOPMENT IMPACT FEES TO FINANCE THE COST OF TRANSPORTATION FACILITIES

Sections:

- 16.84.010 Purpose.
- 16.84.020 Definitions.
- 16.84.030 Establishment and administration of the [City](#) of Rancho Cordova transportation fund.
- 16.84.040 Establishment and administration of the [City](#) of Rancho Cordova transportation administration fund.
- 16.84.050 Imposition of transportation impact fee.
- 16.84.060 Payment of transportation impact fees.
- 16.84.065 Payment of transportation impact fee – Deferral.
- 16.84.070 Adoption of the transportation system capital improvement plan and compliance with priority list of [City](#) of Rancho Cordova transportation impact fee program.
- 16.84.080 Establishment of transportation impact fees and creation of areas.
- 16.84.090 Calculation of transportation impact fee.
- 16.84.100 Establishment of costs per unit for land uses within the [City](#) of Rancho Cordova.
- 16.84.110 Credit for construction of transportation facilities.
- 16.84.120 Reimbursement for construction of transportation projects in advance of the transportation system development impact fee program priority list schedule.
- 16.84.130 Annual program fee adjustment.
- 16.84.140 Alternative method and compliance with other laws.

Prior legislation: Ords. 19-2003, 27-2003, 32-2005 and 35-2005.

16.84.010 Purpose.

A. The general plan of the [City](#) of Rancho Cordova requires that areas chosen for urban expansion shall be capable of being provided, within a reasonable period of time, with an adequate level of public facilities including, but not limited to, roadway facilities and transit facilities.

B. The general plan further requires the preparation of a plan that identifies a mechanism for financing those facilities necessary to serve urban development in areas designated for urban expansion. The general plan also contains additional policies for supporting funding and use of developer dedications, development fees, and other means to pay for an acceptable level of transportation facilities.

C. The purpose of this chapter is to implement the general plan requirements set forth in subsections (A) and (B) of this section and to use the authority in Article XI, Section 7 of the California Constitution by imposing development fees to fund the cost of certain transportation facilities, the need for which is directly or indirectly generated by the type and extent of development proposed in the [City](#) of Rancho Cordova on which the fees will be imposed.

D. It is the further purpose of this chapter to require that adequate provision is made for developer-financed public facilities within the [City](#) of Rancho Cordova as a condition to any rezoning and prior to approval of certain permits within the [City](#). [Ord. 3-2013 § 1; Ord. 6-2006 § 3; Ord. 33-2005 § 3; Ord. 24-2005 § 3].

16.84.020 Definitions.

“Areas” means those geographic areas established for public facilities financing purposes within the [City](#) of Rancho Cordova as depicted in the nexus study for the transportation development impact fee program. A detailed map of each area is depicted in the nexus study and on Figure 21 is on file with the [City](#) [Public Works Department](#), and such maps are incorporated by reference herein.

“Building permit” means the permit issued or required for residential development, nonresidential development, commercial development, or other development within the [City](#), pursuant to and as further defined by the [City](#) of Rancho Cordova building code.

“City” means the [City](#) of Rancho Cordova.

“City of Rancho Cordova transportation administration fund” means that special interest-bearing trust fund established pursuant to RCMC 16.84.040.

“City of Rancho Cordova transportation fund” means that special interest-bearing trust fund established pursuant to RCMC 16.84.030.

“Commercial development” means buildings constructed for the purpose of occupancy by retail, services, and other principally nonoffice businesses located on sites zoned SC shopping center, LC limited commercial, TC travel commercial, AC auto commercial, or GC general commercial in accord with the City of Rancho Cordova zoning code or designated commercial or commercial mixed use (CMU). For purposes of this chapter, residential dwellings constructed on sites designated CMU or another commercial zone pursuant to the zoning code are residential development rather than commercial development.

“Costs” means amounts spent, or authorized to be spent, in connection with the planning, financing, acquisition and development of a public facility or infrastructure including, without limitation, the costs of land, construction and inspection, engineering, administration, and consulting fees.

“Council” or “City Council” means the City Council of the City of Rancho Cordova.

“Department” means the City of Rancho Cordova Public Works Department.

“Development impact fee” or “transportation development impact fee” or “transportation impact fee” means the fee levied by this chapter and due upon the approval of one or more building permits.

“Development unit” means a dwelling unit, for residential development, or square foot of building floor area, for nonresidential development.

“Director” means the Director of the Rancho Cordova Public Works Department.

“Facilities” means those public facilities designated in the Rancho Cordova transportation capital improvement plan and transportation development impact fee program.

“Fee resolution” means the resolution and fee schedule adopted by the City Council, as may be amended from time to time, that approves the amount of the transportation development impact fees.

“Improvement plan” means the site plan of property proposed for development showing all required improvements that must be approved by the Rancho Cordova Public Works Department pursuant to Chapter 12.03 RCMC prior to the issuance of a building permit for the property.

“Land use category” means detached dwelling units, attached dwelling units, multifamily, commercial, office, or industrial/manufacturing uses as further defined in the fee resolution.

“Multifamily residential units” means all units within a structure that have five or more units, all of which are offered for rent to the general public, or all units within a structure that have five or more attached units that (1) are available for sale to individual owners, and (2) have living areas less than or equal to 1,200 square feet.

“Nonresidential development” means a subdivision map, parcel map, or permit for the original construction, grading or installation of buildings other than single-family detached homes, single-family attached homes, duplexes, townhomes, condominiums, apartments, manufactured homes and mobile homes, or improvements thereto. Nonresidential development includes commercial development. Typically, nonresidential development consists of buildings to be occupied by retail, service, or other commercial businesses or by offices as regulated by the City of Rancho Cordova zoning code, but may also include buildings for use by churches, day care centers, private schools, and other institutional uses. Mixed-use buildings consisting of both dwelling units and commercial and/or office areas will have the respective building areas treated as either residential development or nonresidential development for purposes of this chapter.

“Office development” means buildings constructed for the purpose of occupancy by principally business and professional office uses located on sites zoned BP business and professional office in accord with the Ceity of Rancho Cordova zoning code or designated commercial or CMU commercial mixed use.

“Planning Director” means the Planning Director of the Ceity of Rancho Cordova.

“Priority list” means those facilities included in the transportation capital improvement plan and transportation development impact fee program, as identified in order of priority by the Director, to avoid substantial congestion levels on key roadways.

“Program fee per development unit” means the development impact fee per development unit for a particular category of facilities. Such program fees, identified in the fee resolution, were established using an allocation of transportation system costs, as identified in the transportation capital improvement plan and development impact fee program, and dwelling unit equivalents (DUEs) based on land use categories identified in the nexus study developed for the transportation development impact fee program.

“Programmed cost” means the estimated cost of constructing a facility based upon the unit costs for each construction item plus fixed percentages for engineering, permits and construction contingency as set forth in the city of Rancho Cordova transportation development impact fee program and its public facilities project cost estimates, as periodically updated and adopted by resolution of the Council.

“Residential development” means a subdivision map, parcel map, or permit for the original construction, grading or installation of dwelling units for residential use including detached and attached housing for owner or rental occupancy. For purposes of this chapter, residential development includes construction of or improvements to buildings or portions of buildings consisting of dwelling units constructed on sites designated CMU or another commercial zone. Institutional uses or other nonhousing development allowed by special use permit to be constructed on sites zoned for residential use are nonresidential development for purposes of this chapter.

