



# City of Woodland

300 First Street  
Woodland, CA 95695

## Meeting Agenda - Final City Council

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Tuesday, September 3, 2013

6:00 PM

Council Chambers

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### CITY COUNCIL CLOSED SESSION AGENDA

SEPTEMBER 3, 2013

5:30 PM

A. CALL TO ORDER

B. CLOSED SESSION

**B.1 Conference with Real Property Negotiators**

Pursuant to Section 54956.8

Property: 027851024

Agency Negotiator: City Manager, Economic Development  
Manager and City Attorney

Negotiating Parties: Panattoni Development Co.

Under Negotiation: Price and Terms of Payment

### JOINT REGULAR CITY COUNCIL/WOODLAND FINANCE AUTHORITY

SEPTEMBER 3, 2013

6:00 P.M.

A. CALL TO ORDER

B. ROLL CALL

C. PLEDGE OF ALLEGIANCE

D. COMMUNICATIONS-PUBLIC COMMENT

*This is an opportunity for the public to speak to the Council on any item other than those listed for public hearing on this agenda. Speakers are requested to use the microphone in front of the Council and to begin by stating their name, whether they reside in Woodland and the name of the organization they represent if any. The Mayor*

*may impose a time limit on any speaker depending on the number of people wanting to speak and time available for the rest of the agenda. In the event comments are related to an item scheduled on the agenda, speakers may be required to wait to make their comments until that item is considered.*

## **E. COMMUNICATIONS-COUNCIL/STAFF STATEMENTS AND REQUESTS**

*This is an opportunity for the Council Members and Staff to make comments and announcements, to express concerns, or to request Council's consideration of any items a Council Member would like to have discussed at a future Council meeting.*

[13-207](#)

SUBJECT: Long Range Calendar

Recommendation for Action

Staff recommends that the City Council receive the Long Range Calendar for informational purposes only.

Staff Contact

Ana Gonzalez, City Clerk - (530) 661-5806,  
[ana.gonzalez@cityofwoodland.org](mailto:ana.gonzalez@cityofwoodland.org)

**Attachments:** [Council Long Range Calendar.docx](#)

## **F. PRESENTATIONS**

1. [13-204](#)

SUBJECT: Proclamation for Support of Prostate Cancer Awareness Month

Recommendation for Action

Staff recommends that the City Council adopt a Proclamation supporting the American Cancer Society Prostate Cancer Awareness Month, September 2013, and encouraging all male citizens to actively play a part in their health by seeking early detection methods.

Staff Contact

Ana Gonzalez, City Clerk - (530) 661-5806,  
[ana.gonzalez@cityofwoodland.org](mailto:ana.gonzalez@cityofwoodland.org)

**Attachments:** [Prostate Proclamation 2013](#)  
[Prostate Report](#)

## **G. CONSENT CALENDAR**

2. [13-140](#)

SUBJECT: Accept Public Improvements and Authorize the City Clerk to file the Notice of Completion for Subdivisions No.s 4675 and 4993

(Parkside at Springlake)

Recommendation for Action

Staff recommends that City Council Accept the remainder of those public improvements constructed for Subdivision 4675 (Parkside at Spring Lake) and 4993 (Parkside at Spring Lake, Phase 2) as shown on the civil and landscape improvement plans and authorize the City Clerk to file a Notice of Completion.

Staff Contact

Bruce Pollard, Senior Civil Engineer - 530-661-5820,  
bruce.pollard@cityofwoodland.org

Attachments:    [Location Map](#)

3.        [13-194](#)        SUBJECT:    West Woodland Avenue Sewer Rehabilitation, CIP #14-17  
Award Construction Contract

Recommendation for Action

Staff recommends that the City Council award the construction contract in the amount of \$107,410 to C. E. Cox Engineering for the West Woodland Avenue Sewer Rehabilitation, CIP 14-17.

Staff Contact

Mark Cocke, Senior Civil Engineer - 530-661-5898,  
mark.cocke@cityofwoodland.org

Attachments:    [Map](#)

4.        [13-206](#)        SUBJECT:    League of California Cities 2013 Annual Conference -  
Resolutions for Consideration

Recommendation for Action

Staff recommends that the City Council authorize Council Member Bill Marble, voting delegate, to take action on two resolutions being considered by the League of California Cities at the Annual Conference to be held on September 18 -20, 2013.

Staff Contact

Ana Gonzalez, City Clerk - (530) 661-5806,  
ana.gonzalez@cityofwoodland.org

Attachments:    [Background Information for Resolutions](#)

5.        [13-210](#)        SUBJECT:    Consider of Position on Pending Legislation -

Oppose SB594 (Hill)

Recommendation for Action

Staff recommends that the City Council authorize the Mayor to forward a letter in opposition to SB594, limiting ballot advocacy by local government and non-profit organizations.

Staff Contact

Ana Gonzalez, City Clerk - (530) 661-5806,  
ana.gonzalez@cityofwoodland.org

Attachments: [SB594](#)

## H. PUBLIC HEARINGS

6. [13-158](#) SUBJECT: Cal West Tentative Map # 4991 - Cal West Investors, LLC/Optimistic Partners, Spring Lake Specific Plan Tentative Subdivision Map # 4991 and Development Agreement

Recommendation for Action

Staff recommends that the City Council take the following actions:

1. Hold a Public Hearing
2. Adopt the proposed "Findings" for approval of the Tentative Subdivision Map No. 4991; and "Conditions of Approval" to be incorporated in to the Development Agreement between the City of Woodland and the Developer(s) as presented in the Staff Report; and,
3. Approve the Tentative Subdivision Map (TSM#4991) in accordance with the "Conditions of Approval" as presented in this Staff Report; and
4. Waive the first reading and read by title only Ordinance No. \_\_ , approving the Development Agreement between the City of Woodland and Cal West Investors LLC and Optimistic Partners.

Staff Contact

Cindy Norris, Principal Planner - 530-661-5911,  
cindy.norris@cityofwoodland.org

Attachments: [Att A - Findings and Conditions](#)  
[Att B - Development Agreement](#)  
[Att C - Planning Commission SR 7.18.13](#)

Legislative History



8/20/13

City Council

opened and continued

**I. REPORTS OF THE CITY MANAGER**

7. [13-209](#) SUBJECT: State Theater Building Condition Assessment and Rehabilitation Report

Recommendation for Action

Staff recommends that the City Council receive the State Theatre Building Condition Assessment and Conceptual Cost Estimates Report and provide direction to staff regarding preferred course of re-use and rehabilitation.

Staff Contact

Ken Hiatt, Community Development Director - (530)681-0591,  
ken.hiatt@cityofwoodland.org

Attachments: [State Theatre Report Master - FINAL](#)  
[Letter to Paul Navazio](#)

8. [13-208](#) SUBJECT: 2013 Sewer Rate Study and Set Public Hearing

Attachments: [City of Woodland Sewer 2013 Draft Report](#)

**J. ADJOURN**

*I declare under penalty of perjury that the foregoing Agenda for the Joint Regular City Council/Woodland Finance Authority Regular Meeting of the City of Woodland scheduled for September 3, 2013 was posted on August 30, 2013 in the outside display case at City Hall, 300 First Street, Woodland, CA, and was available to the public during normal business hours.*

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Ana B. Gonzalez, City Clerk

Upon request, agendas and documents in the agenda packet will be made available in appropriate alternative formats to persons with a disability, as required by law. Any such request must be made in writing to the Office of the City Clerk of the City of Woodland. Requests will be valid for the calendar year in which the request is received, and must be renewed prior to January 1st. Persons needing disability-related modifications or accommodations in order to participate in public meetings, including persons requiring auxiliary aids or services, may request such modifications or accommodations by calling the Office of the City Clerk (530-661-5806) at least 48 hours prior to the meeting.

## Legislation Details (With Text)

**File #:** 13-207      **Version:** 1      **Name:**  
**Type:** Consent Item(s)      **Status:** Agenda Ready  
**File created:** 8/28/2013      **In control:** City Council  
**On agenda:** 9/3/2013      **Final action:**  
**Title:** SUBJECT: Long Range Calendar  
Recommendation for Action  
Staff recommends that the City Council receive the Long Range Calendar for informational purposes only.  
Staff Contact

Ana Gonzalez, City Clerk - (530) 661-5806, [ana.gonzalez@cityofwoodland.org](mailto:ana.gonzalez@cityofwoodland.org)

**Sponsors:****Indexes:****Code sections:**

**Attachments:** [Council Long Range Calendar.pdf](#)

| Date | Ver. | Action By | Action | Result |
|------|------|-----------|--------|--------|
|------|------|-----------|--------|--------|



City of Woodland

**STAFF REPORT**

TO: THE HONORABLE MAYOR AND CITY COUNCIL

DATE: September 3, 2013  
SUBJECT: Long Range Calendar

**Recommendation for Action**

Staff recommends that the City Council receive the Long Range Calendar for informational purposes only.

**Staff Contact**

Ana Gonzalez, City Clerk - (530) 661-5806, [ana.gonzalez@cityofwoodland.org](mailto:ana.gonzalez@cityofwoodland.org)

**Background**

This calendar is being provided for planning purposes only and is intended to keep the Council apprised of upcoming agenda items and better plan for upcoming Council meetings.

Prepared by: Ana Gonzalez  
City Clerk

Paul Navazio, City Manager

Attachment

# **COUNCIL LONG RANGE CALENDAR**

**Items subject to removal and/or rescheduling**

**Tuesday, September 17, 2013**

**Reports due 9/3**

**Regular Meeting**

## **CONSENT**

Receive CDBG Consolidated Annual Performance and Evaluation Report (CAPER)  
Final Acceptance and Notice of Completion for the 2012/13 ADA Improvements, CIP 3-02  
Concession Stand First Amendment – CSD

## **REGULAR**

General Plan Update – Vision Discussion, Opportunities and Constraints  
Sanitary Sewer Mgmt Plan (SSMP) FY13 Audit  
Measure V – Consideration of Replacement Ballot Measure  
Consideration of Alternative Sites for Water Treatment Facility Drying Beds

**Tuesday, October 1, 2013**

**Reports due 9/17**

**Regular Meeting**

Public Information/Communications Plan

**Tuesday, October 15, 2013**

**Reports due 10/1**

**Regular Meeting**

## **CONSENT**

Community Development Department's Quarterly Status Report

## **REGULAR**

Council District Elections – Recommendation from Citizen's Advisory Committee on District Boundaries  
General Plan Update – Growth projections; three alternatives review  
Lasher Fee Deferral Agreement  
Criteria for Evaluation and Adoption of Housing Element

| <b>Tuesday, November 5, 2013</b>                                                                   | <b>Reports due 10/22</b> | <b>Regular Meeting</b> |
|----------------------------------------------------------------------------------------------------|--------------------------|------------------------|
| Public Hearing – Proposed Sewer Rate Adjustments<br>FY 13/14 1 <sup>st</sup> Quarter Budget Update |                          |                        |

| <b>Tuesday, November 19, 2013</b> | <b>Reports due 11/5</b> | <b>Regular Meeting</b> |
|-----------------------------------|-------------------------|------------------------|
|-----------------------------------|-------------------------|------------------------|

**FUTURE AGENDA ITEMS – DATE TO BE DETERMINED:**

Regional Park Site Analysis Status Report – **TBD**  
Weed Abatement Ordinance  
Verizon Cell Tower Communication License Agreement  
Minor Amendments to Waste Management franchise agreement  
New water conservation ordinance  
County food waste composting proposal

**FUTURE STUDY SESSIONS (TBD):**

City Council Goals/Progress Report  
Street/Sidewalk Annual Status Report  
Climate Action Plan  
Update Economic Development Strategic Plan  
Street/Road Maintenance

## Legislation Details (With Text)

File #: 13-204 Version: 2 Name:  
Type: Presentation Status: Agenda Ready  
File created: 8/27/2013 In control: City Council  
On agenda: 9/3/2013 Final action:  
Title: SUBJECT: Proclamation for Support of Prostate Cancer Awareness Month

## Recommendation for Action

Staff recommends that the City Council adopt a Proclamation supporting the American Cancer Society Prostate Cancer Awareness Month, September 2013, and encouraging all male citizens to actively play a part in their health by seeking early detection methods.

## Staff Contact

Ana Gonzalez, City Clerk - (530) 661-5806, [ana.gonzalez@cityofwoodland.org](mailto:ana.gonzalez@cityofwoodland.org)

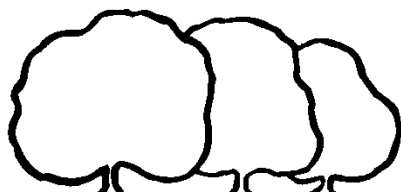
Sponsors:

Indexes:

Code sections:

Attachments: [Prostate Proclamation 2013](#)  
[Prostate Report](#)

| Date | Ver. | Action By | Action | Result |
|------|------|-----------|--------|--------|
|------|------|-----------|--------|--------|



City of Woodland

STAFF REPORT

TO: THE HONORABLE MAYOR AND CITY COUNCIL

DATE: September 3, 2013

SUBJECT: Proclamation for Support of Prostate Cancer Awareness Month

Recommendation for Action

Staff recommends that the City Council adopt a Proclamation supporting the American Cancer Society Prostate Cancer Awareness Month, September 2013, and encouraging all male citizens to actively play a part in their health by seeking early detection methods.

### Staff Contact

Ana Gonzalez, City Clerk - (530) 661-5806, [ana.gonzalez@cityofwoodland.org](mailto:ana.gonzalez@cityofwoodland.org)

### Background

As has been customary for the last few years, Council has been asked to proclaim their support for September 2013 as the American Cancer Society “Prostate Cancer Awareness Month”. Council has shown their support in the past by proclaiming the month of September as the specific month to raise the awareness of this disease affecting men primarily over the age of 40.

### Discussion

The American Cancer Society has actively supported many efforts to eradicate and eliminate the various forms of cancer in our society. The cancer survival rate has steadily increased due to earlier detection and methods. Encouraging citizens to take an active part in their health by providing methods and information to raise the awareness of the need for early detection has been a large part of that survival rate. Materials are attached as sources to seek further information regarding the disease and statistics regarding this and other forms of cancer.

### Conclusion

Staff recommends that the City Council adopt a Proclamation supporting the American Cancer Society Prostate Cancer Awareness Month, September 2013, and encouraging all male citizens to actively play a part in their health by seeking early detection methods.

Prepared by: Ana B. Gonzalez  
City Clerk

Paul Navazio, City Manager

Enclosures

# City of Woodland

## Proclamation

### Prostate Cancer Awareness Month – September 2013

**WHEREAS**, prostate cancer is the most frequently diagnosed cancer in men aside from skin cancer, and the second leading cause of cancer death in men aside from lung cancer; and

**WHEREAS**, the American Cancer Society estimates there will be 238,590 new cases of prostate cancer in the USA in 2013, resulting in an estimated 29,720 deaths, and it is estimate 1 in 6 men will develop this disease in their lifetime; and

**WHEREAS**, in California, prostate cancer is the most common cancer among men in almost all race and ethnic groups and African-American men are over 45% more likely to develop this disease than non-Hispanic white men and over 58% more likely than Hispanic men; and

**WHEREAS**, it is estimated 20,430 men in California will be diagnosed with prostate cancer this year and it is estimated 3,085 California men will die from this disease; and

**WHEREAS**, the survival rate approaches 100% when prostate cancer is diagnosed and treated early, but drops to 28% when it spreads to the other parts of the body; and

**WHEREAS**, early prostate cancer usually has no symptoms and advanced prostate cancer commonly spreads to the bones, which can cause pain in the hips, spine, or other areas; and

**WHEREAS**, recent studies suggest that a diet high in processed meat or dairy foods may be a risk factor, and obesity appears to increase risk of aggressive prostate cancer; and

**WHEREAS**, obesity and smoking are associated with an increased risk of dying from prostate cancer; and

**WHEREAS**, the American Cancer Society recommends that all men should be given sufficient information about the benefits and limitations of testing and early detection to allow them to make a decision based on their personal values and preferences; and

**WHEREAS**, the City Council of the City of Woodland joins communities across our nation to increase the awareness about the importance for men to make an informed decision with their health care provider about early detection and testing for prostate cancer, and now, therefore be it

**NOW, THEREFORE, BE IT RESOLVED**, that the City Council of the City of Woodland hereby proclaims September 2013 as Prostate Cancer Awareness Month.

Dated this 3<sup>rd</sup> day of September, 2013.

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Marlin H. Davies, Mayor

Tom Stallard, Vice-Mayor

William L. Marble, Council Member

Jim Hilliard, Council Member

Sean Denny, Council Member



*BRCA1* or *BRCA2* genes are at increased risk. Studies indicate that preventive surgery to remove the ovaries and fallopian tubes in these women can decrease the risk of ovarian cancer. Other medical conditions associated with increased risk include pelvic inflammatory disease and a genetic condition called hereditary nonpolyposis colorectal cancer (also called Lynch syndrome). The use of estrogen alone as menopausal hormone therapy has been shown to increase risk in several large studies. Tobacco smoking increases risk of mucinous ovarian cancer. Heavier body weight may be associated with increased risk of ovarian cancer. Pregnancy, long-term use of oral contraceptives, and tubal ligation reduce the risk of developing ovarian cancer; hysterectomy (with retention of the ovaries) also appears to decrease risk.

**Early detection:** There is currently no sufficiently accurate screening test for the early detection of ovarian cancer. Pelvic examination only occasionally detects ovarian cancer, generally when the disease is advanced. However, for women who are at high risk of ovarian cancer, the combination of a thorough pelvic exam, transvaginal ultrasound, and a blood test for the tumor marker CA125 may be offered, though this strategy has not yet proven effective in screening even high-risk groups of women. A pelvic exam, sometimes in combination with a transvaginal ultrasound, may be used to evaluate women with symptoms. Although a clinical trial in the US showed that these tests had no effect on ovarian cancer mortality when used as a screening tool in average risk women, results are expected in 2015 from another large screening trial under way in the United Kingdom.

**Treatment:** Treatment includes surgery and usually chemotherapy. Surgery usually involves removal of one or both ovaries and fallopian tubes (salpingo-oophorectomy), the uterus (hysterectomy), and the omentum (fatty tissue attached to some of the organs in the belly), along with biopsies of the peritoneum (lining of the abdominal cavity). In younger women with very early stage tumors who wish to have children, only the involved ovary and fallopian tube may be removed. Among patients with early ovarian cancer, complete surgical staging has been associated with better outcomes. For women with advanced disease, surgically removing all abdominal metastases larger than one centimeter (debulking) enhances the effect of chemotherapy and helps improve survival. For women with stage III ovarian cancer that has been optimally debulked, studies have shown that chemotherapy administered both intravenously and directly into the abdomen (intraperitoneally) improves survival. Studies have also found that ovarian cancer patients whose surgery is performed by a gynecologic oncologist have more successful outcomes. Clinical trials are currently under way to test targeted drugs such as bevacizumab and cediranib in the treatment of ovarian cancer.

**Survival:** Relative survival varies by age; women younger than 65 are twice as likely to survive 5 years (56%) following diagnosis as women 65 and older (27%). Overall, the 1-, 5-, and 10-year relative survival of ovarian cancer patients is 75%, 44%, and 34%, respectively. If diagnosed at the localized stage, the 5-year survival rate is 92%; however, only 15% of all cases are detected at this stage, usually incidentally during another medical procedure. The majority of cases (61%) are diagnosed at distant stage. For women with regional and distant disease, 5-year survival rates are 72% and 27%, respectively.

## Pancreas

Please see page 25 for the special section on pancreatic cancer.

## Prostate

**New cases:** An estimated 238,590 new cases of prostate cancer will occur in the US during 2013. **Prostate cancer is the most frequently diagnosed cancer in men aside from skin cancer.** For reasons that remain unclear, incidence rates are 70% higher in African Americans than in whites. Incidence rates for prostate cancer changed substantially between the mid-1980s and mid-1990s and have since fluctuated widely from year to year, in large part reflecting changes in prostate cancer screening with the prostate-specific antigen (PSA) blood test. From 2005 to 2009, incidence rates decreased by 1.9% per year.

**Deaths:** With an estimated 29,720 deaths in 2013, **prostate cancer is the second-leading cause of cancer death in men.** Prostate cancer death rates have been decreasing since the early 1990s in both African Americans and whites, though they remain more than twice as high in African Americans as in whites. The higher death rate among African Americans is mostly due to higher incidence rates, but also because African American men are more likely to die from prostate cancer than are white men. Prostate cancer death rates decreased 3.4% per year in white men and 3.5% per year in African American men from 2005 to 2009.

**Signs and symptoms:** **Early prostate cancer usually has no symptoms.** With more advanced disease, men may experience weak or interrupted urine flow; the inability to urinate or difficulty starting or stopping the urine flow; the need to urinate frequently, especially at night; blood in the urine; or pain or burning with urination. **Advanced prostate cancer commonly spreads to the bones, which can cause pain in the hips, spine, ribs, or other areas.**

**Risk factors:** The only well-established risk factors for prostate cancer are increasing age, African ancestry, and a family history of the disease. About 60% of all prostate cancer cases are diagnosed in men 65 years of age and older, and 97% occur in men 50 and older. African American men and Jamaican men of African descent have the highest documented prostate cancer incidence



# Estimated Number\* of New Cancer Cases and Deaths by Sex, US, 2013

|                                    | Estimated New Cases |         |         | Estimated Deaths |         |         |
|------------------------------------|---------------------|---------|---------|------------------|---------|---------|
|                                    | Both Sexes          | Male    | Female  | Both Sexes       | Male    | Female  |
| All Sites                          | 1,660,290           | 854,790 | 805,500 | 580,350          | 306,920 | 273,430 |
| Oral cavity & pharynx              | 41,380              | 29,620  | 11,760  | 7,890            | 5,500   | 2,390   |
| Tongue                             | 13,590              | 9,900   | 3,690   | 2,070            | 1,380   | 690     |
| Mouth                              | 11,400              | 6,730   | 4,670   | 1,800            | 1,080   | 720     |
| Pharynx                            | 13,930              | 11,200  | 2,730   | 2,400            | 1,790   | 610     |
| Other oral cavity                  | 2,460               | 1,790   | 670     | 1,640            | 1,260   | 380     |
| Digestive system                   | 290,200             | 160,750 | 129,450 | 144,570          | 82,700  | 61,870  |
| Esophagus                          | 17,990              | 14,440  | 3,550   | 15,210           | 12,220  | 2,990   |
| Stomach                            | 21,600              | 13,230  | 8,370   | 10,990           | 6,740   | 4,250   |
| Small intestine                    | 8,810               | 4,670   | 4,140   | 1,170            | 610     | 560     |
| Colon†                             | 102,480             | 50,090  | 52,390  | 50,830           | 26,300  | 24,530  |
| Rectum                             | 40,340              | 23,590  | 16,750  |                  |         |         |
| Anus, anal canal, & anorectum      | 7,060               | 2,630   | 4,430   | 880              | 330     | 550     |
| Liver & intrahepatic bile duct     | 30,640              | 22,720  | 7,920   | 21,670           | 14,890  | 6,780   |
| Gallbladder & other biliary        | 10,310              | 4,740   | 5,570   | 3,230            | 1,260   | 1,970   |
| Pancreas                           | 45,220              | 22,740  | 22,480  | 38,460           | 19,480  | 18,980  |
| Other digestive organs             | 5,750               | 1,900   | 3,850   | 2,130            | 870     | 1,260   |
| Respiratory system                 | 246,210             | 131,760 | 114,450 | 163,890          | 90,600  | 73,290  |
| Larynx                             | 12,260              | 9,680   | 2,580   | 3,630            | 2,860   | 770     |
| Lung & bronchus                    | 228,190             | 118,080 | 110,110 | 159,480          | 87,260  | 72,220  |
| Other respiratory organs           | 5,760               | 4,000   | 1,760   | 780              | 480     | 300     |
| Bones & joints                     | 3,010               | 1,680   | 1,330   | 1,440            | 810     | 630     |
| Soft tissue (including heart)      | 11,410              | 6,290   | 5,120   | 4,390            | 2,500   | 1,890   |
| Skin (excluding basal & squamous)  | 82,770              | 48,660  | 34,110  | 12,650           | 8,560   | 4,090   |
| Melanoma-skin                      | 76,690              | 45,060  | 31,630  | 9,480            | 6,280   | 3,200   |
| Other nonepithelial skin           | 6,080               | 3,600   | 2,480   | 3,170            | 2,280   | 890     |
| Breast                             | 234,580             | 2,240   | 232,340 | 40,030           | 410     | 39,620  |
| Genital system                     | 339,810             | 248,080 | 91,730  | 58,480           | 30,400  | 28,080  |
| Uterine cervix                     | 12,340              |         | 12,340  | 4,030            |         | 4,030   |
| Uterine corpus                     | 49,560              |         | 49,560  | 8,190            |         | 8,190   |
| Ovary                              | 22,240              |         | 22,240  | 14,030           |         | 14,030  |
| Vulva                              | 4,700               |         | 4,700   | 990              |         | 990     |
| Vagina & other genital, female     | 2,890               |         | 2,890   | 840              |         | 840     |
| Prostate                           | 238,590             | 238,590 |         | 29,720           | 29,720  |         |
| Testis                             | 7,920               | 7,920   |         | 370              | 370     |         |
| Penis & other genital, male        | 1,570               | 1,570   |         | 310              | 310     |         |
| Urinary system                     | 140,430             | 96,800  | 43,630  | 29,790           | 20,120  | 9,670   |
| Urinary bladder                    | 72,570              | 54,610  | 17,960  | 15,210           | 10,820  | 4,390   |
| Kidney & renal pelvis              | 65,150              | 40,430  | 24,720  | 13,680           | 8,780   | 4,900   |
| Ureter & other urinary organs      | 2,710               | 1,760   | 950     | 900              | 520     | 380     |
| Eye & orbit                        | 2,800               | 1,490   | 1,310   | 320              | 120     | 200     |
| Brain & other nervous system       | 23,130              | 12,770  | 10,360  | 14,080           | 7,930   | 6,150   |
| Endocrine system                   | 62,710              | 16,210  | 46,500  | 2,770            | 1,270   | 1,500   |
| Thyroid                            | 60,220              | 14,910  | 45,310  | 1,850            | 810     | 1,040   |
| Other endocrine                    | 2,490               | 1,300   | 1,190   | 920              | 460     | 460     |
| Lymphoma                           | 79,030              | 42,670  | 36,360  | 20,200           | 11,250  | 8,950   |
| Hodgkin lymphoma                   | 9,290               | 5,070   | 4,220   | 1,180            | 660     | 520     |
| Non-Hodgkin lymphoma               | 69,740              | 37,600  | 32,140  | 19,020           | 10,590  | 8,430   |
| Myeloma                            | 22,350              | 12,440  | 9,910   | 10,710           | 6,070   | 4,640   |
| Leukemia                           | 48,610              | 27,880  | 20,730  | 23,720           | 13,660  | 10,060  |
| Acute lymphocytic leukemia         | 6,070               | 3,350   | 2,720   | 1,430            | 820     | 610     |
| Chronic lymphocytic leukemia       | 15,680              | 9,720   | 5,960   | 4,580            | 2,750   | 1,830   |
| Acute myeloid leukemia             | 14,590              | 7,820   | 6,770   | 10,370           | 5,930   | 4,440   |
| Chronic myeloid leukemia           | 5,920               | 3,420   | 2,500   | 610              | 340     | 270     |
| Other leukemia†                    | 6,350               | 3,570   | 2,780   | 6,730            | 3,820   | 2,910   |
| Other & unspecified primary sites† | 31,860              | 15,450  | 16,410  | 45,420           | 25,020  | 20,400  |

\*Rounded to the nearest 10; estimated new cases exclude basal cell and squamous cell skin cancers and in situ carcinomas except urinary bladder. About 64,640 carcinoma in situ of the female breast and 61,300 melanoma in situ will be newly diagnosed in 2013. †Estimated deaths for colon and rectal cancers are combined. ‡More deaths than cases may reflect lack of specificity in recording underlying cause of death on death certificates and/or an undercount in the case estimate.

**Source:** Estimated new cases are based on cancer incidence rates from 49 states and the District of Columbia during 1995-2009 as reported by the North American Association of Central Cancer Registries (NAACCR), representing about 98% of the US population. Estimated deaths are based on US mortality data during 1995-2009, National Center for Health Statistics, Centers for Disease Control and Prevention.

©2013, American Cancer Society, Inc., Surveillance Research



### Probability (%) of Developing Invasive Cancers during Selected Age Intervals by Sex, US, 2007-2009\*

|                       |        | Birth to 39        | 40 to 59        | 60 to 69        | 70 and Older    | Birth to Death  |
|-----------------------|--------|--------------------|-----------------|-----------------|-----------------|-----------------|
| All sites†            | Male   | 1.46 (1 in 69)     | 8.79 (1 in 11)  | 16.03 (1 in 6)  | 38.07 (1 in 3)  | 44.81 (1 in 2)  |
|                       | Female | 2.20 (1 in 46)     | 9.19 (1 in 11)  | 10.39 (1 in 10) | 26.69 (1 in 4)  | 38.17 (1 in 3)  |
| Urinary bladder†      | Male   | 0.02 (1 in 4,924)  | 0.37 (1 in 272) | 0.92 (1 in 109) | 3.69 (1 in 27)  | 3.81 (1 in 26)  |
|                       | Female | 0.01 (1 in 12,663) | 0.12 (1 in 864) | 0.24 (1 in 410) | 0.98 (1 in 106) | 1.15 (1 in 90)  |
| Breast                | Female | 0.50 (1 in 202)    | 3.78 (1 in 26)  | 3.56 (1 in 28)  | 6.65 (1 in 15)  | 12.38 (1 in 8)  |
| Colon & rectum        | Male   | 0.08 (1 in 1,212)  | 0.94 (1 in 106) | 1.40 (1 in 71)  | 4.19 (1 in 24)  | 5.17 (1 in 19)  |
|                       | Female | 0.08 (1 in 1,236)  | 0.75 (1 in 134) | 0.98 (1 in 102) | 3.80 (1 in 26)  | 4.78 (1 in 21)  |
| Leukemia              | Male   | 0.16 (1 in 612)    | 0.23 (1 in 440) | 0.35 (1 in 288) | 1.26 (1 in 80)  | 1.59 (1 in 63)  |
|                       | Female | 0.13 (1 in 746)    | 0.15 (1 in 655) | 0.21 (1 in 481) | 0.81 (1 in 123) | 1.14 (1 in 88)  |
| Lung & bronchus       | Male   | 0.03 (1 in 3,552)  | 0.92 (1 in 109) | 2.27 (1 in 44)  | 6.82 (1 in 15)  | 7.77 (1 in 13)  |
|                       | Female | 0.03 (1 in 3,287)  | 0.76 (1 in 131) | 1.72 (1 in 58)  | 4.93 (1 in 20)  | 6.35 (1 in 16)  |
| Melanoma of the skin§ | Male   | 0.15 (1 in 691)    | 0.63 (1 in 160) | 0.77 (1 in 130) | 2.02 (1 in 50)  | 2.87 (1 in 35)  |
|                       | Female | 0.26 (1 in 391)    | 0.55 (1 in 181) | 0.40 (1 in 248) | 0.84 (1 in 120) | 1.85 (1 in 54)  |
| Non-Hodgkin lymphoma  | Male   | 0.13 (1 in 753)    | 0.44 (1 in 225) | 0.60 (1 in 167) | 1.77 (1 in 57)  | 2.34 (1 in 43)  |
|                       | Female | 0.09 (1 in 1,147)  | 0.31 (1 in 322) | 0.44 (1 in 229) | 1.40 (1 in 72)  | 1.93 (1 in 52)  |
| Prostate              | Male   | 0.01 (1 in 7,964)  | 2.68 (1 in 37)  | 6.78 (1 in 15)  | 12.06 (1 in 8)  | 16.15 (1 in 6)  |
| Uterine cervix        | Female | 0.16 (1 in 641)    | 0.27 (1 in 374) | 0.13 (1 in 795) | 0.18 (1 in 551) | 0.68 (1 in 147) |
| Uterine corpus        | Female | 0.07 (1 in 1,348)  | 0.77 (1 in 129) | 0.89 (1 in 112) | 1.25 (1 in 80)  | 2.64 (1 in 38)  |

\*For those who are cancer-free at the beginning of each age interval. †All sites excludes basal cell and squamous cell skin cancers and in situ cancers except urinary bladder.