“Single-family attached residential development” means all units within a structure that have two to four attached units, whether such units are offered for rent or for sale to individual owners, and all units within a structure that has five or more attached units that (1) are available for sale to individual owners, and (2) have a living area greater than 1,200 square feet.

“Single-family detached residential development” includes all single-family detached residential units.

“Transportation capital improvement plan” means the projects identified and the cost estimates prepared, and as may be updated, for the transportation system facilities identified in the general plan circulation element and on the roadway sizing diagram within the Ceity limits that are needed to meet traffic demands as identified in the nexus study.

“Transportation development impact fee program” or “transportation impact fee” means the fee schedule, including any amendments thereto, adopted by resolution by the council for financing of designated public facilities to serve the Ceity of Rancho Cordova, including, but not limited to, a designation of those facilities to be constructed with the development impact fees collected pursuant to this chapter, the priority list (“priority list”) for commencement of construction, the estimated cost of construction of the facilities and the total number of dwelling unit equivalents within each area of the Ceity of Rancho Cordova as established. [Ord. 3-2013 § 1; Ord. 6-2006 § 3; Ord. 33-2005 § 3; Ord. 24-2005 § 3].

16.84.030 Establishment and administration of the Ceity of Rancho Cordova transportation fund.

A. There is hereby created by the department of finance in the Ceity treasury a special interest-bearing trust fund entitled the Ceity of Rancho Cordova transportation fund. All amounts collected from transportation impact fees from Area 1 and Area 2 pursuant to this chapter shall be placed in said fund and shall be expended by the Ceity of Rancho Cordova or its successor agency solely to pay the costs identified in the transportation capital improvement plan and/or development impact fee program and nexus study.

B. The transportation fund shall be administered by the Director. [Ord. 3-2013 § 1; Ord. 6-2006 § 3; Ord. 33-2005 § 3; Ord. 24-2005 § 3].

16.84.040 Establishment and administration of the Ceity of Rancho Cordova transportation administration fund.

A. There is hereby created by the department of finance in the city treasury a special interest-bearing trust fund entitled the city of Rancho Cordova transportation administration fund. All administration fees collected from Area 1 and Area 2 pursuant to this chapter shall be placed in said fund and shall be expended by the Ceity of Rancho Cordova or its successor agency solely to pay the costs associated with administering the Ceity of Rancho Cordova transportation impact fee program.

B. Commencing with the updated nexus study adopted ~~January 22, 2013~~February 7, 2022, administrative costs are incorporated into the transportation development impact fee. The administrative portion of the transportation development impact fee shall be expended by the Ceity of Rancho Cordova or its successor agency solely to pay the costs associated with administering the transportation development impact fee program.

C. The transportation administration fund shall be administered by the Director. [Ord. 3-2013 § 1; Ord. 6-2006 § 3; Ord. 33-2005 § 3; Ord. 24-2005 § 3].

16.84.050 Imposition of transportation impact fee.

No change in a land use zoning designation shall be approved within the Ceity of Rancho Cordova unless payment of the transportation impact fees established by this chapter is required of the property owner as a condition of such approval. No building permit shall be approved for property within the Ceity of Rancho Cordova unless the development fees for that property are paid as required by this chapter. [Ord. 3-2013 § 1; Ord. 6-2006 § 3; Ord. 33-2005 § 3; Ord. 24-2005 § 3].

16.84.060 Payment of transportation impact fees.

The transportation impact fees imposed pursuant to this chapter shall be paid by the property owner to the department, in an amount calculated pursuant to RCMC 16.84.~~100990~~. The fees shall be calculated upon the approval of subdivision maps and shall be paid upon issuance of building permits. For projects that are subject to building permits, but not subdivision map approval, the fees shall be both calculated and paid upon issuance of the building permits. [Ord. 3-2013 § 1; Ord. 6-2006 § 3; Ord. 33-2005 § 3; Ord. 24-2005 § 3].

16.84.065 Payment of transportation impact fee – Deferral.

Notwithstanding any other requirement in RCMC 16.84.060, due to the continued effects of the nationwide slowdown in the housing market and the city's desire to encourage quality development, the city manager, or his/her designee, shall have the authority to consider and approve requests to defer payment of development impact fees imposed pursuant to this chapter to the earlier of 24 hours prior to scheduling a final inspection, issuance of a temporary or final certificate of occupancy, or one year from the date the deferral is approved. [Ord. 8-2019 § 2; Ord. 4-2016 § 2; Ord. 3-2015 § 2; Ord. 3-2013 § 1; Ord. 32-2010 § 3; Ord. 10-2009 § 3; Ord. 14-2008 § 2].

16.84.070 Adoption of the transportation system capital improvement plan and compliance with priority list of Ceity of Rancho Cordova transportation impact fee program.

A. The Council shall by resolution adopt the Ceity of Rancho Cordova transportation capital improvement plan of the Ceity of Rancho Cordova transportation system development impact fee program. The Council shall review the transportation capital improvement plan not less than annually and may amend it by resolution at its discretion.

B. With the exception of facilities approved by the Director for construction by a property owner pursuant to RCMC 16.84.120, all facilities shall be funded in accordance with the Priority List established for the Ceity of Rancho Cordova transportation development impact fee program. [Ord. 3-2013 § 1; Ord. 6-2006 § 3; Ord. 33-2005 § 3; Ord. 24-2005 § 3].

16.84.080 Establishment of transportation impact fees and creation of areas.

A. A separate transportation impact fee is hereby established for each of the following categories:

1. New development area transportation ~~Specific plan transportation impact~~ fee;
2. Infill ~~transportation impact~~area transportation fee;
- ~~3. Regional transportation impact fee;~~

B. There are hereby created two initial areas of the Ccity of Rancho Cordova, as shown in Figure 2 of the nexus study for the transportation development impact fee program~~1, attached to the ordinance codified in this chapter~~ and incorporated herein by reference.

~~C. The specific plan transportation impact fee shall apply to property within Area 2. The infill transportation impact fee shall apply to property within Area 1. The regional transportation impact fee shall apply to the Sunridge specific plan area and the Villages of Zinfandel special planning area within Area 2 and Area 1, respectively.~~

~~C~~D. Future areas of the transportation development impact fee program may be created as additional public facilities financing plans are implemented for remaining undeveloped areas outside of the Ccity of Rancho Cordova that may be annexed to the Ccity in the future. [Ord. 3-2013 § 1; Ord. 6-2006 § 3; Ord. 33-2005 § 3; Ord. 24-2005 § 3].

16.84.090 Establishment of costs per unit for land uses within the City of Rancho Cordova.

A. Fees per unit for various land uses identified in the fee resolution were established using an allocation of transportation system costs as identified in the transportation system capital improvement plan and total additional trip miles based on land use categories identified in the nexus study developed for the transportation impact fee program.

B. For specific land uses not identified in the fee resolution, the cost per dwelling unit equivalent established by the nexus study and the trip generation rates established by the Institute of Traffic Engineers or equivalent method shall be used to calculate the fee per dwelling unit. [Ord. 3-2013 § 1; Ord. 6-2006 § 3; Ord. 33-2005 § 3; Ord. 24-2005 § 3].

16.84.100090 Calculation of transportation impact fee.

A. For residential development, the transportation impact fee shall be calculated by multiplying the number of units per land use category by a per unit cost as identified in the transportation impact fee program and fee resolution.

B. For nonresidential development, the transportation impact fee shall be calculated by multiplying the number of building square feet per land use category by a per square foot cost as identified in the transportation development impact fee program and fee resolution.