‡Includes invasive and in situ cancers. §Statistic is for whites only.

Source: DevCan: Probability of Developing or Dying of Cancer Software, Version 6.6.1. Statistical Research and Applications Branch, National Cancer Institute, 2012.  
www.srab.cancer.gov/devcan.

American Cancer Society, Surveillance Research, 2013

**Deaths:** An estimated 23,720 deaths are expected to occur in 2013. Death rates for leukemia have been declining for the past several decades; from 2005 to 2009, rates decreased by 0.8% per year among males and by 1.4% per year among females.

**Signs and symptoms:** Symptoms may include fatigue, paleness, weight loss, repeated infections, fever, bruising easily, and nosebleeds or other hemorrhages. In acute leukemia, these signs can appear suddenly. Chronic leukemia typically progresses slowly with few symptoms and is often diagnosed during routine blood tests. Patients with CLL may experience swollen lymph nodes or pain in the upper left abdomen due to an enlarged spleen.

**Risk factors:** Exposure to ionizing radiation increases risk of several types of leukemia (excluding CLL). Medical radiation, such as that used in cancer treatment, is a substantial source of radiation exposure. Leukemia may also occur as a side effect of chemotherapy. Children with Down syndrome and certain other genetic abnormalities are at increased risk of leukemia. Workers in the rubber-manufacturing industry also have an increased risk. Recent studies suggest that obesity increases risk of leukemia.

Some factors are most closely associated with specific types of leukemia. Family history is one of the strongest risk factors for CLL. Cigarette smoking is a risk factor for AML, and there is limited evidence that parental smoking and maternal exposure to paint increases the risk of childhood leukemia. Exposure to certain chemicals, such as formaldehyde and benzene (a component

in cigarette smoke and gasoline that has become more regulated due to its carcinogenicity), also increases risk of AML. Infection with human T-cell leukemia virus type I (HTLV-I) can cause a rare type of leukemia called adult T-cell leukemia/lymphoma. The prevalence of HTLV-I infection is geographically localized and is most common in southern Japan and the Caribbean; infected individuals in the US tend to be descendants or immigrants from endemic regions.

**Early detection:** Leukemia can be difficult to diagnose early because symptoms often resemble those of other, less serious conditions. When a physician does suspect leukemia, diagnosis can be made using blood tests and a bone marrow biopsy.

**Treatment:** Chemotherapy is the most effective method of treating leukemia. Various anticancer drugs are used, either in combination or as single agents. Imatinib (Gleevec), nilotinib (Tasigna), and dasatinib (Sprycel) are very effective drugs that are targeted at the genetic abnormality that is the hallmark of CML. Imatinib and dasatinib are also FDA-approved to treat a type of ALL with the same genetic defect. People diagnosed with CLL that is not progressing or causing symptoms may not require treatment. Recent clinical trials have shown that adults with AML who are treated with twice the conventional dose of daunorubicin experience higher and more rapid rates of remission. Antibiotics and transfusions of blood components are used as supportive treatments. Under appropriate conditions, stem cell transplantation may be useful in treating certain types of leukemia.



## Prostate Cancer

Prostate cancer is the most common cancer among men in almost all racial/ethnic groups in California. The number of prostate cancers diagnosed each year rose dramatically in the early 1990s when the prostate-specific antigen (PSA) test began to be widely used to detect this cancer. Incidence rates peaked in 1992-93 and were approximately 3% lower in 2010 than in 1988. These trends are consistent with the rapid introduction of a new, sensitive screening method.

African American men are at especially high risk for prostate cancer. They are approximately 45% more likely to develop this disease than non-Hispanic white men, 58% more likely than Hispanic men, and 94% more likely than Asian/Pacific Islanders. Unlike breast cancer, prostate cancer tends to be diagnosed late in life. Nearly 60% of prostate cancers are diagnosed among men ages 65 and older.

Very little is known about the causes of prostate cancer. Large international differences in prostate cancer risk indicate that life-style factors such as diet may be involved, and it is likely that diet interacts with hormonal status in complex ways.

The survival rate for prostate cancer is quite high, especially when diagnosed early. Prostate cancer mortality in California decreased by 36% after 1988, with declines among men in each racial/ethnic group. Nonetheless, it remains the second leading cause of cancer-related mortality among men.

In 2005-2009, the prostate cancer incidence rate in California as compared to the nation excluding California, was 15% lower among Asian/Pacific Islanders, 10% lower among African Americans, 4% lower among Hispanics, and 6% lower among non-Hispanic white men.

### Prostate Cancer Screening

Unlike breast cancer, clinical trials have not clearly demonstrated a decrease in mortality following screening for prostate cancer, and many uncertainties remain surrounding the early detection of this disease. One of the reasons for this is that unlike many other cancers, prostate cancer often grows very slowly. Because of this, many undiagnosed prostate cancers never become life-threatening. Although early diagnosis and treatment may help some men live longer, it may have no impact on the lifespan of other men. Since testing for early detection of prostate cancer became common around 1990, the prostate cancer death rate has dropped, but it has not been conclusively proven that this is a direct result of screening. In addition, prostate cancer treatment can affect a man's quality of life. Studies are underway which may resolve this issue.

The American Cancer Society recommends that health care providers offer the PSA blood test and digital rectal examination annually, beginning at age 50, to men who have at least a ten-year life expectancy. Men in high-risk groups, such as African Americans or those with brothers or fathers who have had prostate cancer, should begin screening at age 45. To assist men in making informed decisions about testing, physicians should inform their patients of the potential risks and benefits of early detection and treatment.

In 2010, 73% of Californian men aged 50 and over reported having had at least one PSA test, while 82% reported having at least one digital rectal exam (DRE) test. Non-Hispanic white and African American men were more likely than Hispanic and Asian men to have been tested in the last year. Men from households above poverty level were more likely to have had a prostate cancer screening test than men from households below poverty.

### American Cancer Society Prostate Cancer Activities

The American Cancer Society recommends that men have a chance to make an informed decision with their health care provider about whether to be screened for prostate cancer. The decision should be made after getting information about the uncertainties, risks, and potential benefits of prostate cancer screening. Men should not be screened unless they have received this information. After this discussion, those men who want to be screened should be tested with the prostate specific antigen (PSA) blood test. The digital rectal exam (DRE) may also be done as a part of screening. Additional information about prostate cancer and the information one needs to help make an informed decision around screening can be found at [www.cancer.org/prostatemd](http://www.cancer.org/prostatemd).

In 2011, 1,036 men participated in the Man To Man® program, the Society's support group program for men and their loved ones to share information available about prostate cancer, treatment, and offers education and support other prostate cancer patients and their partners. Let's Talk About It®, a collaboration of the American Cancer Society and the 100 Black Men of America, is aimed at educating African American men about prostate cancer. These programs provide men with opportunities to share experiences, learn more about the disease, and gain skills to meet individual needs following diagnosis and treatment. The Society also supports legislative activities to improve the availability of treatment for low-income prostate cancer patients and research to help fight the disease.



Table 2. **Expected New Cancer Cases and Deaths in California, 2013**

| Site                             | Expected New Cases |        |        | Expected Deaths |        |        |
|----------------------------------|--------------------|--------|--------|-----------------|--------|--------|
|                                  | Total*             | Male   | Female | Total*          | Male   | Female |
| All Sites                        | 144,810            | 73,535 | 71,275 | 55,485          | 28,335 | 27,150 |
| Oral Cavity and Pharynx          | 3,745              | 2,570  | 1,175  | 870             | 590    | 285    |
| Digestive System                 | 28,120             | 15,435 | 12,685 | 14,830          | 8,210  | 6,620  |
| Esophagus                        | 1,390              | 1,065  | 325    | 1,235           | 945    | 290    |
| Stomach                          | 2,790              | 1,695  | 1,095  | 1,500           | 870    | 630    |
| Small Intestine                  | 640                | 345    | 295    | 140             | 65     | 75     |
| Colon excluding Rectum           | 9,805              | 4,820  | 4,985  | 4,190           | 2,100  | 2,095  |
| Rectum and Rectosigmoid          | 4,315              | 2,450  | 1,860  | 935             | 535    | 405    |
| Anus, Canal and Anorectum        | 675                | 270    | 405    | 85              | 30     | 55     |
| Liver and Intrahepatic Bile Duct | 3,195              | 2,305  | 890    | 2,545           | 1,665  | 880    |
| Gallbladder                      | 390                | 110    | 280    | 220             | 65     | 155    |
| Other Biliary                    | 705                | 395    | 310    | 140             | 70     | 70     |
| Pancreas                         | 3,930              | 1,960  | 1,970  | 3,630           | 1,795  | 1,840  |
| Retroperitoneum                  | 130                | 70     | 60     | 25              | 15     | 10     |
| Respiratory System               | 17,850             | 9,505  | 8,345  | 13,465          | 7,285  | 6,180  |
| Nasal Cavity, Middle Ear         | 225                | 125    | 95     | 60              | 40     | 20     |
| Larynx                           | 855                | 705    | 150    | 300             | 235    | 60     |
| Lung and Bronchus                | 16,770             | 8,680  | 8,090  | 13,045          | 6,975  | 6,070  |
| Pleura                           | 10                 | 10     | 5      | 25              | 20     | 10     |
| Bones and Joints                 | 325                | 185    | 140    | 150             | 90     | 60     |
| Soft Tissue including heart      | 1,205              | 670    | 530    | 455             | 255    | 200    |
| Melanomas of the Skin            | 7,225              | 4,335  | 2,885  | 920             | 610    | 310    |
| Other Non-Epithelial Skin        | 600                | 415    | 185    | 340             | 250    | 85     |
| Breast                           | 23,035             | 185    | 22,850 | 4,365           | 25     | 4,340  |
| Female Genital System            | 9,150              | 0      | 9,150  | 2,985           | 0      | 2,985  |
| Cervix Uteri                     | 1,410              | 0      | 1,410  | 435             | 0      | 435    |
| Corpus Uteri and Uterus, NOS     | 4,840              | 0      | 4,840  | 790             | 0      | 790    |
| Ovary                            | 2,275              | 0      | 2,275  | 1,560           | 0      | 1,560  |
| Vagina                           | 135                | 0      | 135    | 45              | 0      | 45     |
| Vulva                            | 395                | 0      | 395    | 105             | 0      | 105    |
| Male Genital System              | 21,630             | 21,630 | 0      | 3,175           | 3,175  | 0      |
| Prostate                         | 20,430             | 20,430 | 0      | 3,085           | 3,085  | 0      |
| Testis                           | 1,070              | 1,070  | 0      | 60              | 60     | 0      |
| Penis                            | 125                | 125    | 0      | 30              | 30     | 0      |
| Urinary System                   | 11,605             | 8,265  | 3,340  | 2,645           | 1,785  | 860    |
| Urinary Bladder                  | 6,490              | 4,990  | 1,500  | 1,325           | 935    | 390    |
| Kidney and Renal Pelvis          | 4,885              | 3,050  | 1,830  | 1,240           | 800    | 440    |
| Ureter                           | 170                | 100    | 65     | 35              | 20     | 15     |
| Eye and Orbit                    | 290                | 155    | 130    | 40              | 15     | 25     |
| Brain and Other Nervous System   | 2,185              | 1,215  | 970    | 1,545           | 875    | 670    |
| Thyroid Gland                    | 4,835              | 1,025  | 3,810  | 210             | 85     | 125    |
| Other Endocrine, Thymus          | 265                | 140    | 125    | 110             | 55     | 55     |
| Hodgkins Disease                 | 915                | 525    | 390    | 130             | 70     | 60     |
| Non-Hodgkins Lymphomas           | 6,500              | 3,605  | 2,895  | 2,090           | 1,160  | 930    |
| Multiple Myeloma                 | 1,955              | 1,095  | 860    | 1,060           | 610    | 455    |
| Leukemias                        | 4,005              | 2,285  | 1,720  | 2,320           | 1,300  | 1,020  |
| Lymphocytic Leukemia             | 1,950              | 1,175  | 775    | 675             | 390    | 290    |
| Acute Lymphocytic Leukemia       | 535                | 315    | 220    | 205             | 115    | 95     |
| Chronic Lymphocytic Leukemia     | 1,300              | 780    | 520    | 420             | 245    | 175    |
| Myeloid and Monocytic Leukemia   | 1,950              | 1,075  | 875    | 1,205           | 670    | 535    |
| Acute Myeloid Leukemia           | 1,295              | 695    | 600    | 1,000           | 550    | 455    |
| Acute Monocytic Leukemia         | 100                | 60     | 40     | 15              | 10     | 5      |
| Chronic Myeloid Leukemia         | 510                | 295    | 215    | 100             | 65     | 40     |
| Ill Defined/Unknown              | 3,175              | 1,600  | 1,570  | 3,810           | 2,000  | 1,810  |

Source: California Cancer Registry, California Department of Public Health. Excludes non-melanoma skin cancers and carcinoma *in situ*, except bladder.

Deaths include persons who may have been diagnosed in previous years. These projections are offered as a rough guide, and should not be regarded as definitive.

\* Male and female cases and deaths do not sum up to the total because of rounding of numbers.

\*\* NOS: Not Otherwise Specified



### Five-year Relative Survival Rates\* (%) by Stage at Diagnosis, 2002-2008

|                       | All Stages | Local | Regional | Distant |                  | All Stages | Local      | Regional | Distant   |
|-----------------------|------------|-------|----------|---------|------------------|------------|------------|----------|-----------|
| Breast (female)       | 89         | 98    | 84       | 24      | Ovary            | 44         | 92         | 72       | 27        |
| Colon & rectum        | 64         | 90    | 70       | 12      | Pancreas         | 6          | 23         | 9        | 2         |
| Esophagus             | 17         | 38    | 20       | 3       | <b>Prostate</b>  | 99         | <b>100</b> | 100      | <b>28</b> |
| Kidney†               | 71         | 91    | 64       | 12      | Stomach          | 27         | 62         | 28       | 4         |
| Larynx                | 61         | 76    | 42       | 35      | Testis           | 95         | 99         | 96       | 73        |
| Liver‡                | 15         | 28    | 10       | 3       | Thyroid          | 98         | 100        | 97       | 54        |
| Lung & bronchus       | 16         | 52    | 25       | 4       | Urinary bladder§ | 78         | 70         | 33       | 6         |
| Melanoma of the skin  | 91         | 98    | 62       | 15      | Uterine cervix   | 68         | 91         | 57       | 16        |
| Oral cavity & pharynx | 62         | 82    | 57       | 35      | Uterine corpus   | 82         | 95         | 67       | 16        |

\*Rates are adjusted for normal life expectancy and are based on cases diagnosed in the SEER 18 areas from 2002-2008, followed through 2009.  
†Includes renal pelvis. ‡Includes intrahepatic bile duct. §Rate for in situ cases is 96%.

**Local:** an invasive malignant cancer confined entirely to the organ of origin. **Regional:** a malignant cancer that 1) has extended beyond the limits of the organ of origin directly into surrounding organs or tissues; 2) involves regional lymph nodes by way of lymphatic system; or 3) has both regional extension and involvement of regional lymph nodes. **Distant:** a malignant cancer that has spread to parts of the body remote from the primary tumor either by direct extension or by discontinuous metastasis to distant organs, tissues, or via the lymphatic system to distant lymph nodes.

**Source:** Howlander N, Noone AM, Krapcho M, et al. (eds). *SEER Cancer Statistics Review, 1975-2009*, National Cancer Institute, Bethesda, MD, www.seer.cancer.gov/csr/1975\_2009/, 2012.

American Cancer Society, Surveillance Research 2013

children and young adults) and is associated with a number of autoimmune-related NHLs and some types of Hodgkin lymphoma. *H. pylori* infection increases the risk of gastric lymphoma. A family history of lymphoma and a growing number of common genetic variations are associated with modestly increased risk. Workers in the rubber manufacturing industry are at increased risk of lymphoma, and occupational and environmental exposures to certain chemicals (e.g., solvents such as dichloromethane) may also increase risk.

**Treatment:** Non-Hodgkin lymphoma patients are usually treated with chemotherapy; radiation, alone or in combination with chemotherapy, is used less often. Highly specific monoclonal antibodies directed at lymphoma cells, such as rituximab (Rituxan) and alemtuzumab (Campath), are used for initial treatment and the recurrence of some types of NHL, as are antibodies linked to a radioactive atom, such as ibritumomab tiuxetan (Zevalin) and tositumomab (Bexxar). If NHL persists or recurs after standard treatment, stem cell transplantation (with high-dose or nonmyeloablative chemotherapy) may be an option.

Hodgkin lymphoma is usually treated with chemotherapy, radiation therapy, or a combination of the two, depending on disease stage and cell type. Stem cell transplantation may be an option if these are not effective. The targeted drug brentuximab vedotin (Adcetris) is used to treat Hodgkin lymphoma (as well as a rare form of NHL) in patients whose disease has failed to respond to other treatment.

**Survival:** Survival varies widely by cell type and stage of disease. For NHL, the overall 1- and 5-year relative survival is 81% and 68%, respectively; survival declines to 57% at 10 years after diagnosis. For Hodgkin lymphoma, the 1-, 5-, and 10-year relative survival rates are 92%, 85%, and 80%, respectively.

## Oral Cavity and Pharynx

**New cases:** An estimated 41,380 new cases of cancer of the oral cavity and pharynx (throat) are expected in 2013. Incidence rates are more than twice as high in men as in women. From 2005 to 2009, incidence rates were stable in men and decreasing by 0.9% annually in women. However, recent studies have shown that incidence is increasing for cancers of the oropharynx that are associated with human papillomavirus (HPV) infection among white men and women.

**Deaths:** An estimated 7,890 deaths from oral cavity and pharynx cancer are expected in 2013. Death rates have been decreasing over the past three decades; from 2005 to 2009, rates decreased by 1.3% per year in men and by 2.2% per year in women.

**Signs and symptoms:** Symptoms may include a sore in the throat or mouth that bleeds easily and does not heal, a persistent red or white patch or a lump or thickening in the throat or mouth, ear pain, a neck mass, or coughing up blood. Difficulties in chewing, swallowing, or moving the tongue or jaws are often late symptoms.

**Risk factors:** Known risk factors include all forms of smoked and smokeless tobacco products and excessive consumption of alcohol. Many studies have reported a synergism between smoking and alcohol use, resulting in a more than 30-fold increased risk for individuals who both smoke and drink heavily. HPV infection is associated with cancers of the tonsil, base of tongue, and some other sites within the oropharynx and is believed to be transmitted through sexual contact.

**Early detection:** Cancer can affect any part of the oral cavity, including the lip, tongue, mouth, and throat. Through visual inspection, dentists and primary care physicians can often



rates in the world. The disease is common in North America and northwestern Europe, but less common in Asia and South America. Genetic studies suggest that strong familial predisposition may be responsible for 5%-10% of prostate cancers. **Recent studies suggest that a diet high in processed meat or dairy foods may be a risk factor, and obesity appears to increase risk of aggressive prostate cancer.** There is some evidence that occupational exposures of firefighters (e.g., toxic combustion products) moderately increase risk.

**Prevention:** The chemoprevention of prostate cancer is an active area of research. Two drugs of interest, finasteride and dutasteride, reduce the amount of certain male hormones in the body and are already used to treat the symptoms of benign prostate enlargement. Both drugs have been found to lower the risk of prostate cancer by about 25% in large clinical trials with similar potential side effects, including reduced libido and risk of erectile dysfunction. However, it is not entirely clear which men are most likely to gain benefit from prophylactic treatment with these agents and an advisory committee to the FDA has recommended against approval for both finasteride and dutasteride for the prevention of prostate cancer based on risk-benefit analyses.

**Early detection:** At this time, there are insufficient data to recommend for or against routine testing for early prostate cancer detection with the PSA test. **The American Cancer Society recommends** that beginning at age 50, men who are at average risk of prostate cancer and have a life expectancy of at least 10 years receive information about the potential benefits and known limitations associated with testing for early prostate cancer detection and have an opportunity to make an informed decision about testing. Men at high risk of developing prostate cancer (African Americans or men with a close relative diagnosed with prostate cancer before age 65) should have this discussion with their health care provider beginning at age 45. Men at even higher risk (because they have several close relatives diagnosed with prostate cancer at an early age) should have this discussion with their provider at age 40. **All men should be given sufficient information about the benefits and limitations of testing and early detection to allow them to make a decision based on their personal values and preferences.**

Results from clinical trials designed to determine the efficacy of PSA testing for reducing prostate cancer deaths have been mixed; two European studies found a lower risk of death from prostate cancer among men receiving PSA screening while a study in the US found no reduction. Current research is exploring new biologic markers for prostate cancer, as well as alternative ages of screening initiation and timing of testing, with the goal of identifying and treating men at highest risk for aggressive disease while minimizing unnecessary testing and treatment of men at low risk for prostate cancer death. See page 62 for the American Cancer Society's screening guidelines for the early detection of prostate cancer.

**Treatment:** Treatment options vary depending on age, stage, and grade of cancer, as well as other medical conditions. The grade assigned to the tumor, typically called the Gleason score, indicates the likely aggressiveness of the cancer. Although scores as low as 2 are theoretically possible, in practice most cancers are assigned scores ranging from 6 (low grade, less aggressive) to 10 (high grade, very aggressive). Surgery (open, laparoscopic, or robotic-assisted), external beam radiation, or radioactive seed implants (brachytherapy) may be used to treat early stage disease. Data show similar survival rates for patients with early stage disease treated with any of these methods, and there is no current evidence supporting a "best" treatment for prostate cancer. Hormonal therapy before or after surgery may be indicated in some cases. All of these treatments may impact a man's quality of life through side effects or complications that include urinary and erectile difficulties. Accumulating evidence indicates that careful observation ("active surveillance"), rather than immediate treatment, can be an appropriate option for men with less aggressive tumors and for older men.

Hormonal therapy, chemotherapy, radiation, or a combination of these treatments is used to treat more advanced disease. Hormone treatment may control advanced prostate cancer for long periods by shrinking the size or limiting the growth of the cancer, thus helping to relieve pain and other symptoms. An option for some men with advanced prostate cancer that is no longer responding to hormones is a cancer vaccine known as sipuleucel-T (Provenge). For this treatment, special immune cells are removed from a man's body, exposed to prostate proteins in a lab, and then re-infused back into the body, where they attack prostate cancer cells. Newer, more effective forms of hormone therapy, such as abiraterone (Zytiga) and enzalutamide (Xtandi), have been shown to be beneficial for the treatment of metastatic disease that is resistant to initial hormone therapy and chemotherapy.

**Survival:** The majority (93%) of prostate cancers are discovered in the local or regional stages, for which the 5-year relative survival rate approaches 100%. Over the past 25 years, the 5-year relative survival rate for all stages combined has increased from 68% to almost 100%. According to the most recent data, 10- and 15-year relative survival rates are 98% and 93%, respectively. **Obesity and smoking are associated with an increased risk of dying from prostate cancer.**

## Skin

**New cases:** The number of basal cell and squamous cell skin cancers (i.e., nonmelanoma skin cancers, or NMSC) is difficult to estimate because these cases are not required to be reported to cancer registries. One report on NMSC occurrence in the US estimated that 3.5 million cases were diagnosed and 2.2 million people were treated for the disease in 2006, with some patients having multiple diagnoses. Most cases of these forms of skin cancer are highly curable. Melanoma is expected to be diagnosed in



## Legislation Details (With Text)

File #: 13-140 Version: 1 Name:  
Type: Consent Item(s) Status: Agenda Ready  
File created: 7/22/2013 In control: City Council  
On agenda: 9/3/2013 Final action:  
Title: SUBJECT: Accept Public Improvements and Authorize the City Clerk to file the Notice of Completion for Subdivisions No.s 4675 and 4993 (Parkside at Springlake)

## Recommendation for Action

Staff recommends that City Council Accept the remainder of those public improvements constructed for Subdivision 4675 (Parkside at Spring Lake) and 4993 (Parkside at Spring Lake, Phase 2) as shown on the civil and landscape improvement plans and authorize the City Clerk to file a Notice of Completion.

## Staff Contact

Bruce Pollard, Senior Civil Engineer - 530-661-5820, [bruce.pollard@cityofwoodland.org](mailto:bruce.pollard@cityofwoodland.org)

Sponsors:

Indexes:

Code sections:

Attachments: [Location Map](#)

| Date | Ver. | Action By | Action | Result |
|------|------|-----------|--------|--------|
|------|------|-----------|--------|--------|



City of Woodland

STAFF REPORT

DATE: September 3, 2013

TO: The Honorable Mayor and City Council

SUBJECT: Accept Public Improvements and Authorize the City Clerk to file the Notice of Completion for Subdivisions No.s 4675 and 4993 (Parkside at Springlake)

Recommendation for Action

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civil and landscape improvement plans and authorize the City Clerk to file a Notice of Completion.

### Staff Contact

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### Fiscal Impact

There is no impact to the City budget to accept the improvements other than future operation and maintenance costs. All infrastructure improvements to serve the subdivision were paid for by the developer and other SLSP owners. In-tract infrastructure costs were paid solely by the developer and the developer participates in all funding mechanisms for shared Spring Lake infrastructure. The parcels are included in the Spring Lake Landscape & Lighting District for maintenance of landscaping, lighting and associated appurtenances and a community facilities district for operation and maintenance of the Community Senior Center & Sports Park.

The Governmental Accounting Standards Board Statement 34 (GASB 34) requires state and local governments to include valuation and depreciation information on public infrastructure assets for accounting purposes and financial reports. The total cost of public infrastructure the City will acquire (with full acceptance of both subdivisions) is estimated to be eight million four hundred thousand dollars (\$8,400,000).

### Report in Brief

Most of the improvements related to SM 4675 and 4993 were completed and acceptance by Council was made on December 20, 2011. There were a few outstanding infrastructure improvements required by the tentative map (TM 4675) conditions of approval and development agreement that were not completed until July 2013. These outstanding improvements are primarily related to the right of way acquisition and road improvements at the East Street/Sports Park Drive intersection.

Staff recommends that City Council accept the remaining public improvements constructed for Subdivision 4675 (Parkside at Spring Lake) and 4993 (Parkside at Spring Lake, Phase 2) as shown on the approved civil and landscape improvement plans and authorize the City Clerk to file a Notice of Completion.

### Background

Parkside at Spring Lake is a subdivision of 162 single-family lots in the Spring Lake Specific Plan area. City Council approved a tentative map and development agreement for the Parkside at Spring Lake project on January 13, 2004. California Government Code (Subdivision Map Act) and City Municipal Code (Chapter 21) requires the developer to enter into an agreement and provide securities ensuring construction of infrastructure required to serve the new lots at final map approval. On February 15, 2011, Council approved the final map for Subdivision No. 4675 (Parkside at Spring Lake) which created 42 single-family lots in the Spring Lake Specific Plan (SLSP). The subdivider, Standard Pacific Homes, was required to enter into an improvement agreement and provide securities to ensure construction of necessary infrastructure to serve the subdivision. Additionally on June 7, 2011, Council approved the final map for Subdivision No. 4993 (Parkside at Spring Lake, Phase 2) which created the remaining 120 single-family lots of the Parkside subdivision in the SLSP. Most of the improvements related to SM 4675 and 4993 were completed and acceptance by Council was made on December 20, 2011. There were a few outstanding infrastructure improvements required by the tentative map (TM 4675) conditions of approval and development agreement that were not completed until July 2013. These outstanding improvements are primarily related to the right of

way acquisition and road improvements at the East Street/Sports Park Drive intersection.

Standard Pacific Homes has completed all of the improvements to the satisfaction of the City including (a) the new traffic signal at the intersection of Sports Park Drive and East Street, (b) the completion of the last 600 feet of full road section of Sports Park Drive to East Street, and (c) a 3-foot wide, 50-foot long section of pavement along Matmor Road located between the Woodland Christian School entrance and Tyler Drive; which were not accepted at the December 20, 2011 meeting.

Following Council acceptance, the City Clerk will file a Notice of Completion for the select infrastructure and the warranty period will begin. The warranty period will end one year after the Notice of Completion is filed. The developer has provided a warranty security to correct any defects identified during the warranty timeframe.

#### Discussion

Acceptance of improvements by Council is the standard practice prescribed by State law (Subdivision Map Act) and City municipal code (Chapter 21) for obtaining public infrastructure improvements associated with new subdivisions. The final map dedicated the streets and public utility easements to the City. The public improvements were designed to meet City Standard Specifications and the improvements were inspected during construction to ensure they are consistent with the improvement plans and City Standard Specifications.

#### Conclusion

Staff recommends that City Council Accept the remainder of those public improvements constructed for Subdivision 4675 (Parkside at Spring Lake) and 4993 (Parkside at Spring Lake, Phase 2) as shown on the civil and landscape improvement plans and authorize the City Clerk to file a Notice of Completion.

Prepared by: Bruce Pollard, Senior Civil Engineer

Reviewed by: Brent Meyer, City Engineer

Reviewed by: Ken Hiatt, Community Development Director

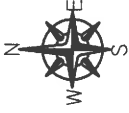
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Paul Navazio, City Manager

Attachment: Location Map

*City of Woodland*

COMMUNITY DEVELOPMENT DEPARTMENT  
ENGINEERING DIVISION



**PARKSIDE AT SPRINGLAKE**  
**Subdivision 4675 & 4993**

To Redding

Kentucky Avenue

East Kentucky Avenue

Beamer Street

East Beamer Street

Main Street

East Main Street

Cottonwood Street

West Street

College Street

East Street

Gibson Road

East Gibson Road

Bourne Dr.

To Sacramento

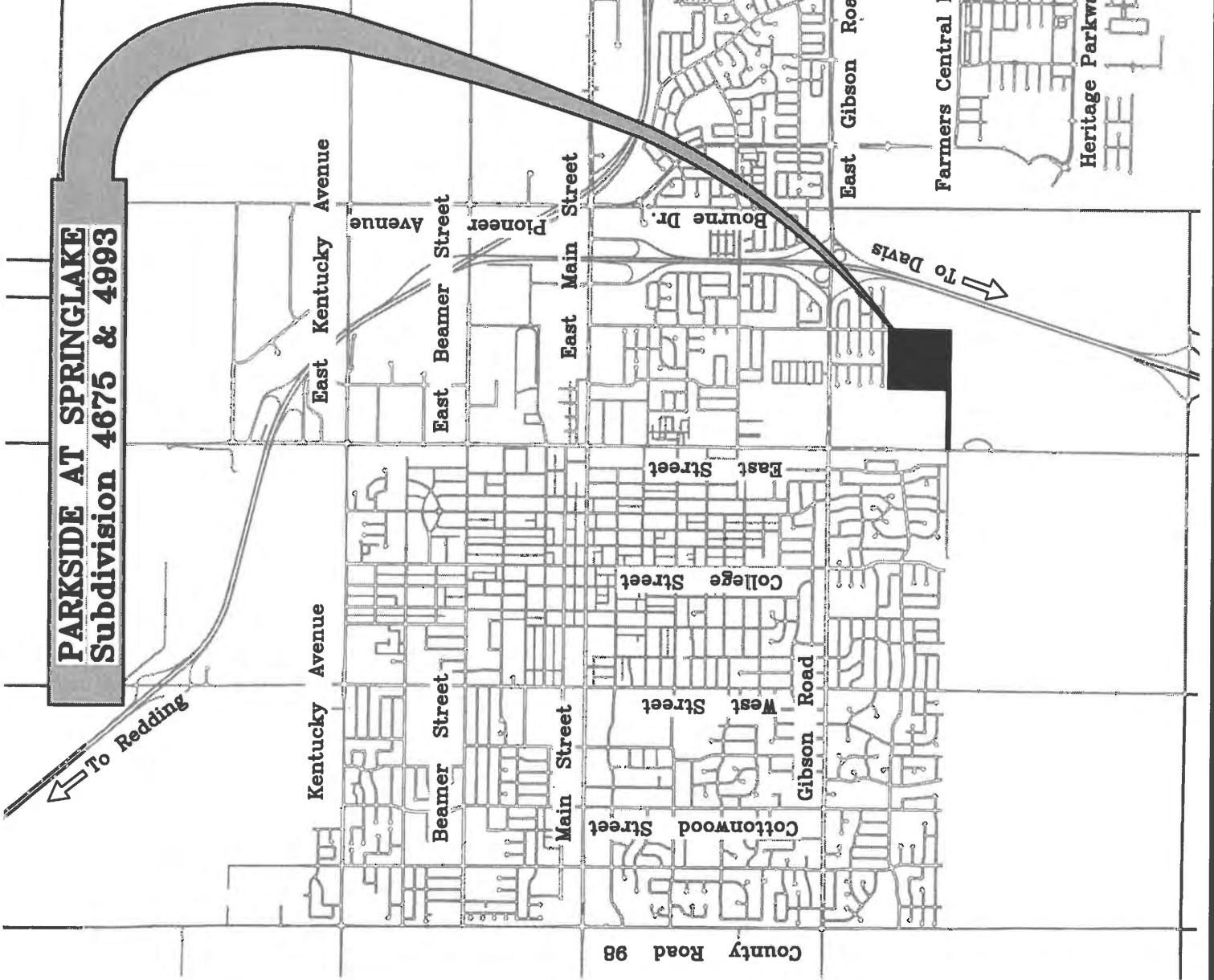
To Davis

Farmers Central Road

Heritage Parkway

County Road 102

County Road 98





## Legislation Details (With Text)

File #: 13-194 Version: 1 Name:  
Type: Consent Item(s) Status: Agenda Ready  
File created: 8/15/2013 In control: City Council  
On agenda: 9/3/2013 Final action:  
Title: SUBJECT: West Woodland Avenue Sewer Rehabilitation, CIP #14-17 Award Construction Contract

## Recommendation for Action

Staff recommends that the City Council award the construction contract in the amount of \$107,410 to C. E. Cox Engineering for the West Woodland Avenue Sewer Rehabilitation, CIP 14-17.

## Staff Contact

Mark Cocke, Senior Civil Engineer - 530-661-5898, mark.cocke@cityofwoodland.org

Sponsors:

Indexes:

Code sections:

Attachments: [Map](#)

| Date | Ver. | Action By | Action | Result |
|------|------|-----------|--------|--------|
|------|------|-----------|--------|--------|



City of Woodland

**STAFF REPORT**

TO: THE HONORABLE MAYOR AND CITY COUNCIL

DATE: September 3, 2013

SUBJECT: West Woodland Avenue Sewer Rehabilitation, CIP #14-17 Award Construction Contract

**Recommendation for Action**

Staff recommends that the City Council award the construction contract in the amount of \$107,410 to C. E. Cox Engineering for the West Woodland Avenue Sewer Rehabilitation, CIP 14-17.

**Staff Contact**

Mark Cocke, Senior Civil Engineer - 530-661-5898, mark.cocke@cityofwoodland.org

### **Council Goal**

This recommendation is consistent with the City Council's goal for Infrastructure. The West Woodland Ave. Sewer Rehabilitation is part of Woodland's Sanitary Sewer Management Plan that supports the rehabilitation of sewer system deficiencies which require frequent staff maintenance activities and have a history of sanitary sewer overflows.

### **Fiscal Impact**

The project is funded in the Capital Budget in the amount of \$175,000 through the Sewer Enterprise fund. The difference between the total project budget and the contract award amount is the amount budgeted for engineering design, construction management and contingency.

### **Background**

The project was advertised for bids on July 23, 2013 and on August 13 the City received and opened the following five bids for the project:

| <b><u>Bidder's Name</u></b> | <b><u>Bid Amount</u></b> |
|-----------------------------|--------------------------|
| Lister Construction         | \$177,787.00             |
| Cd-Electro Inc.             | \$189,633.00             |
| C.E. Cox Engineering        | \$107,410.00             |
| Western Engineering         | \$137,900.00             |
| Lamon Construction **       |                          |

*\*\*Lamon Construction was determined to be non responsive*

Two bids were higher and three bids were lower than the engineer's estimate of \$140,000. The City has seen a trend of increased construction costs on other recent projects, which is probably related to the general recovery of the economy. Overall, staff feels this was a good response to the bid advertisement with five bidders participating. Staff has performed due diligence in reviewing the bids and the lowest bid complies with all technical submittal requirements. With authorization to award the contract, staff anticipates construction beginning in September 2013 and completion scheduled for October 2013.

### **Discussion**

This segment of sewer line was constructed in 1962 and was covered with a "cap" of cement slurry to reduce the risk of breakage during road construction. This segment serves 16 homes and a 48 unit Senior Housing apartment complex owned by Yolo County Community Housing. The apartment complex was connected to the sewer line when constructed in the early 1980's. When the apartment complex was connected, the sewer lateral was placed at a reverse grade and accepted by the City. This has created a long term maintenance problem for the City sewer operations staff. The reverse grade accumulated fats, oils and grease that forms blockages that cause sewer overflows at the cleanout or in the residences. Over last year's holiday season, this build up of material backed up into several of the residential units.

Staff met with Yolo County Housing maintenance staff to discuss this problem. The sewer line condition warrants replacement due to the number of breaks, but the sag from the apartment lateral will be taken care of

by changing the grade of the replacement line to provide fall from the existing lateral to the new line with the replacement of the sewer line. This project will not entirely remove the risk of grease blockages in the future, but will significantly reduce the risk of blockages occurring on the City side of the clean out at the apartment property. The lateral connection from the apartments is susceptible to debris blockages because of its length and slope. If Sanitary Sewer Overflows continue to occur the apartment complex may need to install a lift station to the City sewer system. Yolo County Community Housing (YCCH) has been contacted about this risk and staff has met on this problem. If problems persist, YCCH will be contacted to help facilitate a solution. This project will reduce City operations staff maintenance costs that are part of the City Sanitary Sewer Management Plan activities.

Affected residents will be contacted before construction starts and the open trench work will be covered with steel plates if the trench is left open overnight. Sewer services will be maintained during construction.

### **Conclusion**

Staff recommends that the City Council authorize award of a construction contract in the amount of \$107,410 to C. E. Cox Engineering for the West Woodland Avenue Sewer Rehabilitation, CIP 14-17.

Prepared by: Mark Cocke, Senior Civil Engineer

Reviewed by: Brent Meyer, City Engineer

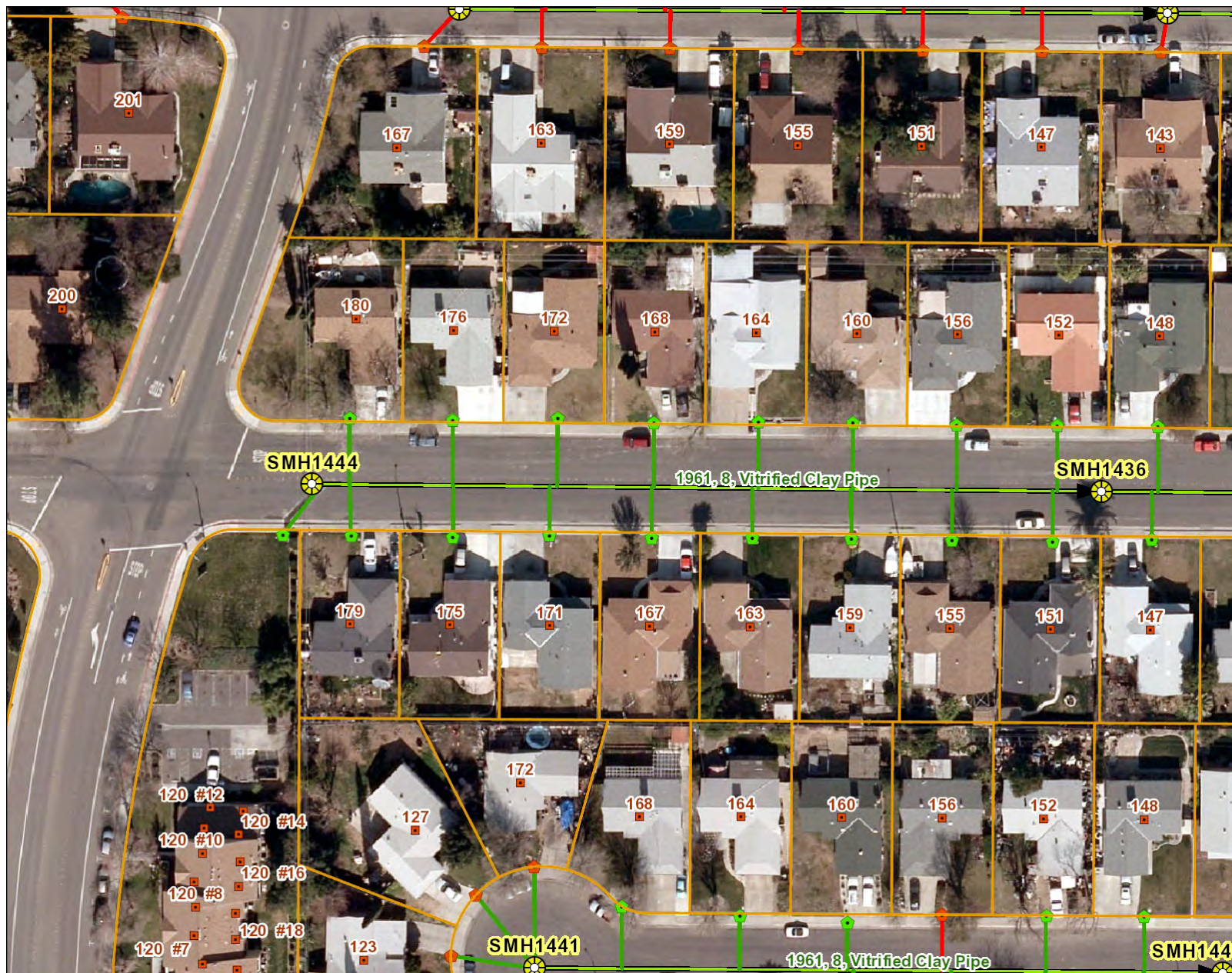
Reviewed by: Ken Hiatt, Community Development Director

Paul Navazio, City Manager



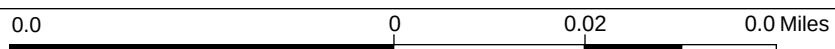


# City of Woodland



- Legend**
- Address Points
  - Parcels
  - Sewer Manhole
    - No CS Permit
    - Yes CS Permit
  - Cleanout Structure
    - Active
    - Proposed
  - Sewer Lateral Line
    - Confirmed Lateral Location
    - Added by Nobel Systems
  - Sewer Gravity Main
  - Sewer Pressurized Main
  - Sewer Scada Sensor
  - Imagery2012
    - Red: Band\_1
    - Green: Band\_2
    - Blue: Band\_3
  - Heritage\_Oaks\_6
  - Parks\_Trees\_6
    - 0 to 10; 11 to 20
    - 21 to 30; 31 to 40
    - 41 to 50; 51 +
  - City\_Boundary\_6
  - Railroads\_6
  - Roads\_6
    - Freeway
    - Freeway Ramp
    - Major Street
    - Minor Street
  - Water\_Course\_6

1: 965



NAD\_1983\_StatePlane\_California\_II\_FIPS\_0402\_Feet  
© City of Woodland 2013

This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.  
THIS MAP IS NOT TO BE USED FOR NAVIGATION

Notes

## Legislation Details (With Text)

File #: 13-206 Version: 2 Name:  
Type: Consent Item(s) Status: Agenda Ready  
File created: 8/28/2013 In control: City Council  
On agenda: 9/3/2013 Final action:  
Title: SUBJECT: League of California Cities 2013 Annual Conference - Resolutions for Consideration

## Recommendation for Action

Staff recommends that the City Council authorize Council Member Bill Marble, voting delegate, to take action on two resolutions being considered by the League of California Cities at the Annual Conference to be held on September 18 -20, 2013.

## Staff Contact

Ana Gonzalez, City Clerk - (530) 661-5806, [ana.gonzalez@cityofwoodland.org](mailto:ana.gonzalez@cityofwoodland.org)

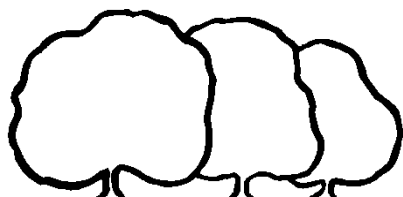
Sponsors:

Indexes:

Code sections:

Attachments: [Background Information for Resolutions](#)

| Date | Ver. | Action By | Action | Result |
|------|------|-----------|--------|--------|
|------|------|-----------|--------|--------|



City of Woodland

STAFF REPORT

TO: THE HONORABLE MAYOR AND CITY COUNCIL

DATE: September 3, 2013

SUBJECT: League of California Cities 2013 Annual Conference - Resolutions for Consideration

Recommendation for Action

Staff recommends that the City Council authorize Council Member Bill Marble, voting delegate, to take action on two resolutions being considered by the League of California Cities at the Annual Conference to be held on September 18 -20, 2013.

Staff Contact

Ana Gonzalez, City Clerk - (530) 661-5806, [ana.gonzalez@cityofwoodland.org](mailto:ana.gonzalez@cityofwoodland.org)

### Background

The League of California Cities has been holding their conference as part of the annual business meeting and adoption of resolutions. Specific criteria are set to submit these resolutions for consideration, such as only issues having a direct bearing to municipal affairs, the issue is not just for local or regional concern, policy should not restate existing policy of the League and should achieve one of the following objectives: public or media attention on an issue of major importance, establish new direction, consider important issues or amend League Bylaws.

Earlier this year, the City Council appointed Council Member Bill Marble as the voting delegate for the City of Woodland. This year, two resolutions have been introduced for consideration by the voting delegates at the Annual Conference.

*Resolution No.1 - Water Bond Funds.* This resolution is seeking to call upon the Governor and Legislature to work with the League of California Cities in providing adequate funding and prioritize water bonds to assist local governments in water conservation, ground water recharge and reuse of storm water and urban runoff programs.

*Resolution No.2 - Public Safety Realignment .* This resolution seeks to outline the deficiencies in the State's current public safety realignment policy, implemented in 2011 by AB 109, and identify policy changes that will assist State, county and municipal law enforcement entities to cope with the expanded number of offenders that are now being directed to county facilities, resulting in increased related impacts on both local communities and municipal law enforcement.

Per League rules of procedure, the applicable League Policy Committee(s) will convene to consider the two resolutions, with their report and recommendations then being forwarded to the General Resolutions Committee. The recommendations of each of the committees will be presented to the League's Voting Delegates prior to a vote.

### Conclusion

Staff recommends that the City Council authorize Council Member Bill Marble, voting delegate, to take action on two resolutions being considered by the League of California Cities at the Annual Conference to be held on September 18 -20, 2013.

Prepared by: Ana Gonzalez  
City Clerk

Paul Navazio, City Manager

Attachment: Background Information on Resolutions





***Annual Conference  
Resolutions Packet***

***115<sup>th</sup> Annual Conference***



***Sacramento  
September 18 - 20, 2013***

## 2013 ANNUAL CONFERENCE RESOLUTIONS

### RESOLUTION REFERRED TO ENVIRONMENTAL QUALITY POLICY COMMITTEE

- 1. RESOLUTION CALLING UPON THE GOVERNOR AND THE LEGISLATURE TO WORK WITH THE LEAGUE OF CALIFORNIA CITIES IN PROVIDING ADEQUATE FUNDING AND TO PRIORITIZE WATER BONDS TO ASSIST LOCAL GOVERNMENT IN WATER CONSERVATION, GROUND WATER RECHARGE AND REUSE OF STORMWATER AND URBAN RUNOFF PROGRAMS.**

Source: Los Angeles County Division

Concurrence of five or more cities/city officials: Cities of Alhambra; Cerritos; Claremont; Glendora; Lakewood; La Mirada; La Verne; Norwalk; Signal Hill; Mary Ann Lutz, Mayor, city of Monrovia.

Referred to: Environmental Quality Policy Committee

Recommendations to General Resolutions Committee: Approve

**WHEREAS**, local governments play a critical role in providing water conservation, ground water recharge and reuse of stormwater infrastructure, including capture and reuse of stormwater for their citizens, businesses and institutions; and

**WHEREAS**, local governments support the goals of the Clean Water Act to ensure safe, clean water supply for all and the U.S. Environmental Protection Agency has encouraged local governments to implement programs to capture, infiltrate and treat stormwater and urban runoff with the use of low impact development ordinances, green street policies and programs to increase the local ground water supply through stormwater capture and infiltration programs; and

**WHEREAS**, local governments also support the State's water quality objectives, specifically Section 13241 of the Porter-Cologne Water Quality Control Act, on the need to maximize the use of reclaimed and water reuse and the Regional Water Quality Control Boards and the State Water Resources Board encourage rainwater capture efforts; and

**WHEREAS**, the State's actions working through the water boards, supported by substantial Federal, State and local investments, have led to a dramatic decrease in water pollution from wastewater treatment plants and other so-called "point sources" since 1972. However, the current threats to the State's water quality are far more difficult to solve, even as the demand for clean water increases from a growing population and an economically important agricultural industry; and

**WHEREAS**, the State's Little Hoover Commission found in 2009 that more than 30,000 stormwater discharges are subject to permits regulating large and small cities, counties, construction sites and industry. The Commission found that a diverse group of water users – the military, small and large businesses, home builders and local governments and more – face enormous costs as they try to control and limit stormwater pollution. The Commission concluded that the costs of stormwater clean up are enormous and that the costs of stormwater pollution are greater, as beach closures impact the State's economy and environmental damage threatens to impair wildlife; and

**WHEREAS**, at the same time that new programs and projects to improve water quality are currently being required by the U.S. EPA and the State under the National Pollution Discharge Elimination System (NPDES) permits and the Total Daily Maximum Load (TMDL) programs, many local governments find that they lack the basic infrastructure to capture, infiltrate and reuse stormwater and cities are facing difficult economic challenges while Federal and State financial assistance has been reduced due to the impacts of the recession and slow economic recovery; and

**WHEREAS**, cities have seen their costs with the new NPDES permit requirements double and triple in size in the past year, with additional costs anticipated in future years. Additionally, many local businesses have grown increasingly concerned about the costs of retrofitting their properties to meet stormwater and runoff requirements required under the NPDES permits and TMDL programs; and

**WHEREAS**, the League of California Cities adopted water polices in March of 2012, recognizing that the development and operation of water supply, flood control and storm water management, among other water functions, is frequently beyond the capacity of local areas to finance and the League found that since most facilities have widespread benefits, it has become the tradition for Federal, State and local governments to share their costs (XIV, Financial Considerations); and the League supports legislation providing funding for stormwater and other water programs; and

**WHEREAS**, the Governor and the Legislature are currently contemplating projects for a water bond and a portion of the bond could be directed to assist local government in funding and implementing the goals of the Clean Water Act and the State's water objectives of conserving and reusing stormwater in order to improve the supply and reliability of water supply; and now therefore let it be

**RESOLVED** by the General Assembly of the League of California Cities, assembled in Sacramento on September 20, 2013, that the League calls for the Governor and the Legislature to work with the League and other stakeholders to provide adequate funding for water conservation, ground water recharge and capture and reuse of stormwater and runoff in the water bond issue and to prioritize future water bonds to assist local governments in funding these programs. The League will work with its member cities to educate federal and state officials to the challenges facing local governments in providing for programs to capture, infiltrate and reuse stormwater and urban runoff.

////////

### **Background Information on Resolution No. 1**

**Source:** Los Angeles County Division

#### **Background:**

In order to meet the goals of both the Federal Clean Water Act and the State's Porter-Cologne Water Quality Control Act, which seek to ensure safe clean water supplies, cities provide critical water conservation, ground water recharge and reuse of stormwater infrastructure, including capture and reuse of stormwater for their citizens, businesses and institutions.

Working with the State's Regional Water Quality Control Boards and the State Water Resources Board through the National Pollution Discharge Elimination System (NPDES) permitting process and Total Maximum Daily Load (TMDL) Programs, California's cities implement programs to capture, infiltrate and treat stormwater and urban runoff with the use of low impact development ordinances, green streets policies and other programs to increase the local ground water supply.

These actions have led to a dramatic decrease in water pollution from wastewater treatment plants and other so-called "point sources" since the adoption of the Clean Water Act in 1972. However, current threats to the State's "non-point sources" of pollution, such as stormwater and urban runoff are far more difficult to solve, even as the demand for clean water increases from a growing population and an economically important agricultural industry.



### **Current Problem Facing California's Cities**

The Little Hoover Commission found in 2009 that more than 30,000 stormwater discharges are subject to permits regulating large and small cities, counties, construction sites and industry. The Commission found that a diverse group of water users – the military, small and large businesses, home builders and local governments and more – face enormous costs as they try and control and limit stormwater pollution. The Commission concluded that the costs of stormwater clean up are enormous and that the costs of stormwater pollution are greater as beach closures impact the state's economy and environmental damage threatens to impair wildlife.

Additionally, new programs and projects to improve water quality are currently being required by the U.S. EPA and the State under the NPDES permits and the TMDL programs. Many local governments find that they lack the basic infrastructure to capture, infiltrate and reuse stormwater and the cities are facing difficult economic challenges while Federal and State financial assistance has been reduced due to the impacts of the recession and slow economic recovery.

Cities have seen their costs with the new NPDES permit requirements triple in size in the past year, with additional costs anticipated in future years. Additionally, many local businesses have grown increasingly concerned about the costs of retrofitting their properties to meet stormwater and runoff requirements required under the NPDES permits and TMDL programs.

In Los Angeles County alone, reports commissioned by the Los Angeles County Flood Control District estimate the costs of achieving region-wide compliance for implementing TMDL programs in the NPDES permits required by the Los Angeles Regional Water Quality Control Board (LARWQCB) will be in the tens of billions of dollars over the next twenty years. Additionally, failure to comply with the LARWQCB's terms could result in significant Clean Water Act fines, state fines and federal penalties anywhere from \$3,000- \$37,500 per day. Violations can also result in third-party litigation. Such costs are not confined to Los Angeles County and are being realized statewide.

Clearly, compliance with the NPDES permit and TMDL programs will be expensive for local governments over a long period of time and cities lack a stable, long-term, dedicated local funding source to address this need. Many cities are faced with the choice of either cutting existing services or finding new sources of revenue to fund the NPDES and TMDL programs.

### **Los Angeles County Division Resolution**

The Division supports strong League education and advocacy at both the State and Federal levels to help cities face the challenges in providing programs to capture, infiltrate and reuse stormwater and urban runoff. While Los Angeles County cities and other regions seek to secure local funding sources to meet the Clean Water Act and the State's water objectives, it will simply not be enough to meet the enormous costs of compliance. The Los Angeles County Division strongly believes that State and Federal cooperation are necessary to fund programs to secure and reuse stormwater in order to improve water supply and reliability throughout the state.

The Division calls for the League to engage in discussions on 2014 State Water Bond to assist cities in funding and implementing the goals of the Clean Water Act and the State's Water objectives. This resolution does not support the 2014 bond issue, since the League and individual cities will need to make this decision at a later time upon review of the final language. However, the Governor and Legislature have reopened discussions for the 2014 water bond and funding of urban runoff and stormwater programs has taken a back seat in past bond issues, such as Proposition 84. In May, Assembly Speaker John Perez appointed a Water Bond Working Group which recently outlined a new set of [Priorities and Accountability Measures](#) for developing a water bond that would gain the support of 2/3 of the Legislature and voters. One of the priorities identified by the committee included, "Regional Self Reliance/Integrated Regional Water

Management,” posing the question if stormwater capture should be included in any future bonds. The Division believes the opportunity to advocate for funding in the bond is now.

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### **League of California Cities Staff Analysis on Resolution No. 1**

Staff: Jason Rhine; (916) 658-8264

Committee: Environmental Quality

#### **Summary:**

This resolution seeks to call upon the Governor and the Legislature to work with the League of California Cities in providing adequate funding and to prioritize water bonds to assist local governments in water conservation, ground water recharge and reuse of stormwater and urban runoff programs.

#### **Background:**

In 2009, the State Legislature passed and Governor Arnold Schwarzenegger signed a package of legislation that included four policy bills and an \$11.1 billion water bond (The Clean, and Reliable Drinking Water Supply Act). The water bond included the following major spending proposals:

- \$455 million for drought relief projects, disadvantaged communities, small community wastewater treatment improvements and safe drinking water revolving fund
- \$1.4 billion for "integrated regional water management projects"
- \$2.25 billion for projects that "support delta sustainability options"
- \$3 billion for water storage projects
- \$1.7 billion for ecosystem and watershed protection and restoration projects in 21 watersheds
- \$1 billion for groundwater protection and cleanup
- \$1.25 billion for "water recycling and advanced treatment technology projects"

The \$11.1 billion bond also included nearly \$2 billion in earmarks. Projects slated for funding included:

- \$40 million to educate the public about California's water
- \$100 million for a Lake Tahoe Environmental Improvement Program for watershed restoration, bike trails and public access and recreation projects
- \$75 million for the Sierra Nevada Conservancy, for public access, education and interpretive projects
- \$20 million for the Baldwin Hills Conservancy to be used to buy more land
- \$20 million for the Bolsa Chica Wetlands for interpretive projects for visitors

The water bond was originally scheduled to appear on the 2010 ballot as Proposition 18. However, due to significant criticism over the size of the bond, the amount of earmarked projects, and a lack of public support, the Legislature has voted twice to postpone the ballot vote. The water bond is now slated for the November 4, 2014 ballot.

It is unclear whether or not the water bond will actually appear on the November 2014 ballot. In recent months, pressure has been mounting to postpone the water bond yet again or significantly rewrite the water bond to drastically reduce the overall size of the bond and remove all earmarks. The Legislature has until the summer of 2014 to act.

#### **Fiscal Impact:**

Unknown. This resolution does not seek a specified appropriation from a water bond.

**Existing League Policy:**

In 2008, the League formed a new Water Task Force to consider updates and revision to the Water Guidelines the League drafted and adopted 20 years earlier. These new Guidelines were formally approved by the League board of directors in Feb. 2010. Below are the most pertinent policy and guiding principles related to the proposed resolution. To view the entire water policy guidelines, go to [www.cacities.org/waterpolicyguidelines](http://www.cacities.org/waterpolicyguidelines).

**General Principles**

- The League supports the development of additional groundwater and surface water storage, including proposed surface storage projects now under study if they are determined to be feasible, including but not limited to: environmentally, economically, and geographically relating to point of origin. Appropriate funding sources could include, but are not limited to user fees, bonds and federal funding.
- The League supports state water policy that allows undertaking aggressive water conservation and water use efficiency while preserving, and not diminishing, public and constitutional water rights.

**Water Conservation**

- The League supports the development of a statewide goal to reduce water use by 20% by 2020 through the implementation of fair and equitable measures consistent with these principles.
- Accomplishing water conservation and water use efficiency goals will require statewide action by all water users, including residential, commercial, industrial and agricultural water users, local and regional planning agencies, state and federal agencies, chambers of commerce, and business, commercial and industrial professional and trade associations.

**Water Recycling**

- Wherever feasible, water recycling should be practiced in urban, industrial and agricultural sectors. This includes increasing the use of recycled water over 2002 levels by at least one million acre-feet/year (afy) by 2020 and by at least two million afy by 2030.
- Increased recycling, reuse and other refinements in water management practices should be included in all water supply programs.

**Water Storage**

- The development of additional surface facilities and use of groundwater basins to store surface water that is surplus to that needed to maintain State Water Resource Control Board (SWRCB) Bay-Delta estuary water quality standards should be supported.

**Groundwater**

- The principle that local entities within groundwater basins (i.e., cities, counties, special districts, and the regional water quality control boards) working cooperatively should be responsible for and involved in developing and implementing basin wide groundwater, basin management plans should be supported. The plans should include, but not be limited to: a) protecting groundwater quality; b) identifying means to correct groundwater overdraft; c) implementing better irrigation techniques; d) increasing water reclamation and reuse; and e) refining water conservation and other management practices.
- Financial assistance from state and federal governments should be made available to requesting local agencies to develop and implement their groundwater management plans.

**Financial Considerations**

- It is recognized that the development and operation of water supply, water conveyance, flood control and stormwater management, water storage, and wastewater treatment facilities is frequently beyond the capability of local areas to finance;

- The League supports legislation to provide funding for stormwater, water and wastewater programs, including a constitutional amendment which would place stormwater fees in the category of water and wastewater fees, for the purposes of Proposition 218 compliance.

**Support:**

New this year, any resolutions submitted to the General Assembly must be concurred in by five cities or by city officials from at least five or more cities. Those submitting resolutions were asked to provide written documentation of concurrence. The following letters of concurrence were received: cities of Alhambra; Cerritos; Claremont; Glendora; Lakewood; La Mirada; La Verne; Norwalk; Signal Hill; and Mary Ann Lutz, Mayor, city of Monrovia. A letter of support was also received from the California Contract Cities Association.

**RESOLUTION REFERRED TO PUBLIC SAFETY POLICY COMMITTEE**

**2. RESOLUTION CALLING UPON THE GOVERNOR AND LEGISLATURE TO ENTER INTO DISCUSSIONS WITH THE LEAGUE AND CALIFORNIA POLICE CHIEFS' ASSOCIATION REPRESENTATIVES TO IDENTIFY AND ENACT STRATEGIES THAT WILL ENSURE THE SUCCESS OF PUBLIC SAFETY REALIGNMENT FROM A LOCAL MUNICIPAL LAW ENFORCEMENT PERSPECTIVE.**

Source: Public Safety Policy Committee

Concurrence of five or more cities/city officials: Cities of Arroyo Grande, Covina; Fontana; Glendora; Monrovia; Ontario; Pismo Beach; and Santa Barbara

Referred to: Public Safety Policy Committee

Recommendation to General Resolutions Committee: Approve

**WHEREAS**, in October 2011 the Governor proposed the realignment of public safety responsibilities from state prisons to local government as a way to address recent court orders in response to litigation related to state prison overcrowding, and to reduce state expenditures; and

**WHEREAS**, the Governor stated that realignment needed to be fully funded with a constitutionally protected source of funds if it were to succeed; and

**WHEREAS**, the Legislature enacted the realignment measures, AB 109 and AB 117, and the Governor signed them into law without full constitutionally protected funding and liability protection for stakeholders; and

**WHEREAS**, California currently has insufficient jail space, probation officers, housing and job placement programs, medical and mental health facilities, lacks a uniform definition of recidivism; and utilizes inappropriate convictions used to determine inmate eligibility for participation in the realignment program; and

**WHEREAS**, since the implementation of realignment there have been numerous issues identified that have not been properly addressed that significantly impact municipal police departments' efforts to successfully implement realignment; and

**WHEREAS**, ultimately many of these probationers who have severe mental illness are released into communities where they continue to commit crimes that impact the safety of community members and drain the resources of probation departments and police departments throughout the state; and



**WHEREAS**, an estimated 30 counties were operating under court-ordered or self-imposed population caps before realignment, and the current lack of bed space in county jails has since led to many convicted probationers being released early after serving a fraction of their time; with inadequate to no subsequent supervision, leaving them free to engage in further criminal offenses in our local cities; and

**WHEREAS**, there is increasing knowledge among the offender population which offenses will and will not result in a sentence to state prison, and many offenders, if held in custody pending trial, that would be sentenced to county jail are ultimately sentenced to time served due to overcrowding in county facilities; and

**WHEREAS**, there are inadequate databases allowing local police departments to share critical offender information among themselves, with county probation departments, and with other county and state law enforcement entities; and

**WHEREAS**, local police departments have not received adequate funding to properly address this new population of offenders who are victimizing California communities; and now therefore let it be

**RESOLVED** by the General Assembly of the League of California Cities, assembled in Sacramento on September 20, 2013, to request the Governor and State Legislature to immediately enter into discussions with League representatives and the California Police Chiefs' Association to address the following issues:

1. The need to fully fund municipal police departments with constitutionally protected funding to appropriately address realignment issues facing front-line law enforcement;
2. Amend appropriate sections of AB 109 to change the criteria justifying the release of non-violent, non-serious, non-sex offender inmates (N3) inmates to include their total criminal and mental history instead of only their last criminal conviction;
3. Establish a uniform definition of recidivism with the input of all criminal justice stakeholders throughout the state;
4. Enact legislation that will accommodate the option for city police officers to make ten (10) day flash incarcerations in city jails for probationers who violate the conditions of their probation;
5. Establish oversight procedures to encourage transparency and accountability over the use of realignment funding;
6. Implement the recommendations identified in the California Little Hoover Commission Report #216 dated May 30, 2013;
7. Provide for greater representation of city officials on the local Community Corrections Partnerships. Currently AB 117 provides for only one city official (a police chief) on the seven-member body, six of which are aligned with the county in which the partnership has been established. As a result, the counties dominate the committees and the subsequent distribution of realignment funds.
8. Provide, either administratively or by legislation, an effective statewide data sharing mechanism allowing state and local law enforcement agencies to rapidly and efficiently share offender information to assist in tracking and monitoring the activities of AB 109 and other offenders.