C. For the purpose of calculating the transportation impact fee for land use categories not specifically named in the transportation impact fee program and fee resolution, the planning director is hereby authorized to determine the land use category that corresponds most directly to the land use in question. Alternatively, the Pplanning Director can determine that no land use category adequately corresponds, and request the Public Works Director to determine the transportation impact fee. Said transportation impact fee will be determined using the applicable trip generation factors as found in the Institute of Transportation Engineers Trip Generation Manual or equivalent method.

D. For the purpose of calculating the regional fee, the regional fee shall be calculated as the difference between the transportation impact fee for Area 1 or Area 2 (depending on the location of the property at issue) and the transportation component of the specific plan fee, if any. If no specific plan fee exists, then the regional fee and the transportation impact fee are equivalent.

E. The transportation impact fees shall be paid by the property owner in the amount as calculated pursuant to subsections (A), (B), (C) and (D) of this section for the categories of facilities established by RCMC 16.84.080, and shall include an additional administrative fee per building permit which will be calculated as provided in the transportation development impact fee program nexus study.

F. For the purpose of calculating transportation impact fees pursuant to subsections (A), (B), (C), and (D) of this section for properties with an approved use permit which significantly changes the underlying use of the site or properties within a special planning area, the director is hereby authorized to determine the per-unit or per-square-foot costs for each fee category that corresponds most directly to the use and density.

G. For the purpose of calculating transportation impact fees pursuant to subsections (A), (B), (C), and (D) of this section for building permits for land use categories not specifically named in this chapter or the transportation development impact fee program, the Director is hereby authorized to determine the per-unit or per-square-foot

costs for each fee category that corresponds most directly to the use and density. [Ord. 3-2013 § 1; Ord. 6-2006 § 3; Ord. 33-2005 § 3; Ord. 24-2005 § 3].

~~16.84.100 — Establishment of costs per unit for land uses within the City of Rancho Cordova.~~

~~A. Fees per unit for various land uses identified in the fee resolution were established using an allocation of transportation system costs as identified in the transportation system capital improvement plan and total additional trip miles based on land use categories identified in the nexus study developed for the transportation impact fee program.~~

~~B. For specific land uses not identified in the fee resolution, the cost per dwelling unit equivalent established by the nexus study and the trip generation rates established by the Institute of Traffic Engineers or equivalent method shall be used to calculate the fee per dwelling unit. [Ord. 3-2013 § 1; Ord. 6-2006 § 3; Ord. 33-2005 § 3; Ord. 24-2005 § 3].~~

16.84.110 Credit for construction of transportation facilities.

A. Upon application by the property owner or his authorized agent, the Director may authorize the construction of any transportation facilities, or portions thereof, in order of priority as designated on the priority list for the transportation development impact fee program in lieu of all, or a portion of, the transportation impact fee required by this chapter. If so authorized, the credit toward transportation impact fees, excluding the administrative fee, to be provided to the property owner for such in-lieu construction shall be equal to 80 percent of the programmed cost of the facility, as set forth in the transportation system development impact fee program in effect at the time when the in-lieu construction is so authorized, including, but not limited to, unit prices, quantities and project descriptions. Prior to credit being given and/or issuance of any of the approvals set forth in RCMC 16.84.060 (e.g., approvals of building permits, subdivisions or zoning amendments), the construction of any facility authorized by this section must either be accepted by the Department, or the property owner must post security for the complete performance of the construction in a form acceptable to the Director and the City Attorney.

B. Upon acceptance of the completed facility and after reconciliation of the final facility costs, the remaining 20 percent of the programmed cost as designated in the transportation system development impact fee program may be issued as a credit balance to the property owner that may be utilized within the City of Rancho Cordova as determined by the Director.

C. Where the amount of the credit is less than the amount of the transportation impact fee otherwise applicable to the development in question, the property owner must pay to the City the difference in accordance with RCMC 16.84.060.

D. Where the amount of the credit is greater than the amount of the transportation impact fee, the property owner shall be paid the difference only from the applicable transportation fund within a reasonable time after the project is accepted by the Department pursuant to RCMC 16.84.120 in order of priority on the priority list in the transportation system development impact fee program when funds are available.

E. Where a facility is proposed for construction by the property owner, the Director at his discretion may either (1) provide the property owner with a credit pursuant to this section, or (2) enter into a reimbursement agreement with the property owner pursuant to RCMC 16.84.120. [Ord. 3-2013 § 1; Ord. 6-2006 § 3; Ord. 33-2005 § 3; Ord. 24-2005 § 3].

16.84.120 Reimbursement for construction of transportation projects in advance of the transportation system development impact fee program priority list schedule.

A. Upon application by the property owner or his authorized agent, the Director may enter into a reimbursement agreement authorizing the construction of any transportation facilities, or portions thereof, designated in the transportation system development impact fee program. In addition to the requirements of subsection (D) of this section, the agreement shall set forth the amount to be reimbursed, the time and manner in which payments are to be made, and shall state that reimbursement by the City will only be made from the applicable transportation fund when funds are available.

B. The amount of reimbursement shall be the actual cost of the facility up to the programmed cost of the facility as set forth in the transportation system development impact fee program in effect at the time the construction contract

is awarded for that specific facility. The time of reimbursement shall be the end of the fiscal year in which the facility is scheduled for construction, based on the priority list in the transportation system development impact fee program, or as different timing is otherwise authorized by the Director.

C. By entering into a reimbursement agreement, a property owner is not relieved of the obligation to pay the transportation impact fees in the manner and amount specified by this chapter.

D. If the Director enters into an agreement authorized by subsection (A) of this section, or credit agreement as authorized by RCMC 16.84.110(C), the agreement shall provide that:

1. The general fund of the City is not liable for payment of any obligations arising from the agreement;
2. The credit or taxing power of the City is not pledged for the payment of any obligations arising from the agreement;
3. The landowner shall not compel the exercise of the City taxing power or the forfeiture of any of its property to satisfy any obligations arising from the agreement; and
4. The obligation arising from the agreement is not a debt of the city, nor a legal or equitable pledge, charge, lien, or encumbrance, upon any of its property, or upon any of its income, receipts, or revenues, and is payable only from the transportation impact fees deposited in the applicable transportation fund.

E. The property owner or his authorized agent shall apply for reimbursement as set forth in subsections (A), (B), (C) and (D) of this section no later than four years after the transportation project is constructed and accepted. The property owner shall waive the right of reimbursement for construction costs payable under this section when the reimbursement is not applied for within said four-year limitation. [Ord. 3-2013 § 1; Ord. 6-2006 § 3; Ord. 33-2005 § 3; Ord. 24-2005 § 3].

16.84.130 Annual program fee adjustment.

Commencing January 1, 2014, and thereafter each year no later than January 15th, the finance director, or his or her designee, shall authorize the adjustment of the program fee per development unit for each type of development in each fee category, which shall be adjusted according to the methodology described in the transportation development impact fee program nexus study.

The estimated cost of the facilities used in the transportation system capital improvement program and for calculating credits and reimbursements pursuant to RCMC 16.84.110 and 16.84.120 shall be adjusted annually using the same adjustment factor. [Ord. 3-2013 § 1; Ord. 5-2012 § 1; Ord. 3-2011 § 1; Ord. 5-2010 § 1; Ord. 7-2009 § 1; Ord. 6-2006 § 3; Ord. 33-2005 § 3; Ord. 24-2005 § 3].

16.84.140 Alternative method and compliance with other laws.

A. This chapter is intended to establish a supplemental method for funding the cost of certain facilities the need for which is expected to be generated by the level and type of development proposed in the City of Rancho Cordova. Except as provided in Section 4 of the ordinance codified in this chapter (continuance in effect of roadway and transit development fees established by Sacramento County), the provisions of this chapter shall not be construed to limit the power of the City of Rancho Cordova to impose any other fees or exactions or to continue to impose existing ones on development within the City of Rancho Cordova, but shall be in addition to any other fees, exactions or other requirements that the City is authorized to impose, or has previously imposed, as a condition of approving plans, rezonings or other entitlements within the City of Rancho Cordova pursuant to state and local laws. In particular, individual property owners shall remain obligated to fund, construct, and/or dedicate the improvements, public facilities and/or pay other exactions authorized or required by, but not limited to: (1) the City of Rancho Cordova Public Works Department improvement standards; (2) the Sacramento County municipal services agency improvement standards; (3) the Quimby Act (Section 66477 et seq. of the Government Code) and implementing ordinances (Chapter 22.40 RCMC); (4) school impact fees (Section 65970 et seq. of the Government Code) and implementing ordinances; and (5) Sacramento County drainage fees (county water agency Ordinance No. 1). Any credits or repayments pursuant to RCMC 16.84.110 and 16.84.120 shall not include credits or repayment for the funding, construction or dedications described in this section.

ITEM 11.1.

ATTACHMENT 4

Rancho Cordova Municipal Code

Page 8/8

Chapter 16.84 DEVELOPMENT IMPACT FEES TO

FINANCE THE COST OF TRANSPORTATION

FACILITIES

B. The construction of facilities by a private owner pursuant to RCMC 16.84.110 and 16.84.120 shall be performed and contracted for only as required by law, including, but not limited to, compliance with the Department's improvement standards and requirements for public works, if applicable to the particular facility. [Ord. 3-2013 § 1; Ord. 6-2006 § 3; Ord. 33-2005 § 3; Ord. 24-2005 § 3].

Public Works Code Updates

Dalia Fadl, Principal Engineer
August 7, 2023



Goals

- Inform City Council of proposed updates to the Rancho Cordova Municipal Code including:
 - Make minor revisions for clarity.
 - Updates and additions to comply with latest State and Federal regulations.

- The following titles will be presented:
 - Title 3, 6, 10, 12, 15, 16

Title 3- Revenue and Taxation

Chapter 3.60- Purchasing System

Chapter 3.60 Purchasing System of the Municipal Code, sets forth the City's purchasing system requirements. Currently the limitation for the purchasing agent (\$100,000) is called out earlier in the chapter under 3.60.030(A). In the proposed amendment, subsequent sections addressing purchasing authority within the chapter are referenced to 3.60.030(A) rather than restating the amount.

Title 3- Revenue and Taxation

Chapter 3.70- Informal Bidding Procedures

Chapter 3.70 Informal Bidding Procedures of the Municipal Code, sets forth the informal bidding procedures for public projects in the City. The updates would clarify and revise language in Chapter 3.70 to align with the latest revisions to the state's informal bidding thresholds.

Title 10- Vehicles and Traffic

Title 10 Vehicles and Traffic of the Municipal Code, sets forth various procedures and standards related to traffic, pedestrian and bike mobility, and speed limits within the City. The revisions would clarify and update language in Title 10. In addition, the list of one-way streets (Section 10.44) is not needed and has been deleted as part of this update.

Title 12- Streets and Sidewalks

Title 12 Streets and Sidewalks of the Municipal Code, sets forth various procedures and standards related to street and sidewalk improvements within the City. The revisions would clarify and update language in Title 12.

Title 15-Water and Sewers

Chapter 15.10- Storm Drainage Fee

Chapter 15.10 Storm Drainage Fee of the Municipal Code, sets forth the provisions and standards for establishment and administration of fees related to operation and maintenance of the City's storm drainage system. The revisions would update Chapter 15.10 to replace references to the County of Sacramento, with the City of Rancho Cordova, as the lead agency for operating and maintaining the City's storm drainage system.

Title 15-Water and Sewers

Chapter 15.12- Stormwater Management and Discharge Control

Chapter 15.12 Stormwater Management and Discharge Control of the Municipal Code, sets forth the provisions for compliance with the City's Municipal Stormwater Permit within the City. The revisions would update Chapter 15.12 to align with the requirements of the latest Municipal Stormwater Permit and the Federal Clean Water Act regulations, as required by the State of CA.

Title 16-Buildings and Construction

Chapter 16.44 Land Grading and Erosion Control

Chapter 16.44 Land Grading and Erosion Control of the Municipal Code, sets forth the provisions and standards for compliance with the grading and erosion and sediment control requirements within the City. The revisions would update Chapter 16.44 to clarify language and increase the fine for repeat offenders. The proposed fine is \$100 per day for first violation, and \$500 per day for second or subsequent violations.

Title 16-Buildings and Construction

Chapter 16.84- Transportation Impact Fees

Chapter 16.84 Development Impact Fees to Finance the Cost of Transportation Facilities of the Municipal Code, sets forth the provisions and standards for establishment and administration of the Transportation Impact Fee within the City. The revisions would update Chapter 16.84 to reference the latest nexus study and update fee categories.

Title 6-Health and Sanitation

Chapter 6.20- Solid Waste Management

Chapter 6.20 Solid Waste Management of the Municipal Code, sets forth residential and commercial solid waste requirements within the City. The revisions would update Chapter 6.20 to align with the requirements of the Statewide mandatory Organic Recycling Program (SB 1383).

Title 6-Health and Sanitation Chapter

6.21-Organics Recycling

Chapter 6.21 Business and Multifamily Recycling and Organics Recycling of the Municipal Code, sets forth a mechanism to require the implementation of recycling programs and organics recycling programs for covered generators within the City. The revisions would update multiple sections of Chapter 6.21 to align with the requirements of the Statewide mandatory Organic Recycling Program (SB 1383).

Title 16-Buildings and Construction

Chapter 16.96- Floodplain Management Ordinance

- A floodplain management ordinance is a set of regulations and guidelines implemented to mitigate the impact of flooding by restricting certain activities and requiring mitigation measures in flood-prone areas, aiming to protect public safety and reduce damage during flood events.
- The City of Rancho Cordova currently implements the Sacramento County Floodplain Management Ordinance.
- In a recent audit by the CA Department of Water Resources, the state required that the city adopt its own ordinance to continue to participate in the National Flood Insurance Program, which provides flood insurance within FEMA mapped floodplains.

Title 16-Buildings and Construction

Chapter 16.96- Floodplain Management Ordinance

- Chapter 16.96 Floodplain Management Ordinance replaces the City's reliance on County code with a new City Ordinance as required by FEMA and State Department of Water Resources.
- Chapter 16.96 uses the latest ordinance language required by FEMA and will regulate floodplain management within the City.
- The ordinance does not significantly change the City's processes in regulating floodplains.
- The new ordinance shall be approved by the end of August (FEMA deadline).

Title 16-Buildings and Construction

Chapter 16.96- Floodplain Management Ordinance

- The proposed floodplain management ordinance (chapter 16.96) will meet General Plan Policy S.2.1.2, which requires the city to participate in the National Flood Insurance Program by updating the floodplain management ordinance as necessary to help reduce future flood damage.
- The proposed floodplain management ordinance does not supersede more restrictive General Plan policies.
- Per FEMA, consequences of not adopting the new floodplain management ordinance include:
 - No resident will be able to purchase a flood insurance policy.
 - Existing flood insurance policies will not be renewed.
 - No Federal grants or loans for development may be made in identified flood hazard areas under programs administered by Federal agencies.
 - No Federal disaster assistance may be provided to repair insurable buildings located in identified flood hazard areas for damage caused by a flood.
 - No Federal mortgage insurance or loan guarantees may be provided in identified flood hazard areas.