////////

## **Background Information on Resolution No. 2**

**Source:** Public Safety Policy Committee

### **Background:**

In October 2011 the Governor proposed the realignment of public safety tasks from State Prisons to local government as a way to address certain judicial orders dealing with State prison overcrowding and to reduce State expenditures. This program shifts the prisoner burden from State prisons to local counties and cities.

When the Governor signed into law realignment he stated that realignment needed to be fully funded with constitutionally protected source of funds to succeed. Nonetheless, the law was implemented without full constitutional protected funding for counties and cities; insufficient liability protections to local agencies; jail space; probation officers; housing and job placement programs; medical and mental health facilities; and with an inappropriate definition of N3 (non-serious, non-sexual, non-violent) criminal convictions used to screen inmates for participation in the program.

Two-thirds of California's 58 counties are already under some form of mandated early release. Currently, 20 counties have to comply with maximum population capacity limits enforced by court order, while another 12 counties have self-imposed population caps to avoid lawsuits.

At this time no one knows what the full impact of realignment will ultimately be on crime. We hope that crime will continue to drop, but with the current experience of the 40,000 offenders realigned since October 2011, and an estimated additional 12,000 offenders being shifted from State prison to local jails and community supervision by the end of fiscal year 2013-14, it will be very difficult to realize lower crime rates in the future.

Beginning in October 2011, California State prisons began moving N3 offenders into county jails, the county probation and court systems, and ultimately funneled them into community supervision or alternative sentencing program in cities where they will live, work, and commit crime.

**Note:** There is currently no uniform definition of recidivism throughout the state and no database that can deliver statistical information on the overall impact realignment has had on all cities in California. Because of this problem we have used data from Los Angeles County.

The March 4, 2013 report to the Los Angeles County Criminal Justice Coordination Committee (CCJCC) shows a strong effort and progress in addressing the realignment mandate. However, there is insufficient funding.

The report also states the jail population continues to be heavily influenced by participants housed locally. On September 30, 2012, the inmate count in the Los Angeles County Jail was 15,463; on January 31, 2013, the count was 18,864. The realignment population accounted for 32% of the Jail population; 5,743 offenders sentenced per Penal Code Section 1170 (h) and 408 parole violations.

By the end of January 2013, 13,535 offenders were released on Post Release Community Supervision (PRCS) to Los Angeles County including prisoners with the highest maintenance costs because of medical and drug problems and mental health issues costing counties and local cities millions of dollars in unfunded mandates since the beginning of the program. Prisoners with prior histories of violent crimes are also being released without proper supervision. That is why sections of **AB 109 must be amended to change the criteria used to justify the release of N3 inmates to include an offender's total criminal and mental history instead of only their last criminal conviction.** Using the latter as the key criteria does not provide

an accurate risk assessment of the threat these offenders pose to society if they are realigned to county facilities, or placed on Post Release Community Supervision.

Chief Jerry Powers from the Los Angeles County Probation Department recently stated the release criteria for N3 offenders “has nothing to do with reality.” He said initially the State estimated the population of released PRCS offenders would be 50% High Risk, 25% Medium Risk and 25% Low Risk. The reality is 3% are Very High Risk, 55% are High Risk, 40% are Medium Risk and only 2% are Low Risk offenders. He said the High Risk and serious mentally ill offenders being released “are a very scary population.” One of the special needs offenders takes the resources of 20-30 other offenders.

Assistant Sheriff Terri McDonald who is the county Jail Administrator recently stated the Jail has only 30 beds for mentally ill offenders being released – when in fact she actually needs 300 beds to accommodate the volume of serious mentally ill offenders being released that require beds.

Los Angeles County data shows 7,200 released offenders have had some sort of revocation. This number is expected to increase because of a significant increase in the first four months of year two of realignment that totals 83% of the entire first year of the program; 4,300 warrants were issued for offenders; 6,200 offenders have been rearrested; and 1,400 prosecuted. Data reveals one in 10 offenders will test positive for drugs during the first 72 hours after being released knowing they are required to report to a probation officer during that time. Only one in three offenders will successfully complete probation.

There are more than 500 felony crimes that qualify State prison inmates for release under realignment. They will be spending their time in cities with little, if any, supervision.

////////

### **League of California Cities Staff Analysis on Resolution No. 2**

Staff: Tim Cromartie (916) 658-8252  
Committee: Public Safety Policy Committee

#### **Summary:**

This Resolution seeks to outline the deficiencies in the State’s current public safety realignment policy, as implemented in 2011 by AB 109, and to identify policy changes that will assist State, county and municipal law enforcement entities to cope with the expanded universe of offenders that are now being directed to county facilities, resulting in increased related impacts on both local communities and municipal law enforcement.

#### **Background:**

This resolution was brought to the Public Safety Policy Committee by individual members of that committee who are increasingly concerned about municipal public safety impacts resulting from county jail overcrowding, a problem that has intensified with realignment, resulting in certain categories of offenders doing no jail time or being sentenced to time served. This has created a climate in which some offenses receive little or no jail time, accompanied by a growing body of anecdotal evidence that property crimes have correspondingly increased, with some, such as auto theft, being committed in serial fashion. Increased criminal activity has strained the resources of many local police departments already struggling to more closely coordinate information sharing with county probation offices to effectively monitor offenders on post-community release supervision.

In addition, there is growing concern about the criteria established for determining which offenders are eligible for post-release community supervision (the non-violent, non-serious, non-sex offenders). There is so much concern that a May 2013 report of California’s Little Hoover Commission recommended adjusting

the criteria to examine an offender's total criminal history rather than merely his or her last known offense, as a means of more accurately assessing the risk he or she might pose to the community.

Implementation of the realignment policy is handled in part by the Community Corrections Partnerships established by AB 109, which currently have only one city representative, compared to at least four county-level representatives.

**Fiscal Impact:**

Unknown impact on the State General Fund. This resolution seeks to establish increased and constitutionally protected funding for city police departments (and county sheriff's departments, to the degree they are contracted to provide police services for cities), but does not specify a dollar amount for the revenue stream. At a minimum, it would entail an annual revenue stream of at least the amount provided for cities for front-line law enforcement in the State's 2013-14 Budget, \$27.5 million, indefinitely – although that revenue stream has never been formally identified by the Brown Administration as having any direct connection to realignment.

**Existing League Policy:**

Related to this resolution, existing policy provides:

- The League supports policies establishing restrictions on the early release of state inmates for the purpose of alleviating overcrowding, and limiting parole hearing opportunities for state inmates serving a life sentence, or paroled inmates with a violation.
- The League supports increasing municipal representation on and participation in the Community Corrections Partnerships, which are charged with developing local corrections plans.
- In addition, the Strategic Priorities for 2012, as adopted by the League Board of Directors, included the promotion of local control for strong cities. The resolution's objectives of locking in ongoing funding for front-line municipal law enforcement, and increasing city participation in the Community Corrections Partnerships, are consistent with promoting local control.

**Support:**

New this year, any resolutions submitted to the General Assembly must be concurred in by five cities or by city officials from at least five or more cities. Those submitting resolutions were asked to provide written documentation of concurrence. The following cities/city officials have concurred: cities of Arroyo Grande; Covina; Fontana; Glendora; Monrovia; Ontario; Pismo Beach; and Santa Barbara.



## Legislation Details (With Text)

File #: 13-210 Version: 1 Name:  
Type: Report of the City Manager Status: Agenda Ready  
File created: 8/30/2013 In control: City Council  
On agenda: 9/3/2013 Final action:  
Title: SUBJECT: Consider of Position on Pending Legislation -  
Oppose SB594 (Hill)

**Recommendation for Action**

Staff recommends that the City Council authorize the Mayor to forward a letter in opposition to SB594, limiting ballot advocacy by local government and non-profit organizations.

**Staff Contact**

Ana Gonzalez, City Clerk - (530) 661-5806, [ana.gonzalez@cityofwoodland.org](mailto:ana.gonzalez@cityofwoodland.org)

Sponsors:

Indexes:

Code sections:

Attachments: [SB594](#)

| Date | Ver. | Action By | Action | Result |
|------|------|-----------|--------|--------|
|------|------|-----------|--------|--------|

*City of Woodland***STAFF REPORT**

TO: THE HONORABLE MAYOR AND CITY COUNCIL

DATE: September 3, 2013

SUBJECT: Consider of Position on Pending Legislation -  
Oppose SB594 (Hill)

**Recommendation for Action**

Staff recommends that the City Council authorize the Mayor to forward a letter in opposition to SB594, limiting ballot advocacy by local government and non-profit organizations.

**Staff Contact**

Ana Gonzalez, City Clerk - (530) 661-5806, [ana.gonzalez@cityofwoodland.org](mailto:ana.gonzalez@cityofwoodland.org)

### Background

The League of California Cities, along with numerous organizations representing local government agencies, special districts, schools, chambers of commerce and non-profits, are requesting cities to actively oppose SB594, a measure that would limit access to the state's initiative process.

The proposed measure would significantly restrict any not-for-profit organization who receives any public funds from expending funds for advocacy or promotion of a state or local ballot measure - even when such funds are derived and reported consistent with existing state laws governing use and disclosure of campaign contributions. Existing state law already prohibits the use of public funds for campaign purposes; by prohibiting campaign advocacy by organizations who also receive support from public funds, the measure effectively shuts these organizations out of the state and local ballot initiative process.

Moreover, SB594 - which purports to promote transparency in the political process - is yet another example of a "gut-and-amend" maneuver that precludes the legislature and the public from the legislative process. In so doing, opponents to the bill argue that it is being promoted primarily from special interests seeking to increase their influence on the political process by creating barriers for organizations that may not always agree with positions on measures appearing on state and local ballots.

In addition to the League of California Cities, the measure is being opposed by the California State Association of Counties (CSAC), the Association of California School Administrators, Community College League, the Trust for Public Land, and numerous local Chamber of Commerce organizations, among others.

### Conclusion

Staff recommends that the City Council authorize the Mayor to sign a letter addressed to the members of the State Assembly and Senate expressing the City of Woodland's opposition to SB594.

Prepared by: Ana Gonzalez  
City Clerk

Paul Navazio, City Manager

Attachment: League of California Cities Opposition Letter (dated August 22, 2013)  
Coalition Letter Opposing SB594 (dated August 23, 2013)  
Text of SB594 (as amended August 21, 2013)



1400 K Street, Suite 400 • Sacramento, California 95814  
Phone: 916.658.8200 Fax: 916.658.8240  
www.cacities.org

August 22, 2013

To: Members, Assembly Appropriations Committee  
From: Dan Carrigg, Legislative Director, League of California Cities

RE: **SB 594 (Hill). Limiting Ballot Advocacy for Local Government Organizations.**  
**Notice of Opposition (As Amended August 21, 2013)**

The League of California Cities respectfully requests your "no" vote on SB 594. This measure was recently gutted-and-amended and is drafted in a manner that will have far-reaching consequences on our organization and many others. The most recent batch of amendments fails to address our fundamental objections.

**Effort to Weaken and Silence the Voice of Local Government:** The California ballot process has become a major policy forum where decisions are made that have widespread impacts on all Californians. Many organizations and entities have become active on ballot measures to ensure the public has a full understanding of the effect of these measures, and many of them have potential financial or policy impact on local governments. Yet it appears that the objective of this measure is to single-out and silence the political voice of organizations that advocate for local government by creating a special set of criteria.

**Unsubstantiated Allegations:** Since introducing this measure we have not been afforded an opportunity to meet directly with the author. Given that, we have had to rely on information contained in the prior committee analyses and statements made by the author in committee for the reasons for this bill. In the committee analysis the author alleges that nonprofit organizations such as ours are co-mingling public and private resources and "*using the co-mingled funds for campaign activity.*" We completely refute such unsubstantiated allegations.

Our organization has scrupulously adhered to all legal requirements associated with ballot campaign activity. Our participation in campaigns has been evaluated and validated by the Fair Political Practices Commission. In response to an identical allegation made by the Howard Jarvis Taxpayers Association against the League and others, the FPPC ruled in November 2009, after a one-year investigation, that there was "*no evidence that public funds were used to make political contributions by the organizations.*"

Furthermore, the League makes it a practice to regularly advise its members on the scope of the existing use of public funds prohibition. We publish articles and other information for informing and training local officials. When the League is involved in a ballot measure campaign (we never get involved in candidate races), we regularly advise our staff and members on how to comply with the law.

**This Bill Should Be Held in Committee:** Bills of such consequence should not be rushed through the legislature at the end of session. We urge the committee to reject this measure to ensure that matters of such consequence have an opportunity to be carefully considered with additional transparency and due diligence. If you have any questions regarding the League's position on this bill, please do not hesitate to contact me at (916) 658-8222.

cc: Members, State Assembly  
Members, State Senate  
Gareth Elliot, Legislative Secretary, Governor's Office





CCSEA



CALIFORNIA COUNCIL  
OF LAND TRUSTS



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LOS ANGELES AREA  
CHAMBER OF COMMERCE

August 23, 2013

To: Governor Jerry Brown  
Members, California State Senate  
Members, California State Assembly

Re: Opposition to Senate Bill 594 (Hill): A Last Minute Gut-and-Amend  
that Would Shut Police Chiefs, County Sheriffs, School Boards,  
Cities, Counties, Community Colleges and Other Nonprofits Out of  
the State and Local Ballot Initiative Process

Our organizations represent California's police chiefs, county sheriffs, school boards, school districts, community colleges, cities, counties, special districts, district attorneys, the business community and others. **We are writing to express our strong opposition to Senate Bill 594 (Hill), despite the August 21, 2013 amendments.** The recent amendments do not change the fundamental problems with the bill.

- Nonprofit organizations like ours will be shut out of the state and local ballot initiative process – silencing the voices of trusted organizations on matters of critical importance to our constituents and the residents of California.
- SB 594 contains broad language that would stop our organizations from participating in state and local ballot campaigns that have a direct impact on our members and the services they provide to the public. This effectively eliminates our political voice on ballot measures that involve many of California's most important issues.
- This last minute gut-and-amend is promoted by a few special interests wishing to increase their influence by silencing important and engaged organizations that may not always agree with their political positions. SB 594 was gutted and amended on August 7. Not only does this disrespect the legislative process and preclude legislators and the public from fully digesting the measure and its far-reaching implications, but it also directly contradicts the proponents' main argument – that the bill is intended to increase transparency in the political process.
- SB 594 is a solution in search of a problem. Our organizations never use public funds for political purposes. California already has strong laws on the books that prohibit the use of public funds in political campaigns. Violations of the Political Reform Act are subject to steep fines and criminal prosecution. Our organizations take great care to ensure we are not expending public resources on campaigns.
- Lastly, SB 594 creates vast new responsibilities for the Attorney General to conduct biennial audits of thousands of nonprofit organizations that receive more than 20 percent of their annual revenues from one or more local agencies. This would create a new and costly bureaucracy at the Attorney General's office, as well as time-consuming and costly audits for nonprofit organizations.

We hope you will join us in opposing this egregious, last-minute gut-and-amend that would have grave consequences for our members, the citizens we serve, and the political process in California.

(more)





CWDA

THE TRUST  
for  
PUBLIC  
LAND



ACHD  
ASSOCIATION OF CALIFORNIA  
HEALTHCARE DISTRICTS



CALIFORNIA  
LIBRARY  
ASSOCIATION



URBAN  
COUNTIES  
CAUCUS

Urban Counties Caucus  
1000 K Street, Suite 100  
Sacramento, CA 95811  
916.433.1341



CSDA



ASSOCIATION OF CALIFORNIA  
COMMUNITY COLLEGE ADMINISTRATORS



BAY AREA  
COUNCIL

SAN FRANCISCO  
CHAMBER OF COMMERCE



CALIFORNIA CONTRACT COUNTIES  
ASSOCIATION



INDEPENDENT CITIES  
ASSOCIATION



Transition Habitat  
Conservancy



Rural Counties

Sincerely,

Chief Kim J. Raney  
President  
California Police Chiefs Association

Vernon M. Billy  
Executive Director  
California School Boards Association

Carol Leveroni  
Executive Director  
California Peace Officers' Association

Wes Smith  
Executive Director  
Association of California School Administrators

Cory Salzillo  
Director of Legislation  
California District Attorneys Association

Peter Birdsall  
Executive Director  
California County Superintendents  
Educational Services Association

Jeffrey A. Vaca  
Deputy Executive Director of Governmental Relations  
California Association of School Business Officials

Frank J. Mecca  
Executive Director  
County Welfare Directors Association of California

Rico Mastrodonato  
Senior Government Relations Manager  
Trust for Public Land

Matthew Cate  
Executive Director  
California State Association of Counties

Rosario Garza  
Executive Director  
California Library Association

Gary Toeppen  
President & CEO  
Los Angeles Area Chamber of Commerce

Jim Wunderman  
President & Chief Executive Officer  
Bay Area Council

Gregory J. Ahern  
President  
California State Sheriffs' Association

Mack Jenkins  
President  
Chief Probation Officers of California

Catherine Smith  
Executive Director  
Fire Districts Association of California

Ron Alves  
President  
California Emergency Services Association

Scott Lay  
President/CEO  
Community College League of California

Patricia Ryan  
Executive Director  
California Mental Health Directors  
Association

Paul Smith  
Senior Legislative Advocate  
Rural County Representatives of California

Darla Guenzler, Ph.D.  
Executive Director  
California Council of Land Trusts

Edward Thompson Jr.  
California Director  
American Farmland Trust

Chris McKenzie  
Executive Director  
League of California Cities

Amber Wiley  
Senior Legislative Advocate  
Association of California Healthcare Districts

Jim Lazarus  
Senior Vice President of Public Policy  
San Francisco Chamber of Commerce

Randy Gordon  
President & CEO  
Long Beach Chamber of Commerce

(more)



Sincerely,

Steve Van Dorn  
President & CEO  
Santa Clara Chamber of Commerce

Mario Guerra  
Mayor of Downey and President Elect  
Independent Cities Association

Roseanne Foust  
President & CEO  
San Mateo County Economic Development  
Association

Carol Griesse  
Executive Director  
California Association of Public Cemeteries

Jamison Watts  
Executive Director  
Marin Agricultural Land Trust

Nita Vail  
Chief Executive Officer  
California Rangeland Trust

Jeff Darlington  
Executive Director  
Placer Land Trust

Roberta Larson  
Executive Director  
California Association of Sanitation Agencies

James F. Anderson, CAE  
President & CEO  
California Society of Association Executives

Oscar Garcia  
President & CEO  
Mountain View Chamber of Commerce

Michele Dennis  
President  
BOMA Greater Los Angeles

Marsha Hansen  
President / CEO  
El Segundo Chamber of Commerce

Neil McCormick  
Executive Director  
California Special Districts Association

Jolena Voorhis  
Executive Director  
Urban Counties Caucus

Steve Tye  
President  
California Contract Cities Association

Robert Doyle  
General Manager  
East Bay Regional Park District

Jill Bays  
Director  
Transition Habitat Conservancy

Walter T. Moore  
President  
Peninsula Open Space Trust

Thomas Maloney  
Executive Director  
Tejon Ranch Conservancy

Janet Selby  
Secretary  
California Association of Joint Powers  
Authorities (CAJPA)

Susan Bray  
Executive Director  
Association of California Community  
College Administrators

Joe Ahn  
Board Chair  
South Bay Association of Chambers of  
Commerce

Helen Hua  
CEO/Executive Director  
Rosemead Chamber of Commerce

AMENDED IN ASSEMBLY AUGUST 21, 2013

AMENDED IN ASSEMBLY AUGUST 7, 2013

AMENDED IN SENATE MAY 24, 2013

AMENDED IN SENATE APRIL 18, 2013

**SENATE BILL**

**No. 594**

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**Introduced by Senator Hill**

February 22, 2013

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An act to add Sections 8314.1, 8314.2, and 54964.5 and 54964.6 to the Government Code, relating to campaign activity.

LEGISLATIVE COUNSEL'S DIGEST

SB 594, as amended, Hill. Use of public resources.

(1) Existing law prohibits the use of public funds for campaign activities.

This bill would prohibit a nonprofit organization *or an officer, employee, or agent of a nonprofit organization* from using, or permitting another to use, public resources, including but not limited to, public resources received in exchange for consideration, from a local agency for campaign activities. ~~This bill would also prohibit an officer, employee, or agent of a nonprofit organization from expending, or authorizing the expenditure of, public resources from a local agency to support or oppose a ballot measure or candidate.~~ *activity, as defined and not authorized by law.* This bill would define, among other terms, "public resources" to include, but not be limited to, cash, lands, buildings, funds, and ~~facilities~~; *facilities owned by a local agency*, and "nonprofit organization" to mean an entity incorporated under the California Nonprofit Corporation Law or a nonprofit organization that qualifies for exempt status under the federal Internal Revenue Code of



1 ~~SECTION 1. Section 8314.1 is added to the Government Code,~~  
2 ~~to read:~~

3 ~~8314.1. (a) It is unlawful for any nonprofit organization to use~~  
4 ~~or permit others to use public resources, including, but not limited~~  
5 ~~to, public resources received in exchange for consideration, from~~  
6 ~~any local agency for any campaign activity not authorized by law.~~

7 ~~(b) For purposes of this section:~~

8 ~~(1) "Campaign activity" means a payment that is used for~~  
9 ~~communications that expressly advocates for the approval or~~  
10 ~~rejection of a clearly identified ballot measure or the election or~~  
11 ~~defeat of a clearly identified candidate by the voters, or constitutes~~  
12 ~~a campaign contribution.~~

13 ~~(2) "Local agency" shall include those entities listed in Section~~  
14 ~~54951 and a public entity created pursuant to the Joint Exercise~~  
15 ~~of Powers Act (Chapter 5 (commencing with Section 6500) of~~  
16 ~~Division 7 of Title 1) by one or more entities listed in Section~~  
17 ~~54951, but "local agency" shall not include a county superintendent~~  
18 ~~of schools, a school district, or a community college district.~~

19 ~~(3) "Nonprofit organization" means an entity incorporated under~~  
20 ~~the Nonprofit Corporation Law (Division 2 (commencing with~~  
21 ~~Section 5000) of Title 1 of the Corporations Code) or a nonprofit~~  
22 ~~organization that qualifies for exempt status under Section 115 or~~  
23 ~~501(c), excluding Section 501(c)(3), of the Internal Revenue Code~~  
24 ~~of 1986.~~

25 ~~(4) "Public resources" means any property or asset owned by~~  
26 ~~a local agency, including, but not limited to, cash, land, buildings,~~  
27 ~~facilities, funds, equipment, supplies, telephones, computers,~~  
28 ~~vehicles, travel, and local government compensated time that is~~  
29 ~~provided to a nonprofit organization.~~

30 ~~(5) "Use" means a use of public resources from one or more~~  
31 ~~local agencies that is substantial enough to result in a gain or~~  
32 ~~advantage to the user or a loss to any local agency for which any~~  
33 ~~monetary value may be estimated.~~

34 ~~(e) This section does not prohibit the use of public resources~~  
35 ~~for providing information to the public about the possible effects~~  
36 ~~of any bond issuance or other ballot measure on state activities,~~  
37 ~~operations, or policies, provided that the informational activities~~  
38 ~~are otherwise authorized by the California Constitution or the laws~~  
39 ~~of this state, and the information provided constitutes a fair and~~  
40 ~~impartial presentation of relevant facts to aid the electorate in~~



1 received in exchange for consideration, that are used, in whole or  
2 in part, within a two-year period from receipt for campaign activity.

3 ~~(3) Unless otherwise defined herein, the definitions found in~~  
4 ~~subdivision (b) of Section 8314.1 shall apply to this section.~~

5 ~~(c) Fifteen days after the end of each quarter, beginning with~~  
6 ~~the first quarter of each odd year through the fourth quarter of the~~  
7 ~~following even year, an auditable nonprofit organization that~~  
8 ~~engages in campaign activity, either directly or through the control~~  
9 ~~of another entity, at any point during that quarter shall disclose the~~  
10 ~~following information for that quarter:~~

11 ~~(1) The name and amount of each specific source or sources of~~  
12 ~~funds used for campaign activity, provided that the aggregate~~  
13 ~~amount of funds received since January 1 of the most recent odd~~  
14 ~~year by an auditable nonprofit corporation from that specific source~~  
15 ~~or sources of funds is at least two hundred fifty dollars (\$250).~~

16 ~~(2) The name of the payee and amount of all payments~~  
17 ~~aggregating two hundred fifty dollars (\$250) or more made from~~  
18 ~~the single bank account required under subdivision (a).~~

19 ~~(3) A description of each campaign activity.~~

20 ~~(d) Fifteen days after the end of each even year, an auditable~~  
21 ~~nonprofit organization that engages in campaign activity, either~~  
22 ~~directly or through the control of another entity, at any point during~~  
23 ~~that even year or the prior odd year shall disclose all the following~~  
24 ~~information for those two calendar years:~~

25 ~~(1) The name and amount of any specific source or sources of~~  
26 ~~funds used for campaign activity, provided that the aggregate~~  
27 ~~amount of funds received since January 1 of the most recent odd~~  
28 ~~year by an auditable nonprofit corporation from that specific source~~  
29 ~~or sources of funds is at least two hundred fifty dollars (\$250).~~

30 ~~(2) The name of the payee and amount of all payments made~~  
31 ~~from the single bank account required under subdivision (a).~~

32 ~~(3) A description of each campaign activity.~~

33 ~~(e) Each auditable nonprofit organization that engages in~~  
34 ~~campaign activity, either directly or through the control of another~~  
35 ~~entity, shall display on its Internet Web site the information it is~~  
36 ~~required to disclose under this section. The information shall be~~  
37 ~~clearly described and identified on a separate Internet Web page,~~  
38 ~~which shall be linked from the home page of the organization's~~  
39 ~~Internet Web site. The link to this Internet Web page from the~~  
40 ~~home page shall be as visible as all similar links.~~

1 (A) For the purposes of this section, "campaign activity" does  
2 not include the costs of an endorsement of a clearly identified  
3 ballot measure or candidate by a nonprofit organization through  
4 the adoption of a resolution supporting or opposing the ballot  
5 measure or candidate, including, but not limited to, posting the  
6 endorsement on the nonprofit organization's Internet Web site,  
7 communicating the endorsement to members of the nonprofit  
8 organization, or issuing a press statement.

9 (B) For the purposes of this section, "campaign activity" does  
10 not include incidental or minimal inadvertent use of public  
11 resources.

12 (C) For purposes of this section, "campaign activity" does not  
13 include incidental costs related to the establishment or  
14 administration of a sponsored committee as defined in Section  
15 82048.7, provided public resources are not used to pay for that  
16 cost. A reasonable accounting method may be used to determine  
17 the use of nonpublic resources to pay for that cost. "Establishment  
18 and administration" means the cost of office space, telephones,  
19 salaries, utilities, supplies, legal and accounting fees, and other  
20 expenses incurred in establishing and operating a sponsored  
21 committee.

22 (2)

23 (3) "Candidate" means an individual who has qualified to have  
24 his or her name listed on the ballot, or who has qualified to have  
25 write-in votes on his or her behalf counted by elections officials,  
26 for nomination or election to an elective office at any regular or  
27 special primary or general election, and includes any officeholder  
28 who is the subject of a recall election.

29 (3)

30 (4) "Expenditure" means a payment—~~that is~~ used for  
31 communications that expressly advocate the approval or rejection  
32 of a clearly identified ballot measure, or the election or defeat of  
33 a clearly identified candidate, by the voters or that constitutes a  
34 campaign contribution.

35 (4)

36 (5) "Local agency" shall include those entities listed in Section  
37 54951 and a public entity created pursuant to the Joint Exercise  
38 of Powers Act (Chapter 5 (commencing with Section 6500) of  
39 Division 7 of Title I) by one or more entities listed in Section  
40 54951, but ~~"local agency" shall not include a county superintendent~~

1 penalty shall be assessed and recovered in a civil action brought  
2 in the name of the people of the State of California by the Attorney  
3 General or by any district attorney or any city attorney of a city  
4 having a population in excess of 750,000. If two or more persons  
5 are responsible for any violation, they shall be jointly and severally  
6 liable for the penalty. If the action is brought by the Attorney  
7 General, the moneys recovered shall be paid into the General Fund.  
8 If the action is brought by a district attorney, the moneys recovered  
9 shall be paid to the treasurer of the county in which the judgment  
10 was entered. If the action is brought by a city attorney, the moneys  
11 recovered shall be paid to the treasury of that city.

12 (2) A civil action alleging a violation of this section shall not  
13 be commenced more than four years after the date of the alleged  
14 violation.

15 *SEC. 2. Section 54964.6 is added to the Government Code, to*  
16 *read:*

17 *54964.6. (a) An auditable nonprofit organization that engages*  
18 *in campaign activity, either directly or through the control of*  
19 *another entity, shall deposit into a separate bank account all*  
20 *specific source or sources of funds received and shall pay for all*  
21 *campaign activity from that separate bank account.*

22 *(b) As used in this section, the following terms shall have the*  
23 *following meanings:*

24 *(1) "Auditable nonprofit organization" means a nonprofit*  
25 *organization for which public resources from one or more local*  
26 *agencies account for more than 20 percent of the nonprofit*  
27 *organization's annual gross revenue in the current fiscal year or*  
28 *either of the previous two fiscal years, including gross revenue*  
29 *from public resources received by the nonprofit organization in*  
30 *exchange for consideration. An auditable nonprofit organization*  
31 *shall not include a nonprofit organization that sponsors a*  
32 *committee, as defined in Section 82048.7 of the Government Code,*  
33 *if the nonprofit organization reports all contributions it received*  
34 *and all expenditures it made on campaign disclosure statements*  
35 *filed by the sponsored committee and the nonprofit organization*  
36 *makes no payments from its general treasury to the sponsored*  
37 *committee other than payments for contributions by donors*  
38 *earmarked for the sponsored committee. For purposes of this*  
39 *subdivision, "earmarked" means a payment by a donor to a*  
40 *nonprofit organization subject to a condition, agreement, or*

1     (3) *A description of each campaign activity.*

2     (e) *Each auditable nonprofit organization that engages in*  
3 *campaign activity, either directly or through the control of another*  
4 *entity, shall display on its Internet Web site the information it is*  
5 *required to disclose under this section. The information shall be*  
6 *clearly described and identified on a separate Internet Web page,*  
7 *which shall be linked from the homepage of the organization's*  
8 *Internet Web site. The link to this Internet Web page from the*  
9 *homepage shall be as visible as all similar links.*

10    (f) *The Attorney General shall conduct a biennial audit of each*  
11 *auditable nonprofit organization that engages in campaign activity.*  
12 *Each auditable nonprofit organization shall provide records to*  
13 *the Attorney General that substantiate the information required*  
14 *to be disclosed by this section. The Attorney General shall*  
15 *determine whether the organization complied with the requirements*  
16 *of Section 54964.5 and this section, issue a written audit report,*  
17 *and transmit the written audit report to the district attorney for*  
18 *the county in which the auditable nonprofit organization is*  
19 *domiciled.*

20    (g) *If the Attorney General determines at the conclusion of an*  
21 *audit that an auditable nonprofit organization has violated Section*  
22 *54964.5 or this section, the Attorney General may impose a civil*  
23 *fine upon the auditable nonprofit organization in an amount up*  
24 *to ten thousand dollars (\$10,000) for each violation.*



## Legislation Details (With Text)

File #: 13-158 Version: 1 Name:  
Type: Public Hearing Item Status: Agenda Ready  
File created: 7/29/2013 In control: City Council  
On agenda: 9/3/2013 Final action:  
Title: SUBJECT: Cal West Tentative Map # 4991 - Cal West Investors, LLC/Optimistic Partners, Spring Lake Specific Plan Tentative Subdivision Map # 4991 and Development Agreement

## Recommendation for Action

Staff recommends that the City Council take the following actions:

1. Hold a Public Hearing
2. Adopt the proposed "Findings" for approval of the Tentative Subdivision Map No. 4991; and "Conditions of Approval" to be incorporated in to the Development Agreement between the City of Woodland and the Developer(s) as presented in the Staff Report; and,
3. Approve the Tentative Subdivision Map (TSM#4991) in accordance with the "Conditions of Approval" as presented in this Staff Report; and
4. Waive the first reading and read by title only Ordinance No. \_\_, approving the Development Agreement between the City of Woodland and Cal West Investors LLC and Optimistic Partners.