Recommendation: Waive the first reading and introduce the ordinance adding Chapter 16.96 and amending Titles 3,6,10,12,15,16

Next Step- return on August 21, 2023 for second reading of the ordinance.

MEMORANDUM



ITEM 11.2.

DATE: August 7, 2023
TO: Honorable Mayor and Council Members
FROM: Stacy Leitner, City Clerk
SUBJECT: **PUBLIC HEARING REQUESTING PUBLIC INPUT REGARDING THE COMPOSITION OF POTENTIAL COUNCIL ELECTION DISTRICTS AS THE CITY IS WORKING TO TRANSITION FROM AT-LARGE TO DISTRICT-BASED ELECTIONS FOR CITY COUNCIL MEMBERS, AND DISCUSSION WITH AND POSSIBLE DIRECTION TO STAFF AND CONSULTANTS REGARDING THE NUMBER OF DISTRICTS INCLUDING WHETHER OR NOT TO TRANSITION FROM AN APPOINTED MAYOR TO A DIRECTLY ELECTED MAYOR**

RECOMMENDATION

1. To provide education and to receive public input regarding the composition of potential Council election districts as the City is working to transition from at-large to district-based elections for City Council Members pursuant to the California Voting Rights Act (CVRA).
2. Discuss with and provide direction to staff and consultants about the number of districts including whether or not to transition from an appointed Mayor to a directly elected Mayor.

RESULT OF RECOMMENDED ACTION

The presentation will provide education to identify the neighborhoods, other "communities of interest, " and other local factors that should be considered or used as 'building blocks' when the drawing of the draft maps begins. In addition, this hearing will also be the public launch of the City's online districting tool, provided by our district consultant National Demographics Corporation (NDC). The online tool will be available as a link from the City's website.

In addition, the City Council may direct staff and consultants about the number of districts the City would have, including whether or not to transition from an appointed Mayor to a directly elected Mayor.

BACKGROUND

The City Council was elected under an at-large election system, whereby Council Members are elected by voters of the entire City. On July 17, 2023, the Council adopted a Resolution of Intent to work towards transitioning from at-large to district-based elections. Moving to district-based elections would require a Council Member (and all candidates for that position) to reside within a designated district boundary, and each Council Member would be elected only by voters of the

appropriate district.

On July 17, 2023, the Council adopted Resolution 108-2023, declaring the City's intention to move to district-based elections.

As required by Elections Code Section 10010, the City will hold at least two (2) public hearings prior to the release of draft maps of Council election districts. Council will then hold an additional two (2) more public hearings to solicit public input regarding the content of the draft maps and the proposed sequence of elections. Furthermore, the Council may introduce for first reading an ordinance establishing the district boundaries and the district-based election method pursuant to California Government Code Section 34886 and Elections Code Section 10010. At the conclusion of the process, a public hearing will be held for a second reading of the ordinance implementing a Council election district map.

Today's hearing partially fulfills the requirement of California Elections Code Section 10010 that states: " (1) Before drawing a draft map or maps of the proposed boundaries of the districts, the political subdivision shall hold at least two public hearings over a period of no more than 30 days, at which the public is invited to provide input regarding the composition of the districts." The intention of this hearing is to identify the neighborhoods, other "communities of interest," and other local factors that should be considered or used as 'building blocks' when the drawing of draft maps begins. The public is welcome to propose complete districting maps, but it is not required.

This hearing will also be the public launch of the City's online districting tool, provided by our district consultant National Demographics Corporation (NDC). The online tool will be available as a link from the City's website located at: CityofRanchoCordova.org/Districts

Number of Districts and Possible Transition to Elected Mayor

Early in the process of transitioning to district-based elections, the Council will need to provide direction to staff and consultants on the number of Council districts to be created including whether or not to transition from an appointed Mayor to a directly elected Mayor. The Council currently annually appoints a member of the City Council to serve for one-year as Mayor of the City. Staff would welcome Council input and direction on these topics at this meeting.

FISCAL IMPACT AND FUNDING SOURCE

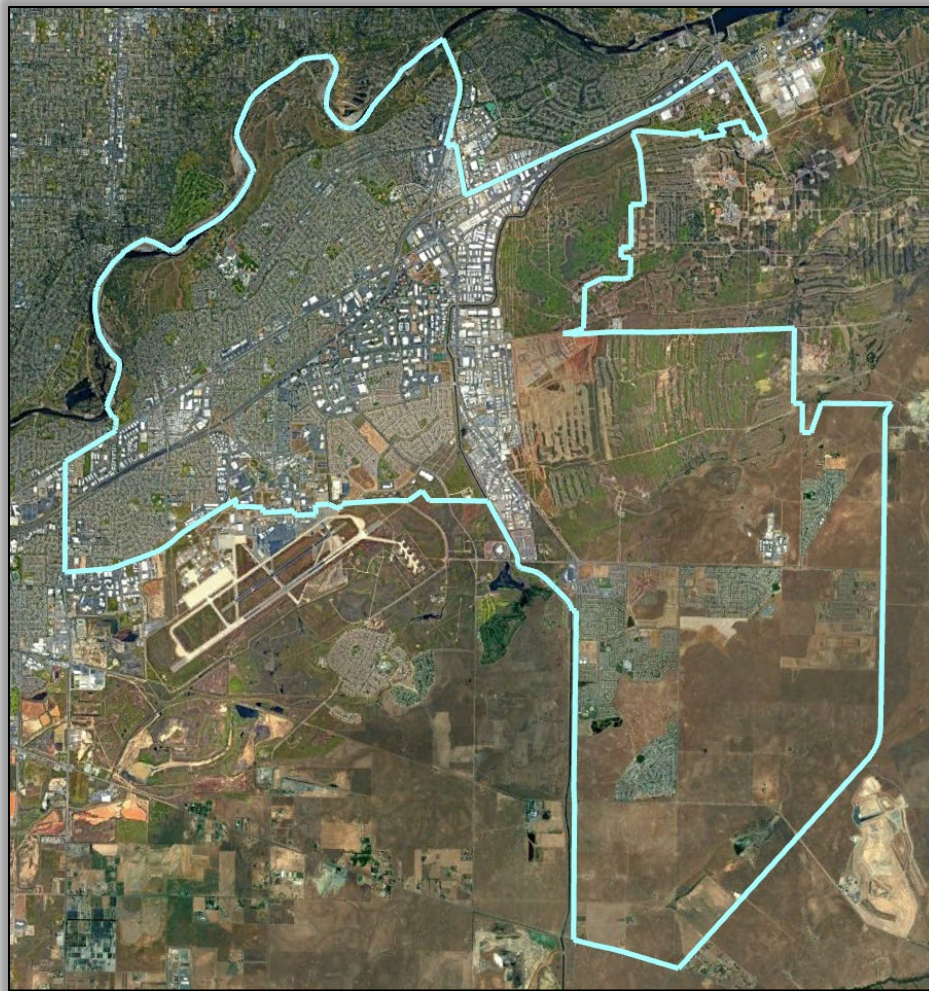
Neighborhood Elections Now will receive a partial reimbursement, capped at approximately \$37,000 if the City complies with the process to transition from at-large to district-based elections.

The City is working with a professional demographer at an estimated cost of \$60,000-\$80,000 to assist the City with the process of transitioning from at-large to district-based elections.

The City will also incur additional fees for City Attorney time, community meetings, assistance from consultants for public outreach, and staff time.

ATTACHMENT(S)

1. PowerPoint Presentation



Rancho Cordova Introduction to Districting

August 7, 2023

Election Systems

1. “At Large”
2. “From District” or “Residence” Districts
3. “By District”

The California Voting Rights Act
was written to specifically
encourage by-district elections.

Topics Not Covered in Districting

- ❑ Term Limits
- ❑ Council pay
- ❑ Full- vs Part-time Council
- ❑ “Strong Mayor” form of government

Any of these topics would be a separate agenda item and adoption process.

California Voting Rights Act (CVRA)

- ❑ Under the Federal Voting Rights Act (passed in 1965), a jurisdiction must fail 4 factual tests before it is in violation of the law.
- ❑ The California VRA makes it significantly easier for plaintiffs to force jurisdictions into “by-district” election systems by eliminating two of the US Supreme Court Gingles tests:
 - ❑ ~~Can the protected class constitute the majority of a district?~~
 - ❑ Does the protected class vote as a bloc?
 - ❑ Do the voters who are not in the protected class vote in a bloc to defeat the preferred candidates of the protected class?
 - ❑ ~~Do the “totality of circumstances” indicate race is a factor in elections?~~
- ❑ Liability is now determined only by the presence of racially polarized voting

CVRA Impact

- ❑ Switched (or in the process of switching) as a result of CVRA:
 - ❑ At least 275 school districts
 - ❑ 36 Community College Districts
 - ❑ 191 cities
 - ❑ 1 County Board of Supervisors
 - ❑ 53 water and other special districts.
- ❑ Palmdale, Santa Clara and Santa Monica fought “on the merits.” All lost.
 - ❑ Santa Monica and Santa Clara are appealing.
 - ❑ Palmdale spent about \$1.8 million, Santa Clara about \$800,000, and Santa Monica between \$5 and \$8 million, just on their defense.
 - ❑ Santa Monica plaintiffs requested \$22 million
 - ❑ No jurisdiction has won a case.
- ❑ Key settlements:
 - ❑ Palmdale: \$4.7 million
 - ❑ Santa Clara: \$3.16 million
 - ❑ Modesto: \$3 million
 - ❑ Highland: \$1.3 million
 - ❑ Anaheim: \$1.1 million
 - ❑ Whittier: \$1 million
 - ❑ Santa Barbara: \$600,000
 - ❑ Tulare Hospital: \$500,000
 - ❑ Compton Unified: \$200,000
 - ❑ Madera Unified: about \$170,000
 - ❑ Hanford Joint Union Schools: \$118,000
 - ❑ Merced City: \$42,000

Districting Process

Step	Description
Hearing 1 August 7	Held prior to release of draft maps. Education and to solicit input on the composition of districts.
Community Forum August 10	Informal discussion of process, mapping tools, neighborhoods and communities of interest.
Hearing 2 August 14	Held prior to release of draft maps. Education and to solicit input on the composition of districts.
Initial Map Deadline August 18	Initial deadline for residents to submit draft maps for Council consideration at the August 29 hearing.
Draft Maps Posted August 22	All draft maps must be posted on the project website 7 days in advance of the August 29 hearing.
Hearing 3 August 29	First Council consideration of draft maps.
Community Forum August 30	Informal discussion of draft maps.
Final Map Submission Deadline September 7	Deadline for residents to submit draft maps for Council consideration at the September 18 hearing.
All Draft Maps Posted September 11	All draft maps must be posted on the project website 7 days in advance of the September 18 hearing.
Hearing 4 and Map Selection September 18	Council consideration of draft maps, selection of preferred map and election sequence, and introduction of ordinance adopting the map.
Hearing 5 and Map adoption October 2	Public hearing followed by second reading of the ordinance adopting the map.

Districting Rules and Goals

1. Federal Laws

Equal Population
Federal Voting Rights Act
No Racial Gerrymandering



2. California Criteria for Cities

1. **Geographically contiguous**
2. **Undivided neighborhoods and “communities of interest”**
(Socio-economic geographic areas that should be kept together)
3. **Easily identifiable boundaries**
4. **Compact**
(Do not bypass one group of people to get to a more distant group of people)

Prohibited: “Shall not favor or discriminate against a political party.”

3. Other Traditional Districting Principles

Respect voters’ choices / continuity in office
Future population growth

Demographic Summary

The ideal population is the total population divided by the number of districts:

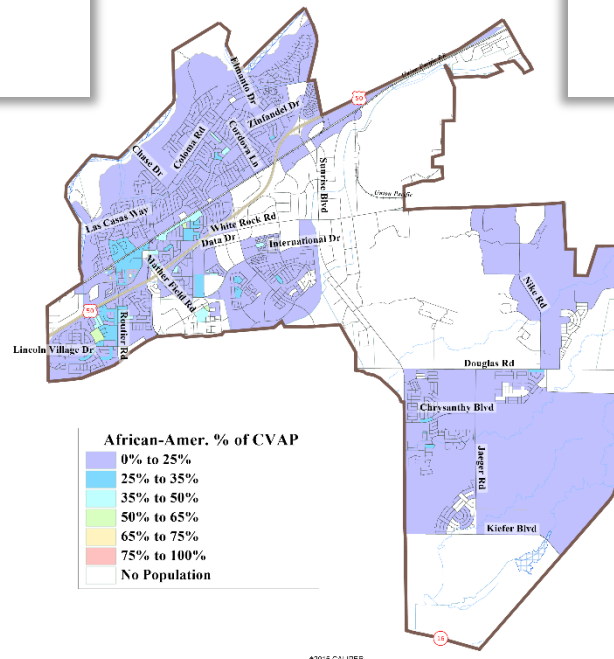
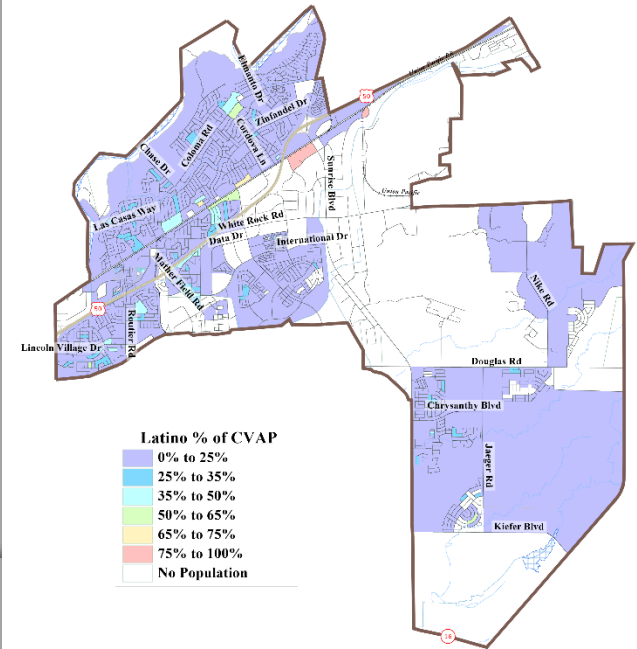
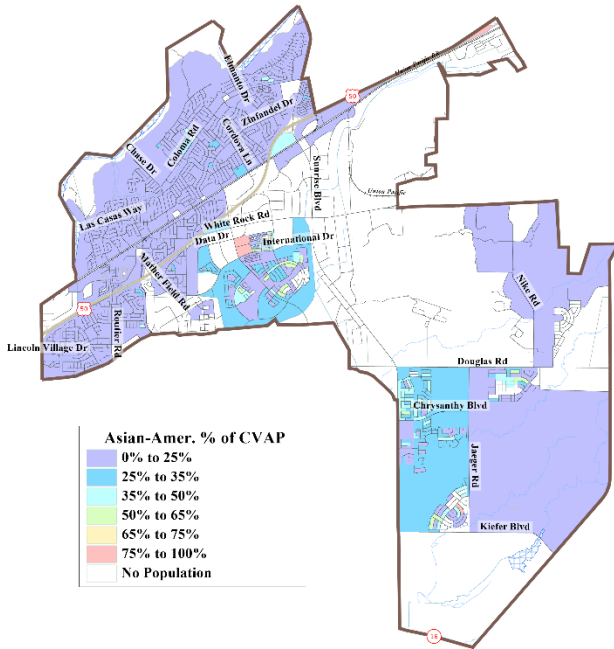
# Districts	Ideal Pop.
4	19,911
5	15,929
6	13,274
7	11,378
8	9,955
9	8,849