## Staff Contact

Cindy Norris, Principal Planner - 530-661-5911, cindy.norris@cityofwoodland.org

Sponsors:

Indexes:

Code sections:

Attachments: [Att A - Findings and Conditions](#)  
[Att B - Development Agreement](#)  
[Att C - Planning Commission SR 7.18.13](#)

| Date      | Ver. | Action By    | Action               | Result |
|-----------|------|--------------|----------------------|--------|
| 8/20/2013 | 1    | City Council | opened and continued |        |



City of Woodland

STAFF REPORT

TO: THE HONORABLE MAYOR AND CITY COUNCIL

DATE: September 3, 2013

SUBJECT: Cal West Tentative Map # 4991 - Cal West Investors, LLC/Optimistic Partners,  
Spring Lake Specific Plan Tentative Subdivision Map # 4991 and Development  
Agreement

### Recommendation for Action

Staff recommends that the City Council take the following actions:

1. Hold a Public Hearing
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### Fiscal Impact

The City will incur a minor cost estimated at less than \$400 to publish a copy of Ordinance No.\_\_\_\_ after City Council adoption. If approved, the project would result in 176 single family lots and approximately 84 multi family units resulting in approximately 231 Dwelling Unit Equivalents (DUE's). The Spring Lake Infrastructure Fee (SLIF) equivalent is \$39,377 per single family unit and \$25,988 per multi-family unit for a total of \$9,113,344 (*before application of fee credits*). In addition to paying SLIF, this project will also pay the citywide development impact fees, which are currently \$21,204 per single family unit and \$14,615 per multi-family unit for a total of \$4,959,564.

### Background

The Cal West Investors/Optimistic Partner's project application request is for approval of Tentative Subdivision Map # 4991 and a Development Agreement Amendment. The requested map will encompass 34.43 acres of the 44.97 acres of land in the original Cal West rezone project area. The project proposal includes 28.94 gross acres of land developed as single family R-8 in three phases, 0.88 acres in a buffer and access easement as Lot A and 0.10 acres as Lot B a mini-park and oak tree preservation dedication, as well as approximately 5.61 acres as a remainder parcel of multi-family designated R-15 land. This leaves approximately 10 acres of land to be designated as future park (8 acres), and neighborhood commercial (2 acres).

On December 14, 2010, a Specific Plan Amendment to rezone land uses for the overall Cal West Project site, encompassing 44.97 acres, and a Development Agreement was approved by the City Council. The entire Spring Lake Specific Plan area had been pre-zoned under Ordinance No. 1346, adopted July 2, 2002. The

Specific Plan Amendment included the relocation of the 8-acre park and 2-acre neighborhood commercial land uses south to the northwest corner of Harry Lorenzo Avenue and Farmer's Central Road and elimination of the 10-acre elementary school site. The 15-acre R-5 single family residential sites were eliminated, and the single family R-8 and multi-family R-15 sites were increased in size. The rezoning resulted in a possible additional 86 units.

On August 6, 2012, a lot line adjustment was approved to modify the parcel lines to accommodate the park and neighborhood commercial as a single parcel with a remainder portion of approximately 8.9 acres of residential R-8 designated land, creating a parcel totaling 19.97 acres in size. Tentative Parcel Map 5003 was approved on July 19, 2012 by the Planning Commission to subdivide the resulting 19.97 acre parcel into two large lots for purposes of sale, allowing separation of the park and neighborhood commercial site from the residential site.

On July 18, 2013, the Planning Commission heard the proposed project application for Tentative Subdivision Map # 4991 and Development Agreement and recommended approval of the proposed project by a vote of 7-0.

## Discussion

### Tentative Subdivision Map # 4991

The current project proposes to split the subject map into three phases. Phase I is 9.31 net acres and 60 single family units, Phase II is 11.00 acres and 68 units, while Phase III is 7.20 net acres and 48 single family units. The remainder parcel encompasses the 5.61 net acres of R-15 designated property with an estimated future development of 84 units. This map will provide for a density at the lower end of the range allowed under the R-8 category (6 to 8 dwelling units/acre). Phases I -III will have a combined density of 6.40 dwelling units per acre.

The development proposes 176 R-8 lots with lot widths ranging from 40 to 85-feet with an average 52-foot lot width. This meets the minimum requirements of Table 2.4, Spring Lake Specific Plan Area Requirements for Lots. Lot depths range from 74 to 100 feet with an average 89 foot lot depth. The lot sizes range from 3,400 square feet to 7,431 square feet with an average of 4,734 square feet. The R-15 site will be developed at a future time and will require site design and architectural review by the Planning Commission.

Lot layout is generally consistent with neo-traditional qualities as identified in the plan and will provide homes that primarily front on to local streets or side on in a few cases. The project map also provides for homes to front on to the proposed future park. Street layout is primarily gridded with only 6.4 percent of the lots in cul-de-sacs.

A discussion of the key issues related to the application is provided below:

*Circulation* - The proposed circulation pattern consists of two Collector Streets: Harry Lorenzo Avenue, which is a north/south collector to the east and Farmers Central Road, which is an east/west collector connecting the eastern portion of Spring Lake to the project.

Primary access to the subdivision is proposed at Harry Lorenzo Avenue which has a right of way width of 70.9 to 72-foot right-of-way and new east/west streets "D" and "F". These streets would meet the standard SLSP 57-foot right-of-way. The development will construct the remaining local streets. "D" Street, adjacent to the future park, will be fully constructed, to include curb, gutter, sidewalk and landscaping on both sides. In order to construct "F" Street, the applicant will be required to obtain right of way from the adjacent northerly property (Oyang).

*Bicycle / Pedestrian Access* - Development Regulation 2.24 requires access connections for bicycles and pedestrians to open space, parks, and subdivision trails. Subdivision trails are internal trails required to improve pedestrian and bicycle circulation and provide increased connectivity to the planned SLSP multi-purpose trail system. They also act as separators between homes on blocks that contain more than 10 homes in a row. Subdivision trails are required to be a minimum of 25 feet in width and landscaped. The project contains subdivision trails to provide access from Harry Lorenzo Avenue internal to the site.

*Tree Preservation.* Based on an arborist report prepared by Foothill and Associates, two existing Heritage Oak trees were identified are recommended for preservation.

It has been recommended and conditions added to require that the oak tree on Lot B, shall be preserved in place. Lot B shall be dedicated to the city to create a small pocket park around the existing tree. Prior to approval of the final map which dedicates Lot B, the OWNER shall receive the equivalent in park fee credits of \$10,000. Further, the Heritage Oak tree located off-site, north of Lot B, shall also be preserved in place, unless it cannot be preserved in place due to infrastructure requirements. The “F” Street cross section may be modified, subject to approval by the City Engineer, at that location to accommodate the preservation of this street tree (i.e. removing the planting strip and attaching the sidewalk at that location, etc.). The trees and pocket park shall be included in the Spring Lake Lighting and Landscaping assessment district.

*Freeway Sound wall* - A freeway adjacent sound wall is required in accordance with the Environmental Noise Analysis and shall be at least 10 feet in height. The sound wall design shall meet the SLSP Design Standards (Section 6.2.1). Access for required maintenance shall be provided via Lot “A” and shall be a minimum of 28-feet in width. The entire length of the project sound wall shall be constructed at one time, with the Phase 3 final map, including the portion of the wall on the remainder parcel. The wall design, including freeway adjacent landscaping, shall be submitted for Design Review to the Planning Commission prior to issuance of permits. Landscape and sound wall will need to be bonded for and are included in the public improvements and may be eligible for SLIF fee credits with amendment of the Capital Improvement Program (CIP).

*Park Development trigger* - Development Regulations 5.1, 5.11.1, and 8.2 (as amended by the SLSP Settlement Agreement) establish two triggers for the required construction of neighborhood parks: 1) 60 percent build-out of each neighborhood; and 2) per various dwelling unit thresholds. Regarding the first trigger, neighborhood development is defined on page 2-10 of the SLSP. The subject subdivision is located in Neighborhood A. Presently, 60% build-out has not been achieved.

Regarding the second trigger, the first neighborhood park is triggered by the issuance of a building permit for the 650<sup>th</sup> dwelling unit equivalent (DUE), the second neighborhood park is triggered by the 1,950<sup>th</sup> unit, and the third neighborhood park is triggered by the 3,250<sup>th</sup> unit. Park construction is subsequently required to be completed within 15 months. Each single-family unit is one DUE and multi-family units are 0.66 DUE. Number of permits issued to date are 1,015 single family and 200 multi-family, or a DUE amount equivalent to 1,147 DUE units. An additional 803 building permits will be required to trigger the park construction. With consideration of prior and recent project approvals, including this project site, the following permits can be expected in the near future (98 SF Heritage Unit 4; 108 SF Parkview; 104 SF Heidrick Phase II; 94 SF Solara Ranch; 241 Merrit Murphy and 173 Cal West) totaling 818 units.

*Park Design* - The future park site is not a part of the proposed tentative subdivision proposal. However, the future park and neighborhood commercial sites are both contained within the original Development Agreement for the site rezone in December 2010 and development of the map will impact development of the future park site. Conditions have been added to address access, by requiring full construction of the road to the north of the park site “D” Street, including curb, gutter, and sidewalk and landscaping.



While specific details for the park have not been designed, there is a desire to develop a master layout of the park and adjoining properties. Of additional concern is the viability of the two acre commercial sites in this location and elsewhere in the Plan. In order to address these future master plan issues, the city is requesting that prior to the first final map approval that the applicant either submit an application to evaluate the park and neighborhood commercial uses, or funding toward a future analysis of this issue.

#### Development Agreement

Resolution No. 3542 adopted May 15, 1990 establishes procedures for the consideration of Development Agreements in Woodland. These procedures essentially parallel the requirements of Section 65864 et.seq. of the Government Code. The SLSP requires that each developer enter into a Development Agreement with the City. Development agreements allow the City to negotiate the vesting of certain development rights for the applicant in exchange for benefits to the City that might not otherwise be required of a developer. The City Attorney and staff have prepared a Development Agreement template for the City to use with all SLSP developers. A simple Development Agreement (DA) was entered into as part of the Specific Plan Amendment in 2010 in order to establish the zoning and densities. A revised Development Agreement with updated Conditions of Approval is required in conjunction with review and approval of this project application and Tentative Subdivision Map.

#### CEQA Clearance

Previous environmental review, including an EIR Addendum for land use amendment, which was approved on December 14, 2010, has been prepared. It has been determined, in accordance with Section 15162 of the California Environmental Quality Act (CEQA), that there will be no substantial increase in the severity of previously identified impacts as a result of the Specific Plan Amendment (Rezone). Because the proposed project is similar to that studied in the SLSP Turn of the Century EIR, and the Addendum prepared December 14, 2010, the changes proposed are not substantial and would not require major revisions. Furthermore, the proposed changes would not create new or significant environmental effects which have not already been analyzed.

The SLSP requires that each development application include certain project-level and property specific technical analyses (traffic, noise, cultural, biology, geotechnical, and infrastructure) to demonstrate consistency with the performance thresholds and requirements of the SLSP and SLSP Mitigation Monitoring Plan.

City staff have reviewed each of these studies and reached the following conclusions: a) the studies satisfy the SLSP requirements; b) applicable requirements or conditions recommended in the study have been included in the Condition of Approval for this project; c) the studies identify no environmental circumstances specific to the site or the proposed project that were not previously anticipated and addressed in the original EIR and later addendums.

Specific conditions have been added to the project with regard to tree preservation and noise mitigation.

#### Public Notification

Public notice advertising for the public hearing on this project was prepared by the Community Development Department in accordance with notification procedures set forth in the City of Woodland's Municipal Code and State Planning Law. Two methods of public notice were used:

1. Legal notice was published in the Woodland Daily Democrat on or before August 10, 2013.

2. Notices were mailed to all property owners within 500 feet of the project site on August 8, 2013.
3. The City Council Agenda was posted.

Conclusion

Staff recommends that the City Council take the following actions:

1. Hold a Public Hearing
2. Adopt the proposed "Findings" for approval of the Tentative Subdivision Map No. 4991; and "Conditions of Approval" to be incorporated in to the Development Agreement between the City of Woodland and the Developer(s) as presented in the Staff Report; and,
3. Approve the Tentative Subdivision Map (TSM#4991) in accordance with the "Conditions of Approval" as presented in this Staff Report; and
4. Waive the first reading and read by title only Ordinance No. \_\_ , approving the Development Agreement between the City of Woodland and Cal West Investors LLC and Optimistic Partners.

Prepared by: Cindy A. Norris, Principal Planner

Reviewed by: Ken Hiatt, Community Development Director

Paul Navazio, City Manager

Attachment A - Findings of Fact and Conditions of Approval

Attachment B - Development Agreement

Attachment C - Planning Commission Staff Report from July 18, 2013

**FINDINGS AND CONDITIONS OF APPROVAL FOR THE CAL WEST PROJECT  
INCLUDING TENTATIVE SUBDIVISION MAP # 4991, AND DEVELOPMENT  
AGREEMENT**

(As approved by the Woodland City Council September 3, 2013).

August 29, 2013

**FINDINGS**

**CEQA Findings:**

1. On August 15, 2000 the City Council certified the Turn of the Century FEIR (SCH #99022069; Resolution No. 4215 adopted August 15, 2000).
2. The City Council subsequently adopted the following CEQA Addendums to the Turn of the Century EIR: a) Addendum #1 (Resolution No. 4330 adopted December 18, 2001) for the purposes of approval of the final Spring Lake Specific Plan (SLSP); b) Addendum #2 (Resolution No. 4399 adopted November 19, 2002) for the purposes of amending the Plan to satisfy the Settlement Agreement and to make other staff-initiated errata; c) Addendum #3 (Resolution No. 4406 adopted December 17, 2002) for the purposes of amending the Plan based on a request from the Spring Lake Planning Group LLC; and d) Addendum #4 (April 15, 2003) for the purposes of the Williamson Act Rescission Agreement for the Russell Property; e) Addendum #5 (Resolution No 4583 adopted October 19, 2004 for the purposes of amending the Plan based on a request from the Spring Lake Planning Group LLC); and f) Addendum # 6 (Resolution No 4806 adopted February 27, 2007, for the purposes of amending the Plan based on a request by Reynen and Bardis); and g) Addendum # 7 (Resolution No 5146 adopted November 16, 2010 for the purposes of amending the Plan based on a request by the Gibson Ogden Investors LLC to remove a bike overcrossing and path); and h) Addendum # 8 (Resolution No 5159 adopted December 14, 2010 for the purposes of amending the Plan based on a request by Cal West Investors LLC to modify land use designations and rezone a school site; and i) Amendment # 9 based on a request by Parkview by ALC IV Woodland Spring Lake LLC for the purposes of amending land use designations to rezone a former school site and multi-family site to single family R-8.
3. Section 65457(a) of the California Government Code and Section 15182(a) of the California Environmental Quality Act (CEQA) provides that no EIR or Negative Declaration is required for any residential project undertaken in conformity with an adopted Specific Plan for which an EIR has been certified.
4. The EIR for the SLSP has been written to qualify all of the planned SLSP residential projects for this exemption, assuming they are consistent with the SLSP and that they fulfill all conditions and CEQA mitigation measures.
5. The SLSP requires that each development application include certain project-level and project-specific technical analyses to demonstrate consistency with the performance thresholds and requirements of the SLSP and SLSP Mitigation Monitoring Plan (MMP). All the required studies have been submitted for the subject project, reviewed by staff, and the following conclusions reached: a) the studies satisfy the SLSP requirements; b) applicable requirements or conditions recommended in the studies have been included in the conditions

of approval for the subject project; c) the studies identify no environmental circumstances specific to the subject site or the proposed project that were not previously anticipated and addressed in the original EIR and later addendums.

6. The City of Woodland hereby finds that these studies provide the substantial evidence demonstrating that the project as conditioned is consistent with the adopted Specific Plan and fulfills all conditions and CEQA mitigation measures.
7. Therefore, pursuant to Section 65457(a) of the California Government Code and Section 15182(a) of the CEQA Guidelines, no other CEQA clearance is required for the City to take action to approve this project.

**General Plan Consistency Findings:**

1. The project is consistent with the General Plan.

**Spring Lake Specific Plan Consistency Findings:**

1. The project is consistent with the policy language (goals, policies, and objectives) of the SLSP.
2. The project is consistent with the land use designations, roadways, and bike paths identified in the SLSP.
3. The project is consistent with the Land Use Summary and other relevant Plan text throughout the SLSP.
4. The project is consistent with the Development Regulations in the SLSP including a determination of substantial consistency with Regulations 2.6, 6.1, 6.4, and 6.7 based on language in Section 4.29 of the Development Agreement which precluded submittal of final maps until infrastructure plans are completed and tentative maps made consistent, if applicable.
5. The project is consistent with the figures and tables in the SLSP.
6. The project is consistent with the SLSP Design Standards and SLSP Affordable Housing Plan.
7. This project represents a unique situation in which an additional buffer from the freeway has been required, thereby affecting lot layout and density. In order to maintain the lot density and to provide an enhanced aesthetic appearance on SR 113 and to provide a significant buffer for noise and air quality purposes, modifications to the sidewalk location on the north south oriented local streets to allow one side to have curb adjacent walks have been allowed in this case.

**Zoning Consistency Findings:**



1. Single family Residential (R-1) zoning is identified on page 2-22 of the Specific Plan as a consistent zone within the R-8 Specific Plan land use categories.
2. The project, as conditioned, meets all applicable regulatory requirements of the Zoning Ordinance.

**Tentative Subdivision Map Findings:**

1. The tentative map is consistent with the goals and policies of the General Plan and Specific Plan.
2. The tentative map is in conformance with the applicable provisions of the Subdivision Ordinance and Zoning Ordinance of the City.
3. The tentative map is in conformance with the Subdivision Map Act.

**Findings Related to Community Design Guidelines:**

1. The project substantially satisfies the requirements of the Community Design Guidelines.

**Findings Related to Other Regulatory Requirements:**

1. The project substantially satisfies the relevant requirements of the City's Standard Specifications and Details.
2. The project substantially satisfies the Infrastructure Master Plans for streets, water, sewage, and storm drainage.
3. The Development Agreement satisfies the City's Development Agreement Resolution and the requirements of State law.

**CONDITIONS OF APPROVAL FOR THE CAL WEST INVESTORS Tentative**  
**Subdivision Map #4991 and DEVELOPMENT AGREEMENT**

Conditions of Approval: The following conditions shall be fully satisfied prior to acceptance of Final Map (unless otherwise stated):

**General Conditions**

1. Project Approval. The project shall be substantially (as determined by the City) developed as depicted on the maps and exhibits included in the August 20, 2013 City Council staff report, as approved by City Council, for the Cal West Investors, LLC and Optimistic Partners, LLC project, except as modified by these conditions of approval. Substantive modifications to the project description shall require modification of the Development Agreement, conditions and environmental documents.
2. Indemnification. The applicant shall defend, indemnify, and hold harmless the City of Woodland, its agents, officers or employees from any claim, action or proceeding against the City of its agents, officers or employees to attack, set aside, void or annul an approval of the subject application by the City, its legislative body, advisory agencies or administrative officers. The City will promptly notify the applicant of any such claim, action or proceeding against the City and the applicant will either, at the City's discretion, undertake defense of the matter and pay the City's associated legal costs, or will advance funds to pay for the defense of the matter by the City Attorney.
3. Deed Disclosures. Deed Disclosures that satisfy Development Regulation 2.1 (Disclosures) of the Spring Lake Specific Plan shall be submitted for review and approval by the Community Development Director and City Attorney. These approved disclosures shall be placed on deeds for final lots as specified by the Development Regulation. The deed disclosures for all lots shall include language that addresses Development Regulation 2.35.6 (Landscape Strips along local streets) within Spring Lake.
4. Responsibility to Inform. The applicant/developer shall be responsible for informing all subcontractors, consultants, engineers, or other business entities providing services related to the project of their responsibility to comply with all pertinent requirements of the City of Woodland Municipal Code, including the requirement that a business license be obtained by all entities doing business in the City as well as hours of operation requirements in the City in addition to applicable state and federal laws.
5. Construction Management Plan. Prior to issuance of any permit or inception of any construction activity on the site, the developer shall submit a construction impact management plan including a project development schedule and "good neighbor" information for review and approval by the Community Development Department. The plan shall include, but is not limited to public notice requirements for periods of significant impacts (noise/vibration/street closures, tree removal, etc.), special street posting, construction vehicle parking plan, phone listing for community concerns, names

of persons who can be contacted to correct problems, hours of construction activity, noise limits, dust control measures, and security fencing and temporary walkways.

6. Fee Notice. The conditions of approval set forth herein include certain fees, dedication requirements, reservation requirements and/or other exactions. Pursuant to Government Code, Section 66020(d), these conditions constitute written notice of the amount of such fees, and a description of the dedications, reservations and other exactions.

The applicant is hereby notified that the 90-day protest period, commencing from the date of project approval, has begun. If the applicant fails to file a timely protest regarding any of the fees, dedication requirements, reservation requirements and/or other exactions contained in this notice, complying with all the requirements of Government Code, Section 66020, the applicant will be legally barred from later challenging such fees, dedications requirements, reservation requirements and/or other such exactions. Notwithstanding the foregoing, the City does not waive any rights it may have to enforce any settlement agreement, memorandum of understanding or other agreement with the applicant which authorizes the City to impose certain fees, and which may waive the applicant's right to challenge the imposition of some or all of the fees, dedication requirements, reservation requirements, and/or other exactions set forth in these conditions of approval.

7. Coordination of Plans. The applicant shall be responsible for coordinating all plans to ensure consistency with and including site plan, landscaping, and improvement plans, prior to submittal for review.
8. Affordable Housing. The project is subject to the Spring Lake Affordable Housing Plan and Ordinance 6A, the City's Inclusionary Housing Ordinances. Where there is a conflict, the Spring Lake Affordable Housing Plan shall prevail. The Plan requires 10 percent (10%) of single-family units to be affordable to Low-Income households. For multi-family projects the Plan requires that ten percent (10%) of all multi-family units be affordable to Low-income households and that twenty percent (20%) of the units to be affordable to very low income households, or that twenty five percent (25%) of the units are affordable to Very-low income households.. This project requires 18 single family affordable units, based on a total unit count of 176 single family lots. The total number of affordable multi-family units will be determined at the time a development application is submitted.
9. Concurrent Construction. The affordable single family units shall be dispersed throughout the project in terms of location and product type. Affordable dwelling units shall be constructed concurrently with, or prior to, market-rate units within the residential project. In phased developments, inclusionary units should be constructed and occupied in proportion to the number of units in each phase of the residential project. The Community Development Department and Housing Staff shall review and approve the location of the affordable sites prior to approval of the Final Map. If the Developer

desires to modify the approved locations of the Affordable dwelling units, the requested modifications shall be submitted along with a map review fee, with the final map.

10. Inclusionary Housing Agreement. Prior to the City approving the applicant's first final map, the OWNER and City shall enter into an Inclusionary Housing Agreement as required by the SLSP Affordable Housing Plan (AHP). This agreement shall be prepared by the City, shall be consistent with all applicable provisions of the SLSP AHP, and shall contain language inclusive of, but not limited to, the checklist in the SLSP AHP.
11. SLSP AHP Compliance. Prior to approval of the map(s), the OWNER shall show proof of compliance with the Spring Lake Specific Plan Affordable Housing Plan through preliminary designation of affordable housing lots. Tentative Map #4991 will result in 176 single family lots of which 18 will be available low income units.
12. Offsite Affordable Fee. The off-site Affordable housing fee shall be paid for each single family market rate unit.
13. Affordable Unit replacement site. With respect to the currently zoned R-15 multi-family property, located east of SR 113 and designated as a remainder parcel in TSM # 4991, any low or very-low income units may be deemed as replaced with the units that may be developed as a result of the proposed future development of the Heidrick Phase I, R-25 site (Mutual Housing). However, only those units for which building permits have been pulled on the R-25 site, may be considered as potential replacement units and only if they are in excess of the minimum number of affordable units required for the R-25 multi-family site, (13 low income units and 25 very low income or 32 very low income units).
14. Affordable unit size. There shall be an average of three bedrooms provided per affordable unit, and the developer can provide more but not less than the average target, unless it can be clearly demonstrated that a different average is required in order for the units to be sold in the affordable marketplace. A developer of a for-sale residential project may request an exemption from the requirements of this condition if, based on substantial evidence and financial information, such a mixture would be infeasible to the satisfaction of the Community Development Director. Affordable, for-sale single family units may be smaller in square footage than the Market-Rate units that trigger the affordable housing obligation, with a minimum living area of 850 square feet, however, a mix of bedroom numbers and square footage among for-sale single family house is desired.
15. Affordable quality of materials. The design of affordable units and the materials used in construction of affordable units shall be of an equal standard; however, affordable for-sale units may feature different interior amenities than those of the market rate units.
16. Fair Share Cost. The applicant agrees to fund on a fair share basis, as determined by the City of Woodland nexus study, public facilities, services, and improvements including transit capital and operating costs, design and construction of transit stops, fire station

construction and operations (Development Regulations 4.7.3, 4.9.5, 6.22 and 6.23), police operations (Development Regulations 6.30 and 6.31), park development (Development Regulation 5.6), greenbelts/pathways/trails (Development Regulation 5.28), and library services (Development Regulation 6.42 and 6.43) pursuant to Development Regulation 2.7 (Fair Share fees and Financing).

17. Backbone infrastructure. Prior to occupancy within any subdivision, necessary backbone infrastructure and services to serve the subdivision, as determined by the City of Woodland, must be in place, and adequate fire service must be demonstrated, pursuant to Development Regulation 2.8 (Infrastructure and service availability), 4.4 through 4.7 (roadway improvements), 6.24 and 6.25 (fire station).
18. Nexus Study. The applicant must comply with the requirements of the Spring Lake Specific Plan Nexus Study.
19. Funding Public Services. Prior to issuance of a building permit, the funding of public services shall be addressed pursuant to Development Regulations 2.7, 6.23 and 6.37.
20. SLIF Fee Revenue. Additional SLIF revenue generated by the additional residential units, as a result of the prior approved rezone of the project site on December 14, 2010, shall provide benefit overall to the Spring Lake Plan, and allocation of those units to cover any funding shortfall, as determined by the City shall be applied as follows: 1) Should the affordable multi-family project, (by Mutual Housing California) on the R-25 site in the Heidrick Ranch Phase 1 be developed, the difference between the maximum density of 125 units and the proposed unit density of 101 units, or 24 units, for that site may be made up through application of the Cal West Investor LLC and Optimistic Partner LLC project's additional fee revenue. 2) Any additional remaining fee revenue as a result of the Cal West Investors LLC and Optimistic Partners LLC development would be available should any possible future rezone applications on the Cal West Investors and Optimistic Partner project site be presented; and 3) Any remaining fee revenue would be utilized at the City's discretion.
21. Building Unit Allocations (BUA)s. With the exception of affordable and multi-family housing, approval of a final map requires that all lots included in the final map, have a building unit allocation. No final map shall be recorded by the City unless BUAs for that map are assigned with the final map. In this case, with respect to the site formerly zoned for a school site, assignment may require requesting that additional BUAs be added to the Spring Lake Plan area. If BUA's are transferred from another site, or if BUAs are requested to be added, either transaction shall be recorded to the satisfaction of the Community Development Department and in compliance with the BUA Ordinance.
22. Reservation of Lots for public sale. The requirements of Section 21-15-1 of the City Code relating to "Reservation of Lots for Public Sale" shall be met. Lots shall be offered at a fair market price. If the offered lots have not sold by the end of the 45-day period, the subdivider shall be required to demonstrate that the lots were offered at a fair market



price. This will entail the provision of an appraisal by a qualified professional appraiser. If appraiser indicates that he offered price unreasonably exceeded the fair market price, the lots shall be re-offered for an additional 45- days at a fair market value.

### **Finance Department**

1. SL Maintenance Facilities District. Prior to recordation of each final map, with respect to that map, OWNER shall petition the City to be annexed into the boundaries of the Spring Lake Maintenance Community Facilities District. The OWNER agrees to provide any and all information necessary to complete such annexation within 45 days of making this petition.
2. SL Community Facilities District 2004-1. At OWNER's option, OWNER may petition the City to be annexed into the boundaries of the Spring Lake Community Facilities District 2004-1 prior to the approval of each final map. OWNER agrees to provide any and all information necessary to complete such annexation within 45 days of making this petition. Alternatively, OWNER may instead meet its SLIF financial obligation by paying the then equivalent bond proceeds in cash at building permit, before applying fee credits or paying cash, at OWNER's option, for balance of the fee creditable portion of the SLIF.
3. Fee Credits. Any financing method employed which would allow additional proceeds to be raised to pay back the First Release Property Owners, would then allow OWNER to use the fee credits associated with the Community Facilities District.

### **Community Development**

1. Design Review. For all residential uses, final site plans, architectural plans, elevations, sound wall, and landscape plans shall be submitted for review and approval by the Planning Commission to ensure consistency with the Spring Lake Specific Plan and Spring Lake Design Standards. Additional design detail shall be provided on corner lots with emphasis on side elevations, porches and entries (Design Standard 2.7). (All mechanical equipment, whether roof mounted or on the ground, shall be fully screened from view (Development Regulation 2.21 Utility Facilities). All antennas shall be placed in building interiors. Satellite dish antennas are prohibited on roofs. Units shall be energy efficient pursuant to Development Regulation 2.25 (Energy Efficiency). Dwelling unit shall be oriented toward the street pursuant to Development Regulation 2.31 (street loading), Development Regulations 2.35.3 (separated entry walks), 7.5 (Fireplaces), 7.6 (air conditioning), 7.7 (wiring), 7.10 (energy efficiency), 7.16 through 7.18 and 7.20 and 7.21.1 and 7.21.2 relating to energy conservation.)
2. Block Length on Street "A". In order to mitigate for the extended block length on the west side of Street A, the homes along this stretch shall be designed so that there is variability provided through careful use of such elements as front setback, mix of one and two-story, and building architectural frontage design. All homes along this segment extending from lot 160 to lot 176 shall have either a full usable front porch or a separated front patio extension with low walls.

3. Architectural Diversity. Emphasis shall be placed on creating architectural diversity within the development as discussed in Sections 2.3, 2.4 and 2.5 of the Spring Lake Design Standards. Particular care will be required to create a diverse architectural appearance on lots that are fairly narrow (40 to 45 feet in width). Creativity and innovation will be encouraged.
4. Energy Efficiency. All building designs shall be designed to meet and are recommended to exceed energy efficiency
5. Landscape Plan Submittal. Detailed Landscape and Irrigation Plans, shall be designed and prepared by a licensed landscape architect and shall be certified in accordance with State water conservation requirements. Landscape plans shall be submitted and approved by the Community Development and Public Works Departments prior to issuance of building permits. Landscape plans shall specify the following:
  - Locations, size and quantity of all plant materials.
  - A plant legend specifying species type (botanical and common names), container size, maximum growth habit and quantity of all plant materials.
  - Location of all pavements, fencing, buildings, accessory structures, parking lot light poles, property lines and other pertinent site plan features.
  - Planting and installation details and notes including soil amendments. A soil fertility test shall be prepared prior to approval of plans to determine planting and amendment requirements.
  - Existing trees on site shall be identified. Trees planned for removal or relocation shall be marked on the plans, methodology to preserve trees in place provided on plans.
  - Details of all irrigation (drip, sprinkler, bubbler) as well as equipment such as backflow controller and water meter devices identified.
6. Street Tree Master Plan. Street Tree Master Planting Plan shall be approved prior to the issuance of the first building permit. Shall be reviewed for conformance with the SL Design Standards and shall be reviewed and approved by the Community Development Department and the City's Public Works Department – Urban Forestry division. A soils test shall be submitted that will assist in appropriate species selection.
7. Public Landscaping. Landscaping design, materials, installation and maintenance in roadways, medians, greenbelts, subdivision trails, and other public areas shall be consistent with applicable City requirements. Landscaping shall satisfy and fully implement Development Regulations 2.15.1 and 4.16 (Tree Canopy), 2.22 (Drought – tolerant plantings), 4.17 (Timing of landscaping), 4.17.1 (landscaping at intersections), 4.18 and 4.19 (bikeway and landscaping) and 7.13 (public landscaping).
8. Tree Preservation and Replacement Planting

- *Replacement.* In accordance with Section 20A of the City of Woodland Municipal Code, the applicant shall comply with the following replanting schedule for removal of trees on and adjacent to the project site:
  - A. Replacement planting is required for each heritage, specimen, and landmark tree removed at a rate of four 15- gallon trees for each six-inches, or fraction thereof, of trunk diameter removed. Removal of street trees requires replacement planting of approved species at a rate of two 15 –gallon trees for each six inches removed in accordance with Section 20A -1-100.
  - B. The approved species and locations of replanting shall be specifically shown on the Landscape and Development plans and shall be subject to review and approval by the Community Development and Public Works departments. Replacement planting shall be in addition to standard planting requirements.
  - C. Landscape Development plans shall be submitted concurrently with subdivision improvement plans prior to any grading on site and final map approval.
- *Preservation.* The City’s Tree Preservation Ordinance requires preservation of Heritage Trees to the extent possible. The two existing Heritage Oak trees shall be preserved. Prior to issuance of a grading permit which impacts each Oak Tree, the applicant shall submit a tree protection plan to be included in the improvement plans which shall indicate measures to be taken to protect the trees during construction.
  - A. The oak tree on Lot B shall be preserved in place. Lot B shall be dedicated to the city to create a small pocket park around the existing tree. Park amenities, (such as a bench, DG/mulch, and drainage swale to support the oak tree) shall be provided and design approved by the Community Development Department Public Works Departments prior to acceptance of the final map which dedicates Lot B.
  - B. Upon approval of the park design and installation of all required amenities for Lot B, the OWNER shall receive the equivalent in park fee credits of \$10,000
  - C. The Heritage Oak tree located off-site, north of Lot B, shall also be preserved in place, unless it cannot be preserved in place due to infrastructure requirements. The “F” Street cross section may be modified subject to approval by the City Engineer, at that location to accommodate the preservation of this street tree (i.e. removing the planting strip and attaching the sidewalk at that locations, etc...)
  - D. The trees and pocket park shall be included in the Spring Lake Lighting and Landscaping assessment district.

9. Utility Design. The location of all utility structures shall be coordinated with and depicted on the landscaping plans. Location and installation of utility structures shall be to the satisfaction of the Community Development Director and City Engineer. Public utility lines, along public street frontages and /or landscaped areas shall be underground type unless otherwise approved by the Community Development Director and City Engineer. The applicant shall ensure consistency with Development Regulation 2.11 (Utilities), 2.13 (connectivity), 2.21 (utility facilities) and 6.17 through 6.19 (general utility requirements).
10. Light pole location. Light poles shall not be located so as to conflict with planting or future growth and shading of trees throughout the site. Review shall be provided prior to issuance of final map.
11. Street and Lot lighting. Lights along local roads and in public use areas shall be consistent with SL Development Regulation 2.22.2.
12. Compliance with State Water Conservation Ordinance. The project shall comply with State Water Conservation Ordinance, as well as water conserving requirements in the Spring Lake Specific Plan and SL Design Standards. This applies to all yard and public landscaping. Plans shall be reviewed for compliance prior to issuance of building permits.
13. Sound Wall. A freeway adjacent sound wall is required in accordance with the Environmental Noise Analysis and shall be 10-feet in height. The sound wall design shall meet the SLSP Design Standards (Section 6.2.1). Access for required maintenance shall be provided via Lot A shall be 28 feet in width. The entire length of the project sound wall shall be constructed at one time, with the Phase 3 final map, including the portion of the wall on the remainder parcel. The wall design, including freeway adjacent landscaping, shall be submitted for Design Review to the Planning Commission prior to acceptance of the Phase 3 final map. Sound wall will need to be bonded for and included in the public improvements and are eligible for SLIF credits.
14. Sound Wall Landscaping. Landscaping shall be provided in accordance to 6.2.1 (d) to help screen the wall, minimize graffiti and shade on the west elevation. Landscaping shall include trees, shrubs and groundcover. The landscaping, predominately trees (fine needled such as pines or redwoods depending on soil fertility report recommendations), will be planted in a fairly dense manner within a 28 foot easement on the west side of the wall. A reciprocal access and maintenance agreement will be established and recorded with the sound wall and landscaping in order to provide access for maintenance of the sound wall and landscaping. The landscape plans shall be reviewed and approved by the Community Development and Public Works Departments prior to issuance of permits for the wall. Landscaping shall be installed at the same time as the wall. Landscaping will need to be bonded for and included in the public improvements and are eligible for SLIF credits upon addition to the Spring Lake CIP.

15. Single Story Homes. Consideration shall be given to the extent possible that the units constructed on the lots backing to the HWY 113 freeway be single story, or that the second story portion be recessed from the back of the single story portion.
16. Interconnecting Walk and Pathway. Interconnecting walks and pathways shall be a minimum of 25 feet wide and landscaped consistent with Section 6.9 of the SL Design Standards.
17. Residential Fencing. All wood fence footings and foundations shall be constructed of galvanized steel, reinforced concrete, or masonry. No treated wood materials in contact with the ground will be permitted. All wood fencing shall be stained with a water sealant to prevent water damage and staining. Consideration shall be given to the use of wood with integral stain. All required notes/details shall be provided on plans prior to the issuance of permits. Fencing shall comply with Section 2.9 of the SL Design Standards.
18. Entry signs. Per the Spring Lake Specific Plan and the Spring Lake Design Standards, the applicant shall establish neighborhood entry signs. A sign shall be provided at the north west corner entry of Harry Lorenzo Avenue and "D" Street consistent with SL Design Standard 1.6.2.  
  
A design specification for this signs shall be prepared for review and approval by the Community Development and City Engineer prior to acceptance of the final map. The signs shall be installed prior to the issuance of the first house permit in Phase I.
19. Prohibit RV Parking. Provisions in the CC&Rs for the Single Family (R-8) Development shall be adopted that prohibit recreational vehicle parking in the front yard for longer than 24 hours. This provision shall be enforced through mechanisms established in the CC&Rs.
20. Prohibit Garage Conversions. Provisions in the CC& Rs for all residential development shall be adopted that prohibit garages from being converted to residential use except for a model home sales office. When the sales office is vacated, it must be converted back to a garage.
21. No Restriction on Color. Provisions in the CC&Rs shall be adopted that prohibit any restrictions of color on residential structures. This provision shall be enforced through mechanisms established in the CC & Rs.
22. Multi-family Development. Multi-family development shall comply with the Spring Lake Specific Plan and Design Standards including Development Regulations 2.35 (Multi-family Attached Rental Development), 2.35.7 (R-15 Façade Requirements).
23. Bike Parking. Bicycle parking for multi-family units shall be provided at a minimum ratio of 10 percent of the normally required number of vehicle spaces, or to the satisfaction of the Community Development Department. Bicycle parking shall be



highly visible, in a secure location, and to the greatest extent feasible, located in a covered area.

24. Future Park and Rezone Application. The Specific Plan indicates that the 2-acre commercial sites within the Plan area shall be floating designations with the precise location determined at the time of the land division that creates the park and surrounding residential lots. Prior to acceptance of the first final map the applicant shall either submit an application for a Spring Lake Plan Amendment or provide funding toward a future Plan Amendment for the relocation of the park west of its existing location. Determination for the location of the remaining 2 acres shall be provided at that time.

#### **SLSP Mitigation Measures:**

1. Mitigation Requirements. The project applicant shall comply with all mitigations required by the TOC EIR Mitigation Monitoring Program provided as Attachment A to the SLSP, as well as any further analysis provided through additional studies and evaluations required to ensure compliance with mitigations.
2. Environmental Noise Analysis. The design of the project shall comply with the exterior and interior noise level requirements of the Noise Element of the City of Woodland General Plan and with the requirements specified in the Environmental Noise Analysis prepared by Bollard Acoustical Consultants, Inc dated July 19, 2011.
  - A 10-foot tall noise barrier should be constructed along the western property line of the project site. The barrier heights shown are those required to reduce future SR 113 traffic noise to 65 dB Ldn or less. Barriers should be constructed of masonry block, concrete or earth berms. A combination of berms and walls is acceptable provided the combined height is sufficient to achieve satisfaction with City noise standards. Final design and wall height to achieve adequate protection shall be determined at the time of the final Phase 3 grading plan submittal.
  - City of Woodland's interior noise standard is 45 dB Ldn. Exterior noise levels at second floor facades facing the freeway can be up to 77 dB Ldn. Recommendations to reduce interior noise as stated in the Environmental Noise Analysis, dated April 20, 2011, prepared by Bollard Acoustical Consultants shall be complied with. If two story units are proposed, the additional construction techniques identified shall be followed as well.
  - When final site lot and grading plans are completed they shall be reviewed by an acoustical consultant to ensure that the conclusions of the acoustical study have not changed.
  - Disclosure statements shall be provided to all prospective residences notifying them of the elevated projected future Hwy 113 noise environment and informing them that satisfaction with the City of Woodland 45 dB Ldn interior noise standard may only be achieved with windows in closed positions.
3. Ground nesting Raptor Survey. Pursuant to Mitigation Measure 4.5-3, thirty (30) days prior to commencement of grading or any site work, the applicant shall have prepared

and submitted a survey for ground nesting raptors (e.g. northern harrier and burrowing owl). This survey shall be prepared by a qualified raptor biologist using appropriate protocol acceptable to responsible agencies. If survey nesting raptor species are found, then Mitigation Measures 4.5-3 (b-d) of the Spring Lake Specific Plan Mitigation Monitoring plan shall be followed. Survey results shall be valid only for the season when construction activity occurs.

4. Mitigation Easements. Mitigation for loss of agricultural land and hawk habitat in the form of land set asides shall be fully executed and in place pursuant prior to final map approval or commencement of development activity, consistent with Development Regulation 2.2 (Land Set Asides) and 7.2 related to the 1:1 mitigation requirement. Fully executed, meaning signed and recorded with the County.
5. Raptor Survey. Each landowner or applicant shall conduct a pre-construction or pre-tree pruning or removal survey of trees greater than 30 feet tall during the raptor breeding season (March 1 through September 15). This survey shall be conducted for a half mile around the proposed site at which any construction activity is proposed. The survey shall be conducted by a qualified raptor biologist during the same calendar year that he proposed activity is planned to begin to determine if any nesting birds of prey would be affected.
6. Geotechnical. The recommendations contained in the Conclusions and Recommendations Section of the Geotechnical Engineering Report (Geocon Consultants, Inc May 2011 – Geocon project no s9574-06-01)
7. Air Quality Directives. Owner shall comply with Air Quality Management District directives as specified in Development Regulation 2.12 for both off-road and on-road low-emissions heavy duty vehicles and construction equipment during all grading and construction. (SLSP page 7-4, Regulation 7.3).
8. Mosquito Vector Control. Prior to each construction season each landowner or applicant with a project under construction shall consult with, and implement the recommendations of the Mosquito Vector Control District regarding control of mosquitoes, black gnats, and other vectors.
9. Construction Recycling. Prior to the commencement of construction on any project, the applicant shall ensure that the construction contractor has established construction recycling measures pursuant to the requirements of the Mitigation Monitoring Plan and all other City requirements. (MM 4.13-18)
10. Dust Suppression. Applicant shall comply with all dust suppression requirements during all grading and construction activities (SLSP Regulation 7.4)

11. Off site improvements. Off-site improvements must satisfy the requirements of SLSP and SLSP MM including but not limited to Development Regulation 6.13 and Mitigation Measure 4.5-7.
12. Cultural Resources. During grading or any site work, development must comply with Development Regulation 7.22 (MM 4.10-1)

## **Engineering Development Services**

### **Roadways**

1. Regarding “E” Street between phase 1 and phase 2 and “B” Street road between 2 and 3 and “D” Street between phase 3 and phase 4. The road may be revised to a partial street section (similar to cross section C on Sheet 4 with approval of the City Engineer).
2. Streets fronting the park: Phase 1 shall construct full street section and curb gutter, sidewalk, and landscaping along opposite side of the street fronting the park (“D” Street). Phase 2 shall construct a full section of curb, gutter, sidewalk, and landscaping of Street opposite the park (“D” Street). Phase 4 shall construct full street section and curb gutter, sidewalk, and landscaping along opposite side of the street fronting the park (“B” Street). This requirement may be reduced or altered by the City Engineer, if, the appropriate portions of park frontage are added to the SLIF fee capital improvement program.
3. Applicant shall revise partial street cross sections; partial street sections shall have 4’ shoulders with 2’ paved shoulders to the same structural section as the remainder of the road and 2’ unpaved.
4. Unless constructed by others project shall construct Harry Lorenzo from “F” Street to Farmers Central Road (including park frontage with first final map without transition) in accordance with section E. If land fronting Harry Lorenzo Avenue is rezoned to residential lots prior to application for final map, the improvement plans may be modified to reduce fronting improvement requirements, with the approval of the City Engineer. Upon request of the applicant City will enter into a third party reimbursement agreement to allocate fair share costs to the adjacent property owners. Fair share costs shall include 50% of the total cost less the west sidewalk, landscaping, water and sewer services. The third party reimbursement agreement shall be completed prior to the approval of the final map. Final cost determination shall approved by the City Engineer.
5. Unless constructed by others, project shall place a type III slurry or micro pave, at the discretion of the City Engineer, and stripe Harry Lorenzo Avenue from the improvements of the Harry Lorenzo Drive to its southerly terminus.

6. Unless constructed by others the project shall construct/extend Farmers Central Road from Pioneer Avenue to Harry Lorenzo Avenue with the first final map. If necessary for access, only the road section may be reduced to two twelve foot lanes plus four foot shoulders on each side with additional turn lanes as necessary at Harry Lorenzo Drive. Design of the interim/partial road improvements shall be compatible with the ultimate design of the roadway. Upon request of the applicant City will enter into a third party reimbursement agreement to allocate fair share costs to the adjacent property owners. The third party reimbursement agreement shall be completed prior to the approval of the final map.
7. Along the alignment of Farmer's Central Extension there shall be a 20 foot landscaped greenbelt corridor including a 10 foot bike path, and 10 foot landscaping component. Path may meander to the north only if necessary to avoid PG&E transmission poles. Path design and alignment shall be subject to the approval of the City. At a minimum, the corridor shall include a 10 foot path shall: be reinforced to support maintenance/emergency vehicles, include 10 foot of landscaping, parkway level lighting along the length of the corridor, and connect to "B" Street as well as align ultimately for the SR 113 overcrossing. Furthermore, design of the greenbelt corridor shall include working with PG&E to vacate its existing easement and establish a new easement that aligns with the actual transmission line. Property descriptions and easements shall be to the satisfaction of the City Engineer. Timing of the greenbelt corridor may be deferred until the development of the remainder parcel provided that fair share payments are made on a per unit basis for phases 1, 2 & 3 into a City held escrow account. A fair share shall be determined by the following process.
  - A. With the first final map application the applicant shall prepare a preliminary design with a cost estimate for the greenbelt corridor. The cost estimate shall include a 20% contingency and 7.5% in plan check and inspection rate, 10% design costs, and a 7% CM overhead rate. Cost estimate greenbelt corridor shall be itemized separately so that SLIF credits may be applied towards that portion of the cost separate from the balance of the remainder of the subdivision improvements. Payments collected towards construction and construction costs are eligible for SLIF credits and reimbursements. The calculation shown below is an example based on the anticipated number of units in the map. The calculation shall be updated as needed.
  - B. Then the total cost shall be divided by 234 (176 units for the map plus 84 x .7 for the multi family).
  - C. Then each final map shall pay the amount at time of final map on a per unit basis. Once paid, a fee credit in an amount equal to the amount paid in cash will be added to the property's fee reimbursement account and used subject to the Administrative Guidelines for Allocation and Distribution of BUA's in the Spring Lake Specific Plan

adopted by the City Council on March 5, 2013 and as subsequently amended, and in accordance with the Funding and Reimbursement Agreement

- D. Upon request, the City will enter into a 3<sup>rd</sup> party reimbursement agreement to seek a proportional share reimbursement from the adjacent residentially zoned benefitting property owner. .
  - E. Cash payments and construction costs may be reimbursable or creditable from the SLIF if the facility is included in the SLIF CIP subject to restrictions of the Administrative Guidelines for Allocation and Distribution of BUA's in Spring Lake Specific Plan adopted by the City Council on March 5, 2013 and as subsequently amended and in accordance with the Funding and Reimbursement Agreement..
8. Prior to approval of the first final map the applicant shall submit for approval of the City Engineer a traffic calming plan for the entire tentative map area. Plan shall generally conform to recommendations made in the traffic study. Traffic calming features may vary from those shown on the tentative map. Applicant shall construct components of the traffic calming plan as part of the public improvement program.
  9. Underground overhead distribution utilities on the property. Transmission lines in the PG&E easement may remain overhead.
  10. With first final map and the extension of Farmers Central Road from Pioneer Avenue to Harry Lorenzo Drive the applicant shall construct roundabouts at the intersection of Farmers Central Road and Harry Lorenzo Avenue and at "F" Street and Harry Lorenzo Avenue. Upon inclusion in the Spring Lake SLIF CIP, the cost of the roundabout shall be SLIF reimbursable/creditable.
  11. Details for the construction of "F" Street shall include a tree preservation plan for the Heritage Oak(s) required to remain on site. Design of the pre-preservation plan, fencing materials, and all other components shall be approved at the sole discretion of the City.
  12. Project shall provide paved access with bollard or gate control to City approved openings in the sound wall for Maintenance access. Paved access and access control design shall be subject to the approval of the City. Paved access shall meet alley width minimum requirements, or the width may be reduced to 15 feet with the approval of the City Engineer.



13. Cross section J shall have a 4.5 foot sidewalk adjacent to curb and 10' PUE behind the monolithic curb.
14. Cross sections 2/C01 and 3/C02 shall be removed from Sheet C05 of the Tentative Map.

### **Easements and Right of Way**

1. A seven (7) / ten (10) foot adjacent to monolithic sidewalk foot public utility easement back of (separated) sidewalk, adjacent to all public streets within the development shall be dedicated to the City and may be required elsewhere as requested by the utility companies and approved by the City.
2. Prior to approval of first set of improvement plans and final map, Applicant shall acquire all rights of way and easements necessary to construct off-site and on-site improvements associated with the tentative map. Final determination of Right of Way Requirements shall be made by the City Engineer.
3. Phase 3 final map shall dedicate a 28 foot strip between the tentative map edge and Caltrans Right of Way.
4. Lots 160 through 176 shall include a general access easement to the City for repair and maintenance of the sound wall.
5. Project shall acquire or dedicate 15' maintenance access easements along the north edge of the property (may be on adjacent property) and along the south side of Lot 176. Project shall provide paved PCC access with bollard control to City approved openings in the sound wall for maintenance access.
6. Should, after a good faith effort based on a MAI Appraisal, the applicant has been unable to obtain offsite right of way, the applicant may request that the City obtain the land at the cost of the applicant. Applicant shall deposit estimated cost of land, staff time and attorney time to obtain the land. After land has been obtained City shall relinquish balance of funds on hand.
7. Applicant shall acquire by deed or lot line adjustment the right of way for the knuckle on "B" Street, with the final map which includes this portion of "B" Street prior to sale of the Park site, unless mapping of that corner can be made without expanded corner, subject to the approval of the City Engineer.

### **Wastewater and Sewer Collection System**

1. The property shall be connected to the City of Woodlands sewer system, with a separate sewer lateral required for each parcel, in accordance with City of Woodland standards.
2. The Tentative Map Sewer Plan showing sewer routing, pipe slopes and sizing and locations, are preliminary only and do not constitute approval in any way. Final approval for the Sewer Plan shall occur with the final improvements based on the requirements set forth in these conditions of approval.
3. Construction of deep sewer mains shall be connected to laterals by a parallel main and connections at Manholes.
4. Applicant shall obtain a groundwater discharge permit from the State Board of Reclamation prior to ground dewatering.
5. Any onsite Septic tanks shall be to county health department standards, prior to the final map within which boundary it is contained.

### **Storm Water**

1. A comprehensive storm drainage plan shall be prepared by a registered civil engineer for project watershed(s), including the plan area. The plan shall identify specific storm drainage design features to control increased runoff from the project site. The drainage plan shall demonstrate the effectiveness of the proposed storm drainage system to prevent negative impacts to existing downstream facilities and to prevent additional flooding at off-site downstream locations. All necessary calculations and assumptions and design details shall be submitted to the City Engineer for review and approval. The design features proposed by the applicant shall be consistent with the most recent version of the City's Storm Drainage Master Plan criteria and City Standard Specifications and Details. The plan shall incorporate secondary flood routing analysis and shall include final sizing and location of on-site and off-site storm conduit channels, structures and (detention basins if required). The Storm Drainage Plan shall be submitted for approval prior to submittal of the first final map and/or construction drawings for checking. The applicant shall pay the cost associated with all improvements required by the plan and an appropriate reimbursement agreement shall be drafted to reimburse the applicant for oversize improvements on a pro rata basis per the Project level Development Agreement.
2. A topographic survey of the entire site and a comprehensive grading plan prepared by a registered civil engineer shall be required for the development. The plan shall include

topographic information on adjacent parcels. In addition to grading information, the grading plan shall indicate all existing trees, and trees to be removed as a result of the proposed development, if any. A statement shall appear on the site grading and drainage plan, which shall be signed by a registered civil engineer or land surveyor and shall read, "I hereby state that all improvements have been substantially constructed as presented on these plans". Reference the City of Woodland Engineering Design and Construction Standards for additional requirements.

3. The Tentative map Grading and Drainage plan showing grading and drainage information including topographic information, drainage routing, pipe slopes and sizing and locations and including topographic information, and overland drainage routing are preliminary only and do not constitute approval in any way. Final approval for the grading and Drainage Plan shall occur with the final improvements based on the requirements set forth in these conditions of approval.
4. Unless constructed by others the first final map shall construct the extension of the 72" storm drain line along Farmers Central Road from Pioneer Avenue to Harry Lorenzo Avenue.
5. Development of the remainder parcel (multi-family site) will require construction of the 60" storm drain line from SR 113 to Harry Lorenzo Avenue at its sole cost less any reimbursement collected by item 6 below.
6. Each phase of the project shall contribute fair share costs for the 60" Storm Drain line along the southerly boundaries; payments collected towards construction and construction costs are eligible for SLIF credits and reimbursements. Fair share payments are made on a per unit basis for phases 1, 2 & 3 (for reimbursement and or construction into a City held escrow account). The calculation shown below is an example based on the anticipated number of units in the map. The calculation shall be updated as needed. A fair share shall be determined by the following process:
  - A. With the first final map the applicant shall prepare a preliminary design with a cost estimate 60" storm drain, access road, gates, and appurtenances. The cost estimate shall include a 20% contingency and 7.5% in plan check and inspection rate, 10% design costs, and a 7% CM overhead rate.
  - B. Then the total cost shall be divided by 234 (176 units for the map plus 84 x. 7 for the multi family).

Then each final map shall pay the amount at time of final map on a per unit basis. Once paid, a fee credit in an amount equal to the amount paid in cash will be added to the property's fee credit account and used subject to the Administrative Guidelines for Allocation and Distribution of BUA's in Spring Lake...adopted by the City Council on March 5, 2013 as subsequently amended and in accordance with the Funding and Reimbursement Agreement.

- C. Upon request the City will enter into a 3<sup>rd</sup> party reimbursement agreement to seek a proportional share reimbursement from the adjacent residentially zoned benefitting property owner.
- D. Cash payments (once made) and construction costs will be reimbursable or creditable from the SLIF subject to restrictions of the Administrative Guidelines for Allocation and Distribution of BUA's in Spring Lake Specific Plan as adopted by the City Council on March 5, 2013 as subsequently amended and in accordance with the Funding and Reimbursement Agreement. .

#### **Storm Water Quality Control**

- 1. Construction of projects disturbing more than one acre of soil shall require a National Pollution Discharge Elimination System (NPDES) construction permit. Applications/projects disturbing less than one acre of soil shall implement BMP's to prevent and minimize erosion. The improvement plans for construction of less than 1 acre shall include a BMP to be approved by the City Engineer. Projects of this size shall also prepare a SWPPP (Storm water Pollution prevention plan).
- 2. Project shall comply with Storm Water Quality Ordinance, for site specific, general, and treatment control measures.
- 3. The Developer shall create a storm water phasing plan to be approved by the City Engineer prior to a grading permit or final map, unless otherwise determined unnecessary by the City Engineer.

#### **Water Infrastructure Conditions**

- 1. All materials and installation of the water system shall be at the developer's expense per City of Woodland Standard Specifications and Details.
- 2. Until such time as actual service connections are approved for the subdivision, the water agency may withhold water service due to a water shortage declared by the water agency.

3. If not constructed by others, the first final map shall construct a 12" water line in Harry Lorenzo Avenue connecting to the water mains in Farmers Central Road and Gibson Road and extend the 12" main in Farmers Central Road from Pioneer Avenue to Harry Lorenzo Avenue. Upon request, the City may enter into a 3<sup>rd</sup> party reimbursement agreement to seek a proportional share reimbursement from the adjacent residentially zoned benefitting property owner, if determined applicable to the adjacent development.
4. The Tentative Map Water Plan showing water routing, sizing and locations, are preliminary only and do not constitute approval in any way. Final approval for the Water Plan shall occur with the final improvements based on the requirements set forth in these conditions of approval. Applicant shall comply with making changes to water system distribution pipe sizes and alignments based on the results of the specific water modeling performed for the project. Applicant shall pay for all required water modeling for identifying water infrastructure needs to serve its development and shall construct offsite water improvements to connect to the City water distribution system.
5. Per City of Woodland Cross Connection Control Program, all types of commercial buildings and landscape irrigation services are required to maintain an approved backflow prevention assembly, at the developer's expense. Service size and flow-rate for the backflow prevention assembly must be submitted. Location of the backflow prevention assembly shall be per the City of Woodland Standard Specifications and Details. Prior to the installation of any backflow prevention assembly between the public water system and the owner's facility, the owner or contractor shall make application and receive approval from the City Engineer or his designated agent.
6. Any fire hydrant installed will require, in addition to the blue reflector noted in Standard Drawings, an additional blue reflector and glue kit that is to be supplied to the City of Woodland Fire Department for replacement purposes.
7. One Water Sampling Station shall be installed with the first final map.
8. Applicant shall abandon all on site private wells with the demolition of existing structures served by the wells prior to final map within which the well is located.

### **Landscaping**

1. Landscaping of public areas is a public improvement. Design and construction of public landscaping areas shall proceed concurrently with adjacent development. Public improvements will not be formally accepted until a 90-day maintenance period on landscaping improvements is completed. This requirement may be waived at time of acceptance of other public improvements with approval of the Parks, Public Works and



Community Development departments, but if waived shall require submittal of a separate security to ensure landscaping completion.

2. The phase 3 final map in Calwest shall construct the entire sound wall along the western edge of the tentative map. Sound wall design and construction costs are eligible for SLIF credits.
3. Phase 3 shall construct 28' landscape strip along western boundary. Landscaping will need to be bonded for and are included in the public improvements and are eligible for SLIF credits upon addition to the Spring Lake CIP.

### **Grading**

1. A topographic survey of the entire site and a comprehensive grading and drainage plan prepared by a registered civil engineer, shall be required for the development. The plan shall include topographic information on adjacent parcels. In addition to grading information, the grading plan shall indicate all existing trees, and trees to be removed as a result of the proposed development, if any. A statement shall appear on the site grading and drainage plan, which shall be signed by a registered civil engineer or land surveyor and shall read, "I hereby state that all improvements have been substantially constructed as presented on these plans". Reference the City of Woodland Engineering Design and Construction Standards for additional requirements.
2. The Tentative map Grading and Drainage plan showing grading and drainage information including topographic information, drainage routing, pipe slopes and sizing and locations and excluding topographic information, and overland drainage routing are preliminary only and do not constitute approval in any way. Final approval for the grading and Drainage Plan shall occur with the final improvements based on the requirements set forth in these conditions of approval.
3. The differential in elevation between rear and side abutting lot lines shall not exceed twelve inches (12") without construction of concrete or masonry block retaining walls.

### **Fees**

1. The Owner shall pay all required fees for processing final maps (technical check) with final map submittal.
2. Prior to approval of improvement plans, the Owner shall pay all fees for plan check and inspection of offsite infrastructure improvements, as approved by City Council and defined in the City Fee Schedule. If Owner pays a deposit only at improvement plan submittal, the balance shall be paid prior to improvement plan approval by the City Engineer.

3. At building permit issuance the applicant shall pay applicable Development Impact Fees or connect fees in effect at the time of building permit issuance.
4. Shall pay \$794 per house for 25A; construction & reimbursement, the fee is due at building permit. (DA Item)
5. Transit Capital fee: Prior to final map or project approval (for single-family) applicant shall pay a \$208 per DUE fee. (DA item)
6. Transit Operation fee: Prior to final map or project approval (for single family) applicant shall pay a \$35 per DUE fee. (DA item)
7. If a multi family project does not require a final map (rental apartments), the project shall pay prior to building permit a per unit fee of \$146 for transit capital and \$25 for transit operation. (DA Item)
8. The conditions of approval set forth herein include certain fees, dedication requirements, reservation requirements and/or other exactions. Pursuant to Government Code, Section 66020(d), these conditions constitute written notice of the amount of such fees, and a description of the dedications, reservations and other exactions.

The applicant is hereby notified that the 90-day protest period, commencing from the date of project approval, has begun. If the applicant fails to file a timely protest regarding any of the fees, dedication requirements, reservation requirements and/or other exactions contained in this notice, complying with all the requirements of Government Code, Section 66020, the applicant will be legally barred from later challenging such fees, dedications requirements, reservation requirements and/or other such exactions.

Notwithstanding the foregoing, the City does not waive any rights it may have to enforce any settlement agreement, memorandum of understanding, or other agreement with the applicant which authorizes the City to impose certain fees, and which may waive the applicant's right to challenge the imposition of some or all of the fees, dedication requirements, reservation requirements, and/or other exactions set forth in these conditions of approval.

9. If existing buildings are demolished, applicant shall document size and type of buildings prior to demolition to determine if there is a credit for impact fees, If there are no sewer or water service connections no sewer or water impact fees will be credited.

10. Applicant shall pay \$150 per lot at final map for the advance planning study for the SR 113 bike overcrossing. (DA Item)

### **Engineering General Conditions**

1. Prior to final map the applicant shall submit and have approved a revised tentative map in compliance with these conditions. The revised tentative map is subject to the approval of the City Engineer and Community Development Department.
2. Developer shall document and show evidence that all tentative map conditions are met with submittal of final map.
3. Enter into a (Subdivision) Improvement Agreement for the construction of public improvements prior to construction of any improvements, approval of improvement plans, approval of final map, or building permits.
4. Prepare improvement plans for any work within the public right-of-way and submit them to the Engineering Division for review and approval. The improvement plan sheets shall include the title block as outlined in the City of Woodland Standard Specifications. This submittal is separate from the building permit submittal. All public improvements shall conform to the current City of Woodland Standard Specifications.
5. Submit proposed Street names to fire department for approval with a copy to Engineering prior to improvement final map submittal.
6. Public improvements, in addition to roadway construction shall include water, sewer and storm drain mains, Fire hydrants, street lights and appurtenances
7. All non single family water services to this site shall include backflow prevention devices and water meters, with meters located within the Public Utilities Easement (P.U.E.) adjacent to the public road, in a location approved by the Public Works Department.
8. Submit an application for reapportionment of assessments with the parcel map or subdivision map.
9. Project shall obtain a Caltrans encroachment permit for construction of the sound wall and landscaping if necessary. A copy of the permit shall be provided to the City prior to approval of the final map and start of construction.

10. All utility poles that are to be relocated in conjunction with this project shall be identified on the improvement plans, with existing and proposed locations indicated.
11. All public landscape areas shall include a separate point of connection for water laterals with meters and PG&E power service points for automatic controllers.
12. If improvements are constructed and/or installed by a party or parties other than the Developer, which improvements benefit Developer's property, Developer shall pay a proportionate share of the costs of said improvements, including interest, prior to the issuance of building permit(s) (approval of the final map) to Developer.
13. If conditions for the project require Owner to construct improvements which benefit parties other than Owner, and are subject to reimbursement by others as determined by the City Engineer, Owner may request to enter into a reimbursement agreement drafted by the City. City shall endeavor to collect reimbursements from the benefiting party(ies) including requiring payment prior to approval of any entitlements for benefiting party(ies). All reimbursement agreements shall be executed prior to final map approval.
14. If greater than 640 S.F., second units shall pay single family dwelling unit development fees.
15. All Second units shall have separate water service and meter.
16. This project is subject to the construction and demolition debris recycling and diversion ordinance; contact Marshal Echols, Conservation coordinator, at 661-2063 for more information.
17. Joint trench/utility plans shall be submitted to the City Engineer for review, prior to approval of the final map and improvement plans.
18. U.S. Post Office mailbox locations shall be shown on the improvement plans subject to approval by the City Engineer and Postmaster.
19. A registered landscape architect shall design landscape and sound wall and privacy wall improvements and improvements shall be per the SLSP and other City Standards, as applicable.