Category	Field	Count	Pct	Category	Field	Count	Pct
	Total Pop	64,805		ACS Pop. Est.	Total	70,932	
Total Pop	Hisp	12,745	20%	Age	age0-19	19,308	27%
	NH White	33,884	52%		age20-60	40,182	57%
	NH Black	7,086	11%		age60plus	11,442	16%
	Asian-American	8,500	13%	Immigration	immigrants	17,450	25%
Citizen Voting Age Pop	Total	45,709			naturalized	9,385	54%
	Hisp	6,505	14%	Language spoken at home	english	42,691	65%
	NH White	26,647	58%		spanish	8,995	14%
	NH Black	5,199	11%		asian-lang	5,412	8%
	Asian/PacIsl.	5,894	14%		other lang	8,621	13%
Voter Registration (Nov 2018)	Total	35,351		Language Fluency	Speaks Eng. "Less than Very Well"	10,844	17%
	Latino est.	5,056	14%	Education (among those age 25+)	hs-grad	29,376	63%
	Spanish-Surnamed	4,542	13%		bachelor	8,868	19%
	Asian-Surnamed	1,998	6%		graduatedegree	3,412	7%
	Filipino-Surnamed	695	2%	Child in Household	child-under18	8,020	32%
	NH White est.	23,243	66%	Pct of Pop. Age 16+	employed	33,216	61%
Voter Turnout (Nov 2018)	NH Black	4,281	12%	Household Income	income 0-25k	4,347	18%
	Total	22,072			income 25-50k	6,136	25%
	Latino est.	2,775	13%		income 50-75k	4,803	19%
	Spanish-Surnamed	2,493	11%		income 75-200k	8,465	34%
	Asian-Surnamed	1,115	5%		income 200k-plus	932	4%
	Filipino-Surnamed	448	2%	Housing Stats	single family	18,507	72%
	NH White est.	14,976	68%		multi-family	7,225	28%
Voter Turnout (Nov 2016)	NH Black	2,662	12%		rented	11,347	46%
	Total	25,288			owned	13,337	54%
	Latino est.	3,287	13%				
	Spanish-Surnamed	2,953	12%				
	Asian-Surnamed	1,201	5%				
	Filipino-Surnamed	450	2%				
	NH White est.	16,746	66%				
	NH Black est.	3,167	13%				

Protected Class Concentrations

Asian-Americans are concentrated around Stone Creek and Tuscany Parks and around Anatolia.

Latinos and African-Americans are not geographically concentrated.



Defining Neighborhoods

1st Question: What is your neighborhood?

2nd Question: What are its geographic boundaries?

Examples of physical features defining a neighborhood boundary:

- Natural neighborhood dividing lines, such as highway or major roads, rivers, canals and/or hills
- Areas around parks or schools
- Other neighborhood landmarks

In the absence of public testimony, planning records and other similar documents may provide definition.



Beyond Neighborhoods: Defining Communities of Interest

1st Question: What defines your community?

- Geographic Area, plus
- Shared issue or characteristic
 - Shared social or economic interest
 - Impacted by county policies
- Tell us “your community’s story”

2nd Question: Would this community benefit from being “included within a single district for purposes of its effective and fair representation”?

- Or would it benefit more from having multiple representatives?

Definitions of Communities of Interest may not include relationships with political parties, incumbents, or political candidates.

Public Mapping and Map Review Tools

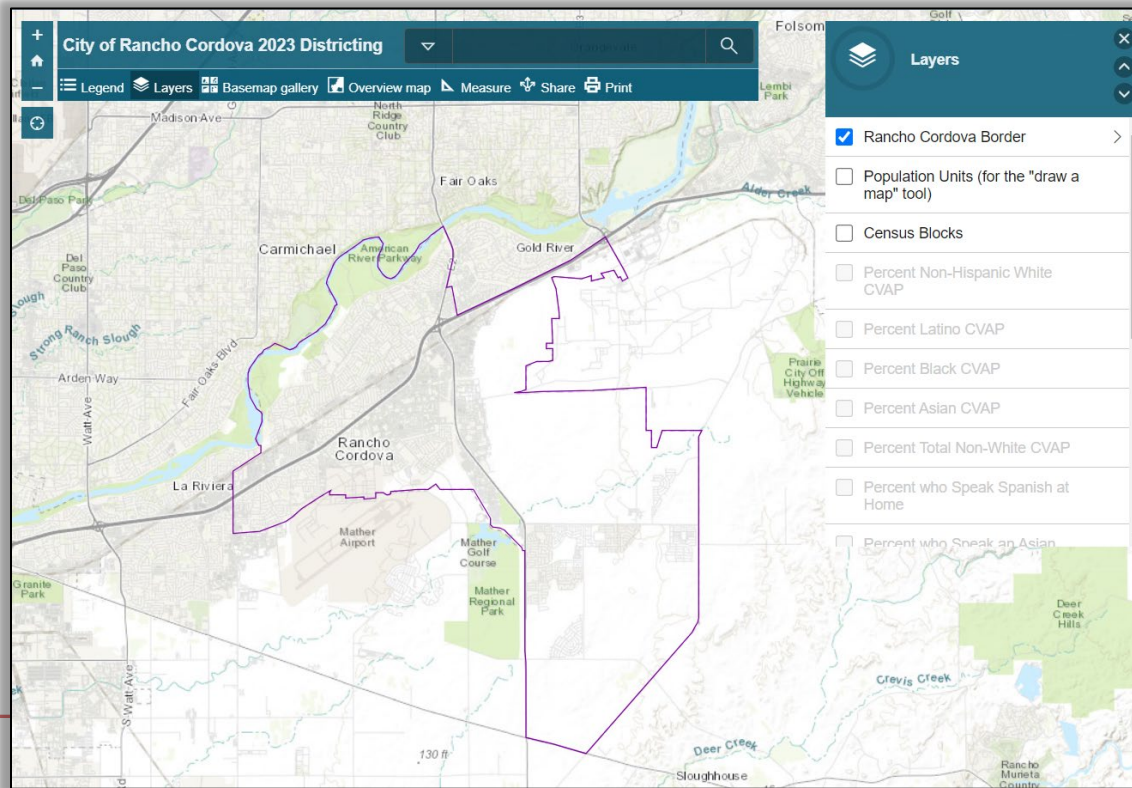
- Different tools for different purposes
- Different tools for different levels of technical skill and interest
 - Simple “review draft maps” tool
 - Easy-to-use one-page paper mapping tool
 - Powerful, data-rich “Draw a draft map” online tool

Whether you use the powerful online mapping tool, the paper tool, or just draw on a napkin, we welcome your maps!