20. Project shall include in the disclosure document for each house that the future park does not have a scheduled date for construction and that future construction will be subject to available funds.

### **Fire Department**

1. Weed Abatement. The project site shall comply with the City of Woodland Weed Abatement Ordinance. The project, parcel map, along with any lots shall be maintained throughout the year so that all dead trees or any vegetation growing upon the streets, sidewalks, or upon private property which bears seeds of a wingy or downy nature shall be removed and maintained so as to meet the City of Woodland standards.
2. Fire Flow- The minimum fire flow required shall be determined as specified by the City of Woodland Municipal Code, Chapter 9, 2010 California Fire Code and the City of Woodland Standard Specifications and Details, 2010 edition. Given the present plans and information, the required fire flow is approximately 1,500 gallons per minute at 20 psi for a minimum 2 hour duration. The applicant shall meet the required volume and duration at the project site prior to obtaining a building permit.
3. Water Supply and Hydrants. Water supply and fire hydrants shall be installed in accordance with CFC Article 9 (903). When any portion of the facility or building is in excess of 150 feet from a water supply on a public street, on site fire hydrants will be required. A plan shall be submitted to the Fire Department to determine the location of the fire hydrants. Plans shall be approved prior to the installation.

### **Building Division**

1. The project will be required to conform to the current codes that are in effect at the time of plan submittal.
2. Plans will need to be complete at the time of submittal as the City of Woodland does not accept deferred submittals.
3. All sub-contractors/companies working on the project will be required to obtain a City of Woodland Business Registration.
4. The project shall comply with FEMA regulations.

### **Yolo Solano Air Quality Management District**

1. Portable diesel fueled equipment greater than 50 horsepower (HP), such as generators or pumps, must be permitted with the District, or under specific circumstances as approved by the District, may be registered with the Air Resources Board's (ARB's) Portable Equipment Registration Program (PERP) (<http://www.arb.ca.gov/perp/perp.htm>).



2. Dust emissions must be prevented from creating a nuisance to surrounding properties as regulated under District Rule 2.5 Nuisance.

Recorded at request of: )  
City Clerk )  
City of Woodland )  
 )  
When recorded return to: )  
City of Woodland )  
300 First Street )  
Woodland, CA 95695 )  
Attention: City Clerk )  
 )

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Exempt from filing fees pursuant to Government Code §6103

**AN AMENDED AND RESTATED DEVELOPMENT AGREEMENT BETWEEN**

**CITY OF WOODLAND,**

**A DEVELOPMENT AGREEMENT BETWEEN**

**CITY OF WOODLAND**

**and**

**CAL WEST INVESTORS LLC AND OPTIMISTIC PARTNERS LLC**

**8.29.13 version**

## **DEVELOPMENT AGREEMENT NO. [\_\_\_\_\_]**

This Development Agreement (hereinafter "Agreement") is entered into as of this \_\_\_\_ day of September, 2013 by and between the City of Woodland, California ("CITY"), and Cal/West Investors LLC and Optimistic Partners, LLC, California corporations (collectively "OWNER"):

### **RECITALS**

WHEREAS, CITY is authorized to enter into binding development agreements with persons having legal or equitable interests in real property for the development of such property, pursuant to Section 65864, et seq. of the Government Code; and

WHEREAS, CITY has approved the Spring Lake Specific Plan ("Plan") which encompasses OWNER's property, more fully described on Exhibit "A" and shown on Exhibit "B" to this Agreement (Property), and which requires owners of property within the Plan area to enter into development agreements as a precondition of development; and

WHEREAS, this Agreement includes the ten acre park and neighborhood commercial site shown on Exhibit B, and Owner agrees to submit an application for its development prior to acceptance of the first final map; and

WHEREAS, CITY and Cal/West Seeds entered into a development agreement relative to the development known as the Cal/West Seeds Inc. 20 acres, which development agreement was recorded in the Official Records of Yolo County on November 4, 2011, as Instrument No. 2011-0030468-00, and on or around October 9, 2012, City approved a lot line adjustment whereby a portion of the Cal/West Seeds property would be owned by Cal West Investors, LLC and subject to the Cal/West Seeds development agreement; and

WHEREAS, Cal/West Seeds subsequently sold its 20-acre property to Optimistic Partners, LLC, which currently owns the 20 acres formerly owned by Cal/West Seeds; and

WHEREAS, CITY and Cal West Investors, LLC entered into a certain development agreement relative to the development known as the Cal West Investors LLC 25 acres, which development agreement was recorded in the Official Records of Yolo County on July 20, 2012 as Instrument No. 2012-0023092-00, and on or around October 9, 2012, City approved a lot line adjustment whereby a portion of the Cal West Investors property would be owned by Cal/West Seeds and subject to the Cal West Investors, LLC development agreement; and

WHEREAS, OWNER(s) and CITY now wish to enter into an Amended and Restated Development Agreement, which shall replace both the Cal West Investors, LLC and Cal/West Seeds Development Agreements as they pertain to the Property allowing for the construction of a project as described herein ("Project"); and

WHEREAS, OWNER has applied to CITY for certain entitlements for development of its Property, including this Agreement, and proceedings have been taken in accordance with the rules and regulations of CITY; and

WHEREAS, the terms and conditions of this Agreement have undergone extensive review by CITY and OWNER and have been found to be fair, just and reasonable; and

WHEREAS, the best interests of the citizens of the City of Woodland and the public health, safety and welfare will be served by entering into this Agreement; and

WHEREAS, the City Council hereby finds and determines that this development agreement is of major significance because it will enable the City to fund much needed capital improvements and provide much needed public services and will therefore also have a major, beneficial economic impact on the City; and

WHEREAS, all of the procedures of the California Environmental Quality Act have been met with respect to the Project and the Agreement, with the Woodland City Council's certification of the Environmental Impact Report for the Spring Lake Specific Plan (Turn of the Century EIR, SCH #99022069, August 15, 2000) and adoption of addenda to the Turn of the Century EIR; and

WHEREAS, this Agreement and the Project are consistent with the Woodland General Plan and the Spring Lake Specific Plan; and

WHEREAS, all actions taken and approvals given by CITY have been duly taken or approved in accordance with all applicable legal requirements for notice, public hearings, findings, votes, and other procedural matters; and

WHEREAS, development of the Project in accordance with this Agreement will provide substantial benefits to CITY and will further important policies and goals of CITY; and

WHEREAS, this Agreement will eliminate uncertainty in planning and provide for the orderly development of OWNER's property, ensure progressive installation of necessary improvements, provide for public services appropriate to the development of the Project, and generally serve the purposes for which development agreements under Section 65864, et seq. of the Government Code are intended.

### **COVENANTS**

NOW, THEREFORE, in consideration of the above recitals and of the mutual covenants hereinafter contained and for other good and valuable consideration, the receipt and adequacy of which are hereby acknowledged, the parties agree as follows:

1. DEFINITIONS AND EXHIBITS.

1.1 Definitions. The following terms when used in this Agreement shall be defined as follows:

1.1.1 “Agreement” means this Development Agreement.

1.1.2 “CITY” means the City of Woodland, a California municipal corporation.

1.1.3 “City Council” means the duly elected city council of the City of Woodland.

1.1.4 “Commencement Date” means the date the Term of this Agreement commences.

1.1.5 “Development” means the improvement of the Property (as defined herein) for the purposes of completing the structures, improvements and facilities comprising the Project including, but not limited to: grading; the construction of infrastructure and public facilities related to the Project whether located within or outside the Property; the construction of buildings and structures; and the installation of landscaping. “Development” does not include the maintenance, repair, reconstruction or redevelopment of any building, structure, improvement or facility after the construction and completion thereof.

1.1.6 “Development Approvals” means all permits and other entitlements for use subject to approval or issuance by CITY in connection with development of the Property including, but not limited to:

- (a) specific plans and specific plan amendments;
- (b) tentative and final subdivision and parcel maps;
- (c) conditional use permits, public use permits and plot plans;
- (d) zoning;
- (e) grading and building permits.

1.1.7 “Development Exaction” means any requirement of CITY in connection with or pursuant to any Land Use Regulation or Development Approval for the dedication of land, the construction of improvements or public facilities, or the payment of fees in order to lessen, offset, mitigate or compensate for the impacts of development on the environment or other public interests.

1.1.8 “Development Impact Fee” means a monetary exaction other than a tax or special assessment, whether established for a broad class of projects by legislation of general applicability or imposed on a specific project on an ad hoc basis, that is charged by a local agency to

the applicant in connection with approval of a development project for the purpose of defraying all or a portion of the cost of public facilities related to the development project, and which may be increased or updated from time to time, but does not include fees for processing applications for governmental regulatory actions or approvals, fees collected under development agreements adopted pursuant to Article 2.5 of the Government Code (commencing with Section 65864) of Chapter 4, or fees collected pursuant to agreements with redevelopment agencies which provide for the redevelopment of property in furtherance or for the benefit of a redevelopment project for which a redevelopment plan has been adopted pursuant to the Community Redevelopment Law (Part 1 (commencing with Section 33000) of Division 24 of the Health and Safety Code).

1.1.9 “Development Plan” means the plan for development of the Property as set forth in Exhibit “C”.

1.1.10 “Effective Date” means the date the ordinance approving and authorizing this Agreement becomes effective.

1.1.11 “Land Use Regulations” means all ordinances, resolutions, codes, rules, regulations and official policies of CITY governing the development and use of land, including, without limitation, the permitted use of land, the density or intensity of use, subdivision requirements, the maximum height and size of proposed buildings, the provisions for reservation or dedication of land for public purposes, and the design, improvement, and construction standards and specifications applicable to the development of the Property. “Land Use Regulations” does not include any CITY ordinance, resolution, code, rule, regulation or official policy, governing:

- (a) the conduct of businesses, professions, and occupations;
- (b) taxes (special or general) and assessments;
- (c) the control and abatement of nuisances;
- (d) the granting of encroachment permits and the conveyance of rights and interests that provide for the use of or the entry upon public property;
- (e) the exercise of the power of eminent domain.

1.1.12 “Mortgagee” means a mortgagee of a mortgage, a beneficiary under a deed of trust or any other security-device lender, and their successors and assigns.

1.1.13 “OWNER” means the persons and entities listed as OWNER on page 1 of this Agreement and their successors in interest to all or any part of the Property.



1.1.14 “Project” means the development of the Property contemplated by the Development Plan as such Plan may be further defined, enhanced or modified pursuant to the provisions of this Agreement.

1.1.15 “Property” means the real property described on Exhibit “A” and shown on Exhibit “B” to this Agreement.

1.1.16 “Reservation of Rights” means the rights and authority excepted from the assurances and rights provided to OWNER under this Agreement and reserved to CITY under Section 3.3 of this Agreement.

1.2 Exhibits. The following documents are attached to, and by this reference made a part of, this Agreement:

Exhibit “A” – Legal Description of the Property

Exhibit “B” – Map showing Property and its location

Exhibit “C” – Development Plan and Conditions of Approval

Exhibit “D” – Development Impact Fees

## 2. GENERAL PROVISIONS.

2.1 Binding Effect of Agreement. The Property is hereby made subject to this Agreement. Development of the Property is hereby authorized and shall be carried out in accordance with the terms of the Development Plan and this Agreement.

2.2 Ownership of Property. OWNER represents and covenants that it is the owner of the fee simple title to, or has an equitable interest in, the Property or a portion thereof.

2.3 Term. The term of this Agreement shall commence on the date (the “Commencement Date”) that is the Effective Date, and shall continue for a period of 20 years thereafter, unless this term is modified or extended pursuant to the provisions of this Agreement. Thereafter, the OWNER shall have no vested right under this Agreement, regardless of whether or not OWNER has paid any Development Impact Fee. Any tentative map approved by CITY for the Property shall have a duration co-extensive with the duration of this Agreement.

### 2.4 Assignment.

2.4.1 Right to Assign. OWNER shall have the right to sell, transfer or assign the Property in whole or in part (provided that no such partial transfer shall violate the Subdivision Map

Act, Government Code Section 66410, et seq.) to any person, partnership, joint venture, firm or corporation at any time during the Term of this Agreement; provided, however, that any such sale, transfer or assignment shall include the assignment and assumption of the rights, duties and obligations arising under or from this Agreement and be made in strict compliance with the following conditions precedent:

(a) No sale, transfer or assignment of any right or interest under this Agreement shall be made unless made together with the sale, transfer or assignment of all or a part of the Property.

(b) Concurrent with any such sale, transfer or assignment, OWNER shall notify CITY, in writing, of such sale, transfer or assignment and shall provide CITY with an executed agreement ("Assignment and Assumption Agreement"), in a form reasonably acceptable to CITY, by the purchaser, transferee or assignee and providing therein that the purchaser, transferee or assignee expressly and unconditionally assumes all the duties, obligations, agreements, covenants, and waivers of OWNER under this Agreement, including, without limitation, the covenants not to sue and waivers contained in Sections 7.2 and 8.4 hereof.

Any sale, transfer or assignment not made in strict compliance with the foregoing conditions shall constitute a default by Owner under this Agreement. Notwithstanding the failure of any purchaser, transferee or assignee to execute the agreement required by Paragraph (b) of this Subsection 2.4.1, the burdens of this Agreement shall be binding upon such purchaser, transferee or assignee, but the benefits of this Agreement shall not inure to such purchaser, transferee or assignee until and unless such agreement is executed.

2.4.2 Release of Transferring Owner. Notwithstanding any sale, transfer or assignment, a transferring OWNER shall continue to be obligated under this Agreement with respect to the transferred Property or any transferred portion thereof, unless such transferring OWNER is given a release in writing by CITY (which written confirmation may be in the form of execution and recordation of the Assignment and Assumption Agreement), which release shall be provided by CITY upon the full satisfaction by such transferring OWNER of the following conditions:

(a) OWNER no longer has a legal or equitable interest in all or any part of the Property subject to the transfer.

(b) OWNER is not then in default under this Agreement.

(c) OWNER has provided CITY with the notice and executed agreement required under Paragraph (b) of Subsection 2.4.1 above.

(d) The purchaser, transferee or assignee provides CITY with security equivalent to any security previously provided by OWNER to secure performance of its obligations

hereunder.

2.4.3 Subsequent Assignment. Any subsequent sale, transfer or assignment after an initial sale, transfer or assignment shall be made only in accordance with and subject to the terms and conditions of this Section.

2.4.4 Utilities. The Project shall be connected to all utilities necessary to provide adequate water, sewer, gas, electric, and other utility service to the Project, prior to the issuance of a certificate of occupancy for any portion of the Project.

2.4.5 Sale to Public and Completion of Construction. The provisions of Subsection 2.4.1 shall not apply to the sale or lease (for a period longer than one year) of any lot that has been finally subdivided and is individually (and not in "bulk") sold or leased to a member of the public or other ultimate user. This Agreement shall terminate with respect to any lot, and such lot shall be released and no longer be subject to this Agreement without the execution or recordation of any further document upon satisfaction of both of the following conditions:

(a) The lot has been finally subdivided and individually (and not in "bulk") sold or leased (for a period longer than one year) to a member of the public or other ultimate user; and

(b) A certificate of occupancy has been issued for a building on the lot, and the fees for such lot set forth in this Agreement have been paid.

2.5 Amendment or Cancellation of Agreement. This Agreement may be amended or canceled in whole or in part only by written consent of all parties in the manner provided for in Government Code Section 65868. This provision shall not limit any remedy of CITY or OWNER as provided by this Agreement.

2.6 Termination. This Agreement shall be deemed terminated and of no further effect upon the occurrence of any of the following events:

(a) Expiration of the stated Term of this Agreement as set forth in Section 2.3.

(b) Entry of a final judgment setting aside, voiding or annulling the adoption of the ordinance approving this Agreement.

(c) The adoption of a referendum measure overriding or repealing the ordinance approving this Agreement.

(d) Completion of the Project in accordance with the terms of this Agreement including issuance of all required occupancy permits and acceptance by CITY or applicable public agency of all required dedications.

Termination of this Agreement shall not constitute termination of any other land use entitlements approved for the Property. Upon the termination of this Agreement, no party shall have any further right or obligation hereunder except with respect to any obligation to have been performed prior to such termination or with respect to any default in the performance of the provisions of this Agreement that has occurred prior to such termination or with respect to any obligations that are specifically set forth as surviving this Agreement. Upon such termination, any Development Impact Fees paid by OWNER to CITY for residential units on which construction has not yet begun shall be refunded to OWNER by CITY.

2.7 Notices.

(a) As used in this Agreement, "notice" includes, but is not limited to, the communication of notice, request, demand, approval, statement, report, acceptance, consent, waiver, appointment or other communication required or permitted hereunder.

(b) All notices shall be in writing and shall be considered given either: (i) when delivered in person to the recipient named below; or (ii) on the date of delivery shown on the return receipt, after deposit in the United States mail in a sealed envelope as either registered or certified mail with return receipt requested, and postage and postal charges prepaid, and addressed to the recipient named below; or (iii) on the date of delivery shown in the records of the telegraph company after transmission by telegraph to the recipient named below. All notices shall be addressed as follows:

If to CITY:

City of Woodland  
300 First Street  
Woodland, CA 95695  
Attn: City Manager  
Telephone: (530) 661-5800  
Facsimile: (530) 661-5848

Copy to:

Best, Best & Krieger, LLP  
5400 Capitol Mall, Suite 1700  
Sacramento, CA 95814  
Attn: Woodland City Attorney  
Telephone: (916) 325-4000  
Facsimile: (916) 325-4010

If to OWNER:

Cal West Investors, LLC  
Attn: Melanie Mathews  
173 Court Street, Suite D  
Woodland, Ca 95695

Optimistic Partners  
Attn: Bill Streng  
1949 Fifth Street, Suite 108  
Davis Ca 95616

(c) Either party may, by notice given at any time, require subsequent notices to be given to another person or entity, whether a party or an officer or representative of a party, or to a different address, or both. Notices given before actual receipt of notice of change shall not be invalidated by the change.

### 3. DEVELOPMENT OF THE PROPERTY.

#### 3.1 Rights to Develop.

3.1.1 Subject to the terms of this Agreement including the Reservation of Rights, OWNER shall have a vested right to develop the Property in accordance with, and to the extent of, this Agreement. Except as expressly provided otherwise herein, the Project shall remain subject to all Land Use Regulations and Development Approvals, whether in effect on the Effective Date or subsequently adopted or amended, that are required to complete the Project as contemplated by the Development Plan. Except as otherwise provided in this Agreement, and notwithstanding the authority of the CITY to further revising the Land Use Regulations pursuant to Government Code section 65866, the permitted uses of the Property, the density and intensity of use, the maximum height and size of proposed buildings, and provisions for reservation and dedication of land for public purposes shall be those set forth in the Land Use Regulations and Development Approvals, whether in effect on the Effective Date or subsequently adopted or amended. OWNER shall comply with all mitigation measures required to be undertaken pursuant to any document prepared in compliance with the California Environmental Quality Act with respect to the Project.

3.1.2 CITY and OWNER acknowledge that this Agreement has been prepared and executed in order to comply with the requirement in the Spring Lake Specific Plan that a development agreement be entered into in connection with any rezoning of land or tentative map approval within the Specific Plan area. This Agreement is for Tentative Subdivision Map # 4991, and the 10 acre park and neighborhood commercial parcel, which is the subject of this Agreement,

which result in 176 R-8 units, and a remainder parcel that is zoned for a possible 84 units on the multi-family site.

The Specific Plan indicates that the 2-acre commercial sites shall be floating designations with the precise location determined at the time of the land division that creates the park and surrounding residential lots. Prior to acceptance of the first final map the applicant shall either submit an application for a Spring Lake Plan Amendment or provide funding toward a future Plan Amendment for the relocation of the park west of its existing location. Determination for the location of the remaining 2 acres shall be provided at that time.

3.2 Effect of Agreement on Land Use Regulations. Except as otherwise provided under the terms of this Agreement including the Reservation of Rights, the rules, regulations and official policies governing permitted uses of the Property, the density and intensity of use of the Property, the maximum height and size of proposed buildings, and the design, improvement and construction standards and specifications applicable to development of the Property shall be the Land Use Regulations and Development Approvals, whether in effect on the Effective Date or subsequently adopted. In connection with any subsequently imposed Development Approvals and except as specifically provided otherwise herein, CITY may exercise its discretion in accordance with the Land Use Regulations then in effect, as provided by this Agreement, including, but not limited to, the Reservation of Rights. CITY shall accept for processing, review and action all applications for subsequent development approvals, and such applications shall be processed in the same manner and the CITY shall exercise its discretion, when required or authorized to do so, to the same extent it would otherwise be entitled in the absence of this Agreement.

3.3 Reservation of Rights.

3.3.1 Limitations, Reservations and Exceptions. Notwithstanding any other provision of this Agreement, the following regulations shall apply to the development of the Property:

(a) Processing fees and charges of every kind and nature imposed by CITY to cover the estimated actual costs to CITY of processing applications for Development Approvals or for monitoring compliance with any Development Approvals granted or issued.

(b) Procedural regulations relating to hearing bodies, petitions, applications, notices, findings, records, hearings, reports, recommendations, appeals and any other matter of procedure.

(c) Regulations, adopted policies and rules governing engineering and construction standards and specifications applicable to public and private improvements, including, without limitation, all uniform codes adopted by the City and any local amendments to those codes adopted by the CITY, including, without limitation, the CITY's Building Code, Plumbing Code, Mechanical Code, Electrical Code, and Grading Ordinance.



(d) Regulations imposing Development Exactions; provided, however, that no such subsequently adopted Development Exaction shall be applicable to development of the Property unless such Development Exaction is applied uniformly to development, either throughout the CITY or within a defined area of benefit which includes the Property. No such subsequently adopted Development Exaction shall apply if its application to the Property would physically prevent development of the Property for the uses and to the density or intensity of development set forth in the Development Plan. In the event any such subsequently adopted Development Exaction fulfills the same purposes, in whole or in part, as the fees set forth in Section 4 of this Agreement, CITY shall allow a credit against such subsequently adopted Development Exaction for the fees paid under Section 4 of this Agreement to the extent such fees fulfill the same purposes.

(e) Regulations that may be in material conflict with this Agreement but that are reasonably necessary to protect the residents of the project or the immediate community from a condition perilous to their health or safety. To the extent possible, any such regulations shall be applied and construed so as to provide OWNER with the rights and assurances provided under this Agreement.

(f) Regulations that are not in material conflict with this Agreement or the Development Plan. Any regulation, whether adopted by initiative or otherwise, limiting the rate or timing of development of the Property shall be deemed to materially conflict with the Development Plan and shall therefore not be applicable to the development of the Property.

(g) Regulations that are in material conflict with the Development Plan; provided OWNER has given written consent to the application of such regulations to development of that Property in which the OWNER has a legal or equitable interest.

(h) Regulations that impose, levy, alter or amend fees, charges, or Land Use Regulations relating to consumers or end users, including, without limitation, trash can placement, service charges and limitations on vehicle parking.

(i) Regulations of other public agencies, including Development Impact Fees adopted or imposed by such other public agencies, although collected by CITY.

3.3.2 Subsequent Development Approvals. This Agreement shall not prevent CITY, in acting on subsequent development approvals and to the same extent it would otherwise be authorized to do so absent this Agreement, from applying subsequently adopted or amended Land Use Regulations that do not materially conflict with this Agreement.

3.3.3 Modification or Suspension by State or Federal Law. In the event that State, County or Federal laws or regulations, enacted after the Effective Date of this Agreement, prevent or preclude compliance with one or more of the provisions of this Agreement, such provisions of this

Agreement shall be modified or suspended as may be necessary to comply with such State or Federal laws or regulations; provided, however, that this Agreement shall remain in full force and effect to the extent it is not inconsistent with such laws or regulations and to the extent such laws or regulations do not render such remaining provisions impractical to enforce.

3.3.4 Intent. The parties acknowledge and agree that CITY is restricted in its authority to limit certain aspects of its police power by contract and that the foregoing limitations, reservations and exceptions are intended to reserve to CITY all of its police power that cannot be or are not expressly so limited. This Agreement shall be construed, contrary to its stated terms if necessary, to reserve to CITY all such power and authority that cannot be or is not by this Agreement's express terms so restricted.

3.4 Regulation by Other Public Agencies. It is acknowledged by the parties that other public agencies not within the control of CITY may possess authority to regulate aspects of the development of the Property separately from or jointly with CITY, and this Agreement does not limit the authority of such other public agencies.

3.5 Timing of Development. The parties acknowledge that OWNER cannot at this time predict when or the rate at which phases of the Property will be developed. Such decisions depend upon numerous factors which are not within the control of OWNER, such as market orientation and demand, interest rates, absorption, completion and other similar factors. Since the California Supreme Court held in Pardee Construction Co. v. City of Camarillo (1984) 37 Ca1.3d 465, that the failure of the parties therein to provide for the timing of development resulted in a later adopted initiative restricting the timing of development to prevail over such parties' agreement, it is the parties' intent to cure that deficiency by acknowledging and providing that OWNER shall have the right to develop the Property in such order and at such rate and at such times as OWNER deems appropriate within the exercise of its subjective business judgment, subject only to any timing or phasing requirements set forth in the Development Plan.

3.6 Public Works. If OWNER is required by this Agreement to construct any public works facilities which will be dedicated to CITY or any other public agency upon completion, and if required by applicable laws to do so, OWNER shall perform such work in the same manner and subject to the same requirements as would be applicable to CITY or such other public agency should it have undertaken such construction.

3.7 Acquisition of Property for Construction of Improvements Off-Site. OWNER shall, in a timely manner as determined by CITY and consistent with the requirements of the Specific Plan, acquire the property rights necessary to construct or otherwise provide the public improvements contemplated by the Specific Plan.

3.8 Acquisition of Real Property Interests. In any instance where OWNER is required to construct any public improvement on land not owned by OWNER, OWNER shall at its sole cost and expense provide or cause to be provided, the real property interests necessary for the construction of

such public improvements. If and to the extent this section 3.8 conflicts with Section 66462.5 of the Subdivision Map Act, this section will control.

3.9 Credits and/or Reimbursement for Dedication of Property or Construction of Infrastructure. To the extent OWNER dedicates land, funds or constructs public facilities that exceed the size or capacity required to serve the Property for the benefit of other properties, or if such dedication or improvements benefit other properties regardless of its size or capacity, CITY shall enter into an agreement to reimburse OWNER to the extent of such benefit as determined by CITY. Such reimbursement may take the form of fee credits and/or benefit assessments, special taxes, or other fees or assessments collected from benefiting properties, as the CITY may determine. Notwithstanding the foregoing, the CITY shall not reimburse the OWNER for costs of interim temporary improvements, nor shall City require OWNER to pay for interim temporary improvements installed by others on OWNER's property.

3.10 Water Supply Planning. To the extent the Development Plan includes one or more tentative maps totaling more than 500 dwelling units, and to the extent the Project, or any part thereof, is not exempt under Government Code Section 66473.7(i), each such tentative map shall comply with the provisions of Government Code Section 66473.7.

#### 4. PUBLIC BENEFITS.

4.1 Intent. The parties acknowledge and agree that development of the Property will result in substantial public needs that will not be fully met by the Development Plan and further acknowledge and agree that this Agreement confers substantial private benefits on OWNER that should be balanced by commensurate public benefits. Accordingly, the parties intend to provide consideration to the public to balance the private benefits conferred on OWNER by providing more fully for the satisfaction of the public needs resulting from the Project.

#### 4.2 Development Impact Fees.

4.2.1 Amount of Fee. The Development Impact Fees set forth in Exhibit "D" shall be charged to the Project.

4.2.2 Time of Payment. The fees required pursuant to Subsection 4.2.1 shall be paid to CITY prior to the issuance of building permits for each residential unit. No fees shall be payable for building permits issued prior to the Effective Date of this Agreement, but the fees required pursuant to Subsection 4.2.1 shall be paid prior to the re-issuance or extension of any building permit for a residential unit for which such fees have not previously been paid.

4.2.3 Fee Credits and Reimbursements. OWNER shall be entitled to credit or reimbursement against the fees required pursuant to Subsection 4.2.1 for the dedication of land, the construction of improvements or the payment of fees as specifically set forth in an agreement entered into between CITY and OWNER pursuant to Section 3.9.

4.2.4 Future Development Impact Fees; Increases. The Parties hereby agree that, in addition to the Development Impact Fees included in Exhibit "D", the Project shall be subject to the imposition of any Development Impact Fee that becomes effective after the Effective Date. In addition, the Project shall be subject to any increase, decrease, amendment or alteration of any Development Impact Fee that becomes effective after the Effective Date.

4.2.5 Prepayment. In no event shall the prepayment of any Development Impact Fees required hereunder establish a vested right on the part of OWNER or any other owner of the Property or any person or entity with an interest therein to develop the Project or the Property following the expiration, cancellation or termination of the Term of this Agreement. Following the expiration, cancellation or termination of this Agreement, all Development Impact Fees then in effect shall be applicable to the Project and Property notwithstanding any provision of this Agreement and notwithstanding the prepayment of the Development Impact Fees set forth in Exhibit "D", any increase or amendment of any Development Impact Fee, or any combination thereof. Nothing contained in this Subsection 4.2.5 shall be construed as limiting the right of OWNER to a credit against any Development Impact Fees as set forth in Section 4.2.3 hereof.

4.3 Agricultural Conservation Easements. CITY has established specific criteria for agricultural conservation easements, as provided in CITY's Agricultural Mitigation Program. Prior to approval of the first final map, or prior to commencement of any construction activity, whichever occurs first, OWNER shall provide to CITY executed agricultural conservation easements as required by the Agricultural Mitigation Program, in recordable form for recording with the Yolo County Recorder. Any such easement shall be dedicated to the Yolo Land Trust or another suitable entity selected by CITY. Under the terms of any such easement, CITY shall have no responsibility for the payment of any portion of the required endowment fee. OWNER is responsible for all escrow costs in association with establishment of easements, including but not limited to title insurance.

4.4 Swainson's Hawk Mitigation. In addition to the requirements of Section 4.3 above, OWNER shall, prior to approval of the first final map, or prior to commencement of any construction activity, whichever occurs first, provide evidence of the approval of the Department of Fish & Game of a plan for the purpose of Swainson's Hawk habitat mitigation.

4.5 Dedication of On-Site Easements and Rights of Way. OWNER shall dedicate to CITY all on-site rights of way and easements deemed necessary for public improvements, in CITY's sole discretion, within 15 days of receipt of written demand from CITY.

4.6 Timing of Construction of Off-Site Infrastructure. Approval of any building permits on the Property shall be conditioned upon CITY's determination, in its sole discretion, that sufficient progress is being made on construction of off-site infrastructure serving development of OWNER's Property.

4.7 Assigned Building Unit Allocations. OWNER agrees that CITY shall not approve any final subdivision map unless each lot to be subdivided thereby has a building unit allocation assigned to it pursuant to CITY's building unit allocation ordinance.

4.8 Inclusionary Housing Agreement. Prior to approval of any final map and improvement plan package to CITY, OWNER and CITY shall enter into an Inclusionary Housing Agreement consistent with the Spring Lake Specific Plan Affordable Housing Plan.

4.9 Financing Plan Cost Estimates. Notwithstanding any fee amounts listed in Exhibit "D," OWNER acknowledges and agrees that the cost estimates contained in the Spring Lake Specific Plan Financing Plan and Capital Improvement Plan (CIP) are estimates only, and that OWNER shall pay its share of the costs of improvements and amenities identified in the Financing Plan in amounts to be determined by CITY, which may be more or less than the estimates contained in the Financing Plan.

4.10 Infrastructure and Improvements. Prior to receiving a building permit for the Project, OWNER shall either have: (i) applied for and received a subdivision map for the Property, and have entered into a new development agreement with CITY or an amendment to this Agreement, or (ii) submitted plans for infrastructure and improvements necessary to serve the Project in accordance with CITY standards, and received approval of such plans by the City Engineer.