Simple Map Review Tool

Online Interactive Review Map

- ESRI's "ArcGIS Online" – similar to Google Maps in ease of use
- Used to review, analyze and compare maps (not to create them)
- Includes overlays of "community of interest" and other data



Simple Map Drawing Tool

Paper “Public Participation Kit”

- For those without internet access or who prefer paper
- Total Population Counts only – no demographic numbers

Rancho Cordova 2023 Districting Public Participation Kit

An online version of this map that allows you to zoom in and out for more detail is available as a link from the City website.

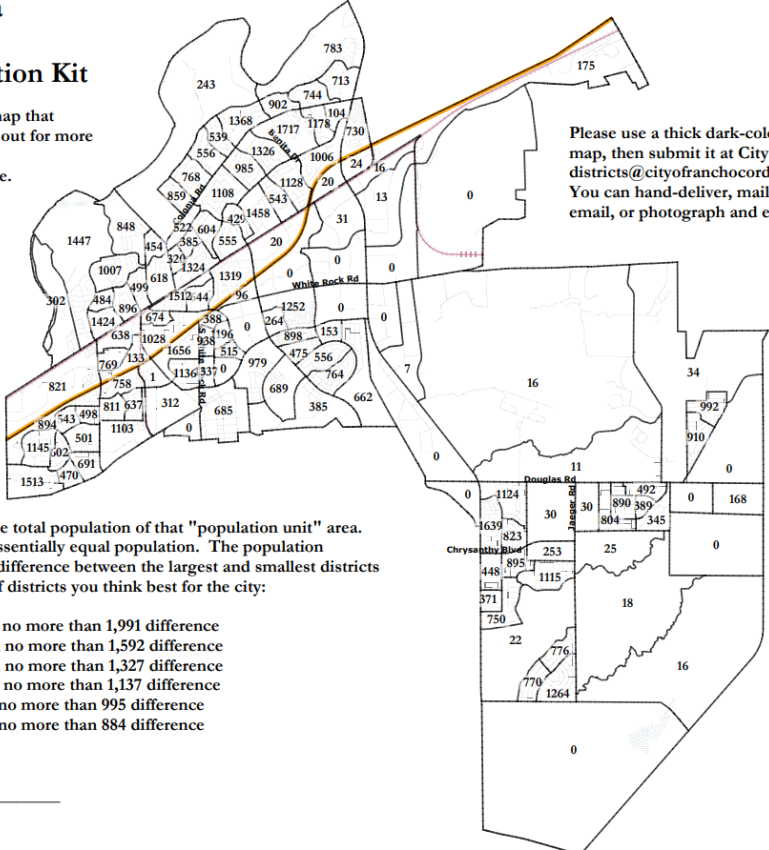
Please use a thick dark-colored pen to draw your map, then submit it at City Hall or by email to districts@cityofranchocordova.org. You can hand-deliver, mail, fax, scan and email, or photograph and email your map.

Each number indicates the total population of that "population unit" area. Each district must have essentially equal population. The population target and the maximum difference between the largest and smallest districts depends on the number of districts you think best for the city:

4 Districts: Target: 19,911, no more than 1,991 difference
5 Districts: Target: 15,929, no more than 1,592 difference
6 Districts: Target: 13,274, no more than 1,327 difference
7 Districts: Target: 11,378, no more than 1,137 difference
8 Districts: Target: 9,955, no more than 995 difference
9 Districts: Target: 8,849, no more than 884 difference

Name: _____

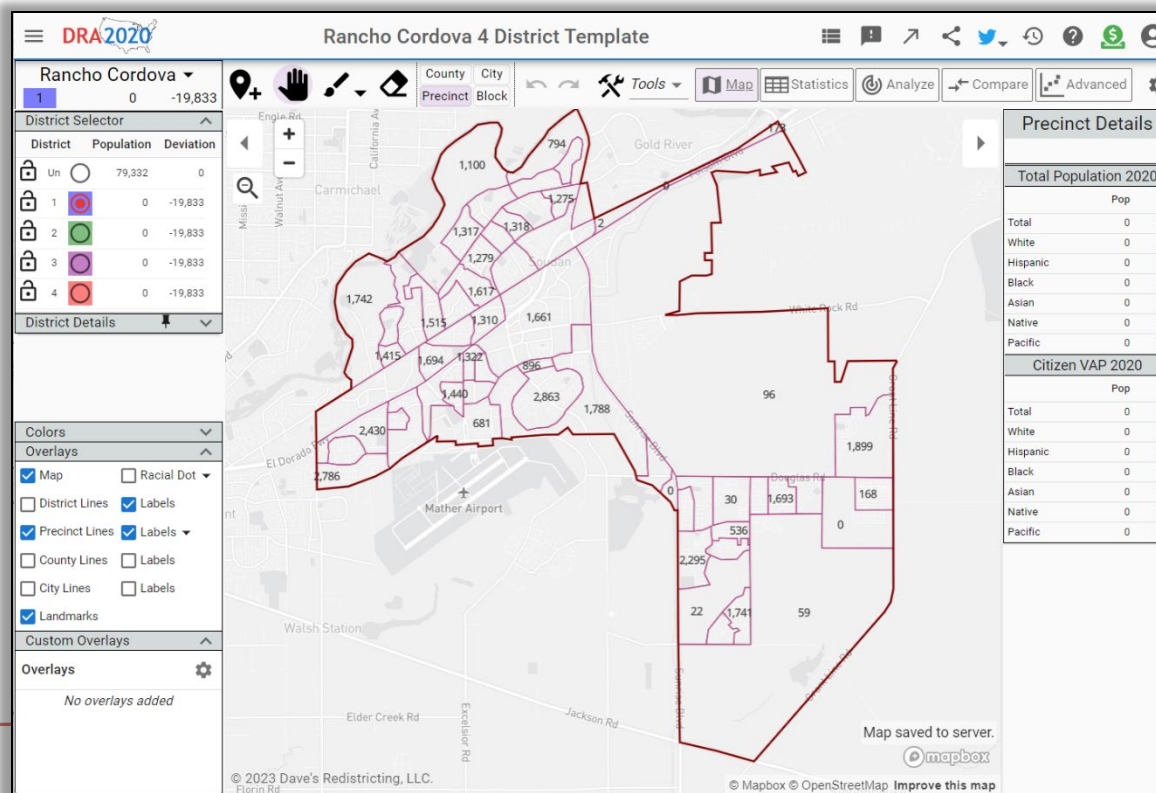
Phone and/or email: _____



Online Map Drawing Tool ATTACHMENT 1

Simple “paintbrush & eraser” tool. A 4-minute “how-to” video is on the website.

- Full demographic data available
- Create, collaborate and share your map
- Remember: you must send in the link to your map when you finish or the City has no way to know you drew a map!



Public Hearing & Discussion

Public Hearing Questions:

- ❑ What is your neighborhood and what are its boundaries?
- ❑ Any preferences on the number of districts and a rotating or citywide-elected Mayor?
- ❑ Any questions about the mapping tools?

Requested Council Direction:

- ❑ Direction on the number of districts and a rotating or citywide-elected Mayor.
 - ▣ General law cities can have 4, 5, 6, 7, 8 or 9 districts
 - ▣ Even numbers of districts have a citywide-elected Mayor;
Odd numbers of districts have a rotating Mayor