5. FINANCING OF PUBLIC IMPROVEMENTS. OWNER may propose, and if requested by CITY shall cooperate in, the formation of any special assessment district, community facilities district or alternate financing mechanism to pay for the construction and/or maintenance and operation of public infrastructure facilities required as part of the Development Plan. To the extent any such district or other financing entity is formed and sells bonds in order to finance such reimbursements, OWNER may be reimbursed to the extent that OWNER spends funds or dedicates land for the establishment of public facilities. Notwithstanding the foregoing, it is acknowledged and agreed by the parties that nothing contained in this Agreement shall be construed as requiring CITY or the City Council to form any such district or to issue and sell bonds.

## 6. REVIEW FOR COMPLIANCE.

6.1 Periodic Review. The CITY shall review this Agreement annually, on or before the anniversary of the Effective Date, in order to ascertain the compliance by OWNER with the terms of the Agreement. OWNER shall submit an Annual Monitoring Report, in a form acceptable to the City Manager, within thirty (30) days after written notice from the City Manager. The Annual Monitoring Report shall be accompanied by an annual review and administration fee sufficient to defray the estimated costs of review and administration of the Agreement during the succeeding year. The amount of the annual review and administration fee shall be set annually by resolution of the City Council.

6.2 Special Review. The City Council may order a special review of compliance with this Agreement at any time. The Community Development Director, or his or her designee, shall conduct such special reviews.

6.3 Procedure.

(a) During either a periodic review or a special review, OWNER shall be required to demonstrate good faith compliance with the terms of the Agreement. The burden of proof on this issue shall be on OWNER.

(b) Upon completion of a periodic review or a special review, the Community Development Director, or his or her designee, shall submit a report to the Planning Commission setting forth the evidence concerning good faith compliance by OWNER with the terms of this Agreement and his or her recommended finding on that issue.

(c) If the Planning Commission finds and determines on the basis of substantial evidence that OWNER has complied in good faith with the terms and conditions of this Agreement, the review shall be concluded.

(d) If the Planning Commission finds and determines on the basis of substantial evidence that OWNER has not complied in good faith with the terms and conditions of this Agreement, the Commission may recommend to the City Council modification or termination of this Agreement. OWNER may appeal a Planning Commission determination pursuant to this Section 6.3(d) pursuant to CITY's rules for consideration of appeals in zoning matters then in effect. Notice of default as provided under Section 7.3 of this Agreement shall be given to OWNER prior to or concurrent with proceedings under Section 6.4 and Section 6.5.

6.4 Proceedings Upon Modification or Termination. If, upon a finding under Section 6.3, CITY determines to proceed with modification or termination of this Agreement, CITY shall give written notice to OWNER of its intention so to do. The notice shall be given at least ten (10) calendar days prior to the scheduled hearing and shall contain:

- (a) The time and place of the hearing;
- (b) A statement as to whether or not CITY proposes to terminate or to modify the Agreement; and,
- (c) Such other information that the CITY considers necessary to inform OWNER of the nature of the proceeding.

6.5 Hearing on Modification or Termination. At the time and place set for the hearing on modification or termination, OWNER shall be given an opportunity to be heard. OWNER shall be required to demonstrate good faith compliance with the terms and conditions of this Agreement. The



burden of proof on this issue shall be on OWNER. If the City Council finds, based upon substantial evidence, that OWNER has not complied in good faith with the terms or conditions of the Agreement, the City Council may terminate this Agreement or modify this Agreement and impose such conditions as are reasonably necessary to protect the interests of the CITY. The decision of the City Council shall be final.

6.6 Certificate of Agreement Compliance. If, at the conclusion of a Periodic or Special Review, OWNER is found to be in compliance with this Agreement, CITY shall, upon request by OWNER, issue a Certificate of Agreement Compliance ("Certificate") to OWNER stating that after the most recent Periodic or Special Review and based upon the information known or made known to the Community Development Director and City Council that: (1) this Agreement remains in effect; and (2) OWNER is not in default. The Certificate shall be in recordable form, shall contain information necessary to communicate constructive record notice of the finding of compliance, shall state whether the Certificate is issued after a Periodic or Special Review and shall state the anticipated date of commencement of the next Periodic Review. OWNER may record the Certificate with the County Recorder.

Whether or not the Certificate is relied upon by assignees or other transferees or OWNER, CITY shall not be bound by a Certificate if a default existed at the time of the Periodic or Special Review, but was concealed from or otherwise not known to the Community Development Director or City Council.

## 7. DEFAULT AND REMEDIES.

7.1 Remedies in General. It is acknowledged by the parties that CITY would not have entered into this Agreement if it were to be liable in damages under this Agreement, or with respect to this Agreement or the application thereof. In general, each of the parties hereto may pursue any remedy at law or equity available for the breach of any provision of this Agreement, except that CITY shall not be liable in damages to OWNER, or to any successor in interest of OWNER, or to any other person, and OWNER covenants not to sue for damages or claim any damages:

(a) For any breach of this Agreement or for any cause of action that arises out of this Agreement; or

(b) For the taking, impairment or restriction of any right or interest conveyed or provided under or pursuant to this Agreement; or

(c) Arising out of or connected with any dispute, controversy or issue regarding the application or interpretation or effect of the provisions of this Agreement.

7.2 Release. Except for non-monetary remedies, OWNER, for itself, its successors and assignees, hereby releases CITY, its officers, agents and employees from any and all claims, demands, actions, or suits of any kind or nature arising out of any liability, known or unknown,

present or future, including, but not limited to, any claim or liability, based or asserted, pursuant to Article I, Section 19 of the California Constitution, the Fifth and Fourteenth Amendments to the United States Constitution, or any other law or ordinance which seeks to impose any other liability or damage, whatsoever, upon CITY because it entered into this Agreement or because of the terms of this Agreement. OWNER hereby acknowledges that it has read and is familiar with the provisions of California Civil Code Section 1542, which is set forth below:

"A GENERAL RELEASE DOES NOT EXTEND TO CLAIMS WHICH THE CREDITOR DOES NOT KNOW OR SUSPECT TO EXIST IN HIS OR HER FAVOR AT THE TIME OF EXECUTING THE RELEASE, WHICH IF KNOWN BY HIM OR HER MUST HAVE MATERIALLY AFFECTED HIS OR HER SETTLEMENT WITH THE DEBTOR."

By initialing below, OWNER hereby waives the provisions of Section 1542 in connection with the matters that are the subject of the foregoing waivers and releases.

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Owner's Initials

7.3 Termination or Modification of Agreement for Default of OWNER. CITY may terminate or modify this Agreement for any failure of OWNER to perform any material duty or obligation of OWNER under this Agreement, or to comply in good faith with the terms of this Agreement (hereinafter referred to as "default"); provided, however, CITY may terminate or modify this Agreement pursuant to this Section only after providing written notice to OWNER of default setting forth the nature of the default and the actions, if any, required by OWNER to cure such default and, where the default can be cured, OWNER has failed to take such actions and cure such default within sixty (60) days after the effective date of such notice or, in the event that such default cannot be cured within such sixty (60) day period but can be cured within a longer time, has failed to commence the actions necessary to cure such default within such sixty (60) day period and to diligently proceed to complete such actions and cure such default.

## 8. LITIGATION.

8.1 General Plan Litigation. CITY has determined that this Agreement is consistent with its General Plan, and that the General Plan meets all requirements of law. OWNER has reviewed the General Plan and concurs with CITY's determination. CITY shall have no liability in damages under this Agreement for any failure of CITY to perform under this Agreement or the inability of OWNER to develop the Property as contemplated by the Development Plan of this Agreement as the result of a judicial determination that on the Effective Date, or at any time thereafter, the General Plan, or portions thereof, are invalid or inadequate or not in compliance with law.

8.2 Third Party Litigation Concerning Agreement. OWNER shall defend, at its expense, including attorneys' fees, indemnify, and hold harmless CITY, its agents, officers and employees from any claim, action or proceeding against CITY, its agents, officers, or employees to attack, set aside, void, or annul the approval of this Agreement, or the approval of any permit granted pursuant to this Agreement. CITY shall promptly notify OWNER of any claim, action, proceeding or determination included within this Section 8.2, and CITY shall cooperate in the defense. CITY may in its discretion participate in the defense of any such claim, action, proceeding or determination.

8.3 Environmental Assurances. OWNER shall indemnify and hold CITY, its officers, agents, and employees free and harmless from any liability, based or asserted, upon any act or omission of OWNER, its officers, agents, employees, subcontractors, predecessors in interest, successors, assigns and independent contractors for any violation of any federal, state or local law, ordinance or regulation relating to industrial hygiene or to environmental conditions on, under or about the Property, including, but not limited to, soil and groundwater conditions, and OWNER shall defend, at its expense, including attorneys' fees, CITY, its officers, agents and employees in any action based or asserted upon any such alleged act or omission. CITY may in its discretion participate in the defense of any such action.

8.4 Indemnity. In addition to the provisions of sections 8.1, 8.2, and 8.3 above, OWNER shall indemnify and hold CITY, its officers, agents, employees and independent contractors free and harmless from any liability whatsoever, based or asserted upon any act or omission of OWNER, its officers, agents, employees, subcontractors and independent contractors, for property damage, bodily injury, or death (OWNER's employees included) or any other element of damage of any kind or nature, relating to or in any way connected with or arising from the activities contemplated hereunder, including, but not limited to, the study, design, engineering, construction, completion, failure and conveyance of the public improvements, save and except claims for damages arising through the sole active negligence or sole willful misconduct of CITY. OWNER shall defend, at its expense, including attorneys' fees, CITY, its officers, agents, employees and independent contractors in any legal action based upon such alleged acts or omissions. CITY may in its discretion participate in the defense of any such legal action.

8.5 Reservation of Rights. With respect to Sections 8.1, 8.2, 8.3, and 8.4 herein, CITY reserves, the right to either (1) approve the attorney(s) that the indemnifying party selects, hires or otherwise engages to defend the indemnified party hereunder, which approval shall not be unreasonably withheld, or (2) conduct its own defense; provided, however, that the indemnifying party shall reimburse the indemnified party forthwith for any and all reasonable expenses incurred for such defense, including attorneys' fees, upon billing and accounting therefor.

8.6 Challenge to Existing Land Use Approvals. By accepting the benefits of this Agreement, OWNER, on behalf of itself and its successors in interest, hereby expressly agrees and covenants not to sue or otherwise challenge any land use approval affecting the Property and in effect as of the Effective Date. Such agreement and covenant includes, without limitation, the covenant against any direct suit by OWNER or its successor in interest, or any participation, encouragement or

involvement whatsoever that is adverse to CITY by OWNER or its successor in interest, other than as part of a required response to lawful orders of a court or other body of competent jurisdiction. OWNER hereby expressly waives, on behalf of itself and its successors in interest, any claim or challenge to any land use approval affecting the Property and in effect as of the Effective Date. In the event of any breach of the covenant or waiver contained herein, CITY shall, in addition to any other remedies provided for at law or in equity, be entitled to:

- (a) impose and recover (at any time, including after sale to a member of the public or other ultimate user) from the party breaching such covenant or waiver, the full amount of Development Impact Fees that the breaching party would have been required to pay in the absence of this Development Agreement; and
- (b) impose any subsequently adopted land use regulation on those land use approvals for which the breaching party had not, as of the time of such breach, obtained a building permit.

OWNER hereby acknowledges that it has read and is familiar with the provisions of California Civil Code Section 1542, which is set forth below:

"A GENERAL RELEASE DOES NOT EXTEND TO CLAIMS WHICH THE CREDITOR DOES NOT KNOW OR SUSPECT TO EXIST IN HIS OR HER FAVOR AT THE TIME OF EXECUTING THE RELEASE, WHICH IF KNOWN BY HIM OR HER MUST HAVE MATERIALLY AFFECTED HIS OR HER SETTLEMENT WITH THE DEBTOR."

By initialing below, OWNER hereby waives the provisions of Section 1542 in connection with the matters that are the subject of the foregoing waivers and releases.

\_\_\_\_\_  
Owner's Initials

8.7 Survival. The provisions of this Section 8 shall survive the termination of this Agreement.

9. MORTGAGEE PROTECTION.

The parties hereto agree that this Agreement shall not prevent or limit OWNER, in any manner, at OWNER's sole discretion, from encumbering the Property or any portion thereof or any improvement thereon by any mortgage, deed of trust or other security device securing financing with respect to the Property. CITY acknowledges that the lenders providing such financing may require certain Agreement interpretations and modifications and agrees upon request, from time to time, to meet with OWNER and representatives of such lenders to negotiate in good faith any such request

for interpretation or modification. CITY will not unreasonably withhold its consent to any such requested interpretation or modification provided such interpretation or modification is consistent with the intent and purposes of this Agreement. Any Mortgagee of the Property shall be entitled to the following rights and privileges:

(a) Neither entering into this Agreement nor a breach of this Agreement shall defeat, render invalid, diminish or impair the lien of any mortgage on the Property made in good faith and for value, unless otherwise required by law.

(b) The Mortgagee of any mortgage or deed of trust encumbering the Property, or any part thereof, which Mortgagee, has submitted a request in writing to the CITY in the manner specified herein for giving notices, shall be entitled to receive written notification from CITY of any default by OWNER in the performance of OWNER's obligations under this Agreement.

(c) If CITY timely receives a request from a mortgagee requesting a copy of any notice of default given to OWNER under the terms of this Agreement, CITY shall provide a copy of that notice to the Mortgagee within ten (10) days of sending the notice of default to OWNER. The Mortgagee shall have the right, but not the obligation, to cure the default during the remaining cure period allowed such party under this Agreement.

(d) Any Mortgagee who comes into possession of the Property, or any part thereof, pursuant to foreclosure of the mortgage or deed of trust, or deed in lieu of such foreclosure, shall take the Property, or part thereof, subject to the terms of this Agreement. Notwithstanding any other provision of this Agreement to the contrary, no Mortgagee shall have an obligation or duty under this Agreement to perform any of OWNER's obligations or other affirmative covenants of OWNER hereunder, or to guarantee such performance; provided, however, that to the extent that any covenant to be performed by OWNER is a condition precedent to the performance of a covenant by CITY, the performance thereof shall continue to be a condition precedent to CITY's performance hereunder, and further provided that any sale, transfer or assignment by any Mortgagee in possession shall be subject to the provisions of Section 2.4 of this Agreement.

## 10. MISCELLANEOUS PROVISIONS.

10.1 Recordation of Agreement. This Agreement and any amendment or cancellation thereof shall be recorded with the Yolo County Recorder by the Clerk of the City Council within ten (10) days after the City enters into the Agreement, in accordance with Section 65868.5 of the Government Code. If the parties to this Agreement or their successors in interest amend or cancel this Agreement, or if the CITY terminates or modifies this Agreement as provided herein for failure of the OWNER to comply in good faith with the terms and conditions of this Agreement, the City Clerk may have notice of such action recorded with the Yolo County Recorder.

10.2 Entire Agreement. This Agreement sets forth and contains the entire understanding and agreement of the parties, and there are no oral or written representations, understandings or ancillary covenants, undertakings or agreements that are not contained or expressly referred to herein. No testimony or evidence of any such representations, understandings or covenants shall be admissible in any proceeding of any kind or nature to interpret or determine the terms or conditions of this Agreement.

10.3 Severability. If any term, provision, covenant or condition of this Agreement shall be determined invalid, void or unenforceable, the remainder of this Agreement shall not be affected thereby to the extent such remaining provisions are not rendered impractical to perform taking into consideration the purposes of this Agreement. Notwithstanding the foregoing, the provision of the Public Benefits set forth in Section 4 of this Agreement and Exhibit "D" to this Agreement, including the payment of the Development Impact Fees set forth therein, are essential elements of this Agreement and CITY would not have entered into this Agreement but for such provisions, and therefore in the event such provisions are determined to be invalid, void or unenforceable, this entire Agreement shall be null and void and of no force and effect whatsoever.

10.4 Interpretation and Governing Law. This Agreement and any dispute arising hereunder shall be governed and interpreted in accordance with the laws of the State of California. This Agreement shall be construed as a whole according to its fair language and common meaning to achieve the objectives and purposes of the parties hereto, and the rule of construction to the effect that ambiguities are to be resolved against the drafting party shall not be employed in interpreting this Agreement, all parties having been represented by counsel in the negotiation and preparation hereof.

10.5 Section Headings. All section headings and subheadings are inserted for convenience only and shall not affect any construction or interpretation of this Agreement.

10.6 Singular and Plural. As used herein, the singular of any word includes the plural.

10.7 **[reserved]**

10.8 Time of Essence. Time is of the essence in the performance of the provisions of this Agreement as to which time is an element.

10.9 Waiver. Failure by a party to insist upon the strict performance of any of the provisions of this Agreement by the other party, or the failure by a party to exercise its rights upon the default of the other party, shall not constitute a waiver of such party's right to insist and demand strict compliance by the other party with the terms of this Agreement thereafter.

10.10 No Third Party Beneficiaries. This Agreement is made and entered into for the sole protection and benefit of the parties and their successors and assigns. No other person shall have any right of action based upon any provision of this Agreement.



10.11 Force Majeure. Neither party shall be deemed to be in default where failure or delay in performance of any of its obligations under this Agreement is caused by floods, earthquakes, other Acts of God, fires, wars, riots or similar hostilities, strikes and other labor difficulties beyond the party's control, (including the party's employment force), government regulations, court actions (such as restraining orders or injunctions), or other causes beyond the party's control. If any such events shall occur, the Term of this Agreement and the time for performance by either party of any of its obligations hereunder may be extended by the written agreement of the parties for the period of time that such events prevented such performance, provided that the Term of this Agreement shall not be extended under any circumstances for more than five (5) years.

10.12 Mutual Covenants. The covenants contained herein are mutual covenants and also constitute conditions to the concurrent or subsequent performance by the party benefited thereby of the covenants to be performed hereunder by such benefited party.

10.13 Successors in Interest. The burdens of this Agreement shall be binding upon, and the benefits of this Agreement shall inure to, all successors in interest to the parties to this Agreement. All provisions of this Agreement shall be enforceable as equitable servitudes and constitute covenants running with the land. Each covenant to do or refrain from doing some act hereunder with regard to development of the Property: (a) is for the benefit of and is a burden upon every portion of the Property; (b) runs with the Property and each portion thereof; and (c) is binding upon each party and each successor in interest (including assignees) during ownership of the Property or any portion thereof.

10.14 Counterparts. This Agreement may be executed by the parties in counterparts, which counterparts shall be construed together and have the same effect as if all of the parties had executed the same instrument.

10.15 Jurisdiction and Venue. Any action at law or in equity arising under this Agreement or brought by a party hereto for the purpose of enforcing, construing or determining the validity of any provision of this Agreement shall be filed and tried in the Superior Court of the County of Yolo, State of California, and the parties hereto waive all provisions of law providing for the filing, removal or change of venue to any other court.

10.16 Project as a Private Undertaking. It is specifically understood and agreed by and between the parties hereto that the development of the Project is a private development, that neither party is acting as the agent of the other in any respect hereunder, and that each party is an independent contracting entity with respect to the terms, covenants and conditions contained in this Agreement. No partnership, joint venture or other association of any kind is formed by this Agreement. The only relationship between CITY and OWNER is that of a government entity regulating the development of private property and the owner of such property.

10.17 Further Actions and Instruments. Each of the parties shall cooperate with and provide reasonable assistance to the other to the extent contemplated hereunder in the performance of all

obligations under this Agreement and the satisfaction of the conditions of this Agreement. Upon the request of either party at any time, the other party shall promptly execute, with acknowledgment or affidavit if reasonably required, and file or record such required instruments and writings and take any actions as may be reasonably necessary under the terms of this Agreement to carry out the intent and to fulfill the provisions of this Agreement or to evidence or consummate the transactions contemplated by this Agreement.

10.18 Eminent Domain. No provision of this Agreement shall be construed to limit or restrict the exercise by CITY of its power of eminent domain.

10.19 Agent for Service of Process. In the event OWNER is not a resident of the State of California or it is an association, partnership or joint venture without a member, partner or joint venturer resident of the State of California, or it is a foreign corporation, then in any such event, OWNER shall file with the Community Development Director, upon its execution of this Agreement, a designation of a natural person residing in the State of California, giving his or her name, residence and business addresses, as its agent for the purpose of service of process in any court action arising out of or based upon this Agreement, and the delivery to such agent of a copy of any process in any such action shall constitute valid service upon OWNER. If for any reason service of such process upon such agent is not feasible, then in such event OWNER may be personally served with such process out of this County and such service shall constitute valid service upon OWNER. OWNER is amenable to the process so served, submits to the jurisdiction of the Court so obtained and waives any and all objections and protests thereto.

10.20 Authority to Execute. The person or persons executing this Agreement on behalf of OWNER warrants and represents that he or she/they have the authority to execute this Agreement on behalf of his or her/their corporation, partnership or business entity and warrants and represents that he or she/they has/have the authority to bind OWNER to the performance of its obligations hereunder.

10.21 Obligations Joint and Several. The obligations of OWNER under this Agreement shall be joint and several with respect to the entities which, collectively, comprise OWNER. Further, the obligations of OWNER under this Agreement shall apply with respect to the entire Property, as it may be subdivided, sold, transferred, or otherwise conveyed, and run with the land.

IN WITNESS WHEREOF, the parties hereto have executed this Development Agreement on the last day and year set forth below.

**OWNER**

**Cal West Investors, LLC**

By: \_\_\_\_\_

Its: \_\_\_\_\_

Dated: \_\_\_\_\_

**Optimistic Partners, LLC**

By: \_\_\_\_\_

Its: \_\_\_\_\_

Dated: \_\_\_\_\_

**CITY**

**CITY OF WOODLAND, a California  
Municipal Corporation**

By: \_\_\_\_\_

Marlin, 'Skip' Davies

Mayor

Dated: \_\_\_\_\_

**ATTEST:**

By: \_\_\_\_\_

Ana Gonzalez

City Clerk

APPROVED AS TO LEGAL FORM:

BEST BEST & KRIEGER LLP

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City Attorney

STATE OF CALIFORNIA                    )  
                                                  )  
COUNTY OF \_\_\_\_\_ )           ss.

On \_\_\_\_\_, 2013 before me, \_\_\_\_\_, Notary Public,  
personally appeared \_\_\_\_\_, proved to me on the basis of  
satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument  
and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies),  
and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of  
which the person(s) acted, executed the instrument.

I certify UNDER PENALTY OF PERJURY under the laws of the State of California that the  
foregoing paragraph is true and correct.

WITNESS my hand and official seal.

\_\_\_\_\_  
Notary Public

STATE OF CALIFORNIA                    )  
                                                  )  
COUNTY OF \_\_\_\_\_ )           ss.

On \_\_\_\_\_, 2013 before me, \_\_\_\_\_, Notary Public,  
personally appeared \_\_\_\_\_, proved to me on the basis of  
satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument  
and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies),  
and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of  
which the person(s) acted, executed the instrument.

I certify UNDER PENALTY OF PERJURY under the laws of the State of California that the  
foregoing paragraph is true and correct.

WITNESS my hand and official seal.

\_\_\_\_\_  
Notary Public



STATE OF CALIFORNIA                    )  
                                                  )  
COUNTY OF \_\_\_\_\_ )       ss.

On \_\_\_\_\_, 2013 before me, \_\_\_\_\_, Notary Public,  
personally appeared \_\_\_\_\_, proved to me on the basis of  
satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument  
and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies),  
and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of  
which the person(s) acted, executed the instrument.

I certify UNDER PENALTY OF PERJURY under the laws of the State of California that the  
foregoing paragraph is true and correct.

WITNESS my hand and official seal.

\_\_\_\_\_  
Notary Public

**EXHIBIT “A”**

(Legal Description of the Property)

Exhibit A

**EXHIBIT “B”**

(Map of the Property)

Exhibit B

## **EXHIBIT “C”**

(Development Plan and Conditions of Approval)

In addition to the Conditions of Approval set forth in the body of the Agreement, the Conditions of Approval included in the staff report for the Cal West Tentative Map #4991 – Cal West Investors, LLC and Optimistic Partners, LLC item on the September 3, 2013 City Council agenda are incorporated herein by reference and made a part of this Agreement.

Exhibit C

## **EXHIBIT “D”**

### **(Development Impact Fees)**

CITY may, in its sole discretion, collect any of the following fees either prior to the issuance of a building permit for the Project or concurrently with the approval of a final subdivision map for the Property. The fees set forth herein do not include fees imposed by other agencies, such as the County of Yolo or Woodland Joint Unified School District.

Development Impact Fees for the following categories and amounts are shown as of June 30, 2013, but actual fee amounts owed by OWNER will be the then-current amounts of such fees at the time they are paid by OWNER.

| <b>Development Impact Fee</b>                                                          | <b>SFD</b> | <b>MF</b>     |
|----------------------------------------------------------------------------------------|------------|---------------|
| General City                                                                           | \$794      | \$662         |
| Fire                                                                                   | \$1,224    | \$917         |
| Library                                                                                | \$49       | \$41          |
| Police                                                                                 | \$1047     | \$873         |
| Wastewater                                                                             | \$5,744    | \$4,788       |
| Water                                                                                  | \$527      | \$323         |
| Parks--Springlake                                                                      | \$3,627    | \$3,022       |
| Surface Water (a future fee for the development of surface water treatment facilities) | \$2,742    | By meter size |
| Admin                                                                                  | \$160      | \$130         |
| Surface Water Administration                                                           | \$21       | By meter size |

Other fees include all fees identified in this Agreement or conditions of approval which are linked to final map approval or issuance of a building permit. These fees include, but are not limited to, the following:

- SLIF fees for SFD \$39,377 and MF \$25,988; for the fair share of backbone infrastructure to the Spring Lake Specific Plan area (These are the 2013 costs, the cost is subject to annual change).
- Spring Lake Fire Department Operation and Maintenance Funding Fee of \$771.00/DUE;
- Public transit capital fee: Prior to final map or project approval single family applicant shall pay \$208.00/single family DUE (more on some maps) for the construction of transit capital improvements
- Public transit operations fee: Prior to final map or project approval applicant shall pay a \$35.00 per single family DUE fee.
- If a multi-family project does not require a final map (rental apartments), the project shall pay prior to building permit a per unit fee of \$146 for transit capital and \$25 for transit operation.
- Spring Lake Offsite Affordable Housing fee of \$1,100 per market rate single family lot.
- Fiscal Deficit mitigation fees of \$1500 for SFD, and \$1050 for MFD
- The Project's prorated share of the Habitat Monitoring and Farming Education Fees; amount to be determined at final map estimated @\$56 per SFD, and \$40 per MF unit
- \$794 per house for 25A, construction and reimbursement, the fee is due at building permit.
- \$150 per lot at final map for the advance planning study for the SR 113 bike overcrossing.



**STAFF REPORT**

|                              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
|------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>PROJECT TITLE:</b>        | <b>Cal West Tentative Map # 4991 – Cal West Investors, LLC/Optimistic Partners</b> , Spring Lake Specific Plan Tentative Subdivision Map # 4991 and Development Agreement. APN 041-070-044 & 046                                                                                                                                                                                                                                                                                                                                                  |
| <b>APPLICANT/OWNER:</b>      | <b>Cal-West Investors – Melanie Mathews</b><br><b>Optimistic Partners – Bill Streng</b><br>173 Court Street, Woodland, CA 95695                                                                                                                                                                                                                                                                                                                                                                                                                   |
| <b>LOCATION:</b>             | Subject property is located at the northwest corner of Harry Lorenzo Avenue and Farmer’s Central Road and east of State Highway 113.                                                                                                                                                                                                                                                                                                                                                                                                              |
| <b>PROJECT PLANNER:</b>      | Cindy A. Norris, Principal Planner                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| <b>STAFF RECOMMENDATION:</b> | Recommend City Council Approval with Conditions                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| <b>REPORT FOR:</b>           | Planning Commission Public Hearing – July 18, 2013                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| <b>ENVIRONMENTAL REPORT:</b> | <p>Previous environmental review and addendum for land use amendment approved on December 14, 2010.</p> <p>The SLSP requires that each development application include certain project-level and property specific technical analyses (traffic, noise, cultural, biology, geotechnical, and infrastructure) to demonstrate consistency with the performance thresholds and requirements of the SLSP and SLSP Mitigation Monitoring Plan. It was determined that environmental impacts would be similar or lessened with the proposed project.</p> |
| <b>PARCEL SIZE:</b>          | 33.89 acres                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| <b>GENERAL PLAN:</b>         | Medium Low Density and Medium Density Residential.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| <b>CURRENT ZONING:</b>       | The Spring Lake Specific Plan - Single Family Residential (R-8), and Multi-Family Residential (R-15)                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| <b>EXISTING LAND USES:</b>   | Undeveloped/Fallow Agricultural                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| <b>FLOOD ZONE:</b>           | Zone X (Areas Determined to be outside the 500-year floodplain), Flood Insurance Rate Map (FIRM), Community Panel Number 060423-440F, revised April 2, 2002                                                                                                                                                                                                                                                                                                                                                                                       |
| <b>STREET ACCESS:</b>        | Harry Lorenzo Avenue and future Farmers Central Avenue                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |



**ADJACENT LAND USES & ZONING:**

|       |                                     |                            |
|-------|-------------------------------------|----------------------------|
| North | Vacant (Oyang Development Inc)      | R-5 Residential            |
| South | Vacant (in County)                  | Master Plan Remainder Area |
| East  | Vacant (Pioneer Village Unit 1 & 2) | R-25 and R-5 Residential   |
| West  | State Highway 113                   | N/A                        |

**PENDING/POTENTIAL ACTIONS:** That the Planning Commission recommend that the City Council take the following actions:

1. Adopt the proposed "Findings" for approval of the Tentative Subdivision Map No. 4991; and "Conditions of Approval" to be incorporated in to the Development Agreement between the City of Woodland and the Developer(s) as presented in the Staff Report (**Attachment "A"**); and,
2. Approve the Tentative Subdivision Map (TSM#4991) in accordance with the "Conditions of Approval" as presented in this Staff Report (**Attachment "D"**);
3. Adopt Ordinance No. , authorizing the City Council to execute the Project Development Agreement as presented (**Attachment "F"**).

**PROJECT SITE DESCRIPTION:** The Cal-West Investors Tentative Subdivision encompasses approximately 34 acres and is located north of the future extension of Farmer's Central Road and west of Harry Lorenzo Avenue and east of the State Highway 113. The map includes the 5.61 net acre R-15 multi-family site as a remainder parcel (a certificate of compliance will be required for future development on this site). The proposed subdivision map is located north and west of the proposed future eight acre park and two acre neighborhood commercial site. APN: 041-070-046 and 044.

**BACKGROUND:** On December 14, 2010, a Specific Plan Amendment to rezone land uses for the overall Cal West Project site, encompassing 44.97 acres, and a Development Agreement was approved by the City Council. The entire Spring Lake Specific Plan area had been pre-zoned under Ordinance No. 1346, adopted July 2, 2002. The applicant's Specific Plan Amendment included the relocation of the 8-acre park and 2-acre neighborhood commercial land uses south to the northwest corner of Harry Lorenzo Avenue and Farmer's Central Road and elimination of the 10-acre elementary school site. The 15-acre R-5 single family residential sites were eliminated, and the single family R-8 and multi-family R-15 sites were increased in size. The multi-family units on the R-15 site total approximately 84, with 173 units proposed within the R-8 density. On August 6, 2012, a lot line adjustment was approved to modify the parcel lines to accommodate the park and neighborhood commercial as a single parcel with a remainder portion of approximately 8.9 acres of residential R-8 designated land, creating a parcel totaling 19.97 acres in size. Tentative Parcel Map 5003 was approved on July 19, 2012 by the Planning Commission to subdivide the resulting 19.97 acre parcel into two large lots for purposes of sale, allowing separation of the park and neighborhood commercial site from the residential site.

**PROJECT PROPOSAL:** The Cal West Investor/Optimistic Partner's project application request is for approval of a Tentative Subdivision Map #4991 and Development Agreement Amendment. The requested map will encompass 34.43 acres of the 44.97 acres of land in the original Cal West rezone project area. The project proposal includes 28.94 gross acres of land developed as single family R-8 in

three phases, 0.88 acres in a buffer and access easement as Lot A and 0.10 acres as Lot B a mini-park and oak tree preservation dedication, as well as approximately 5.61 gross acres as a remainder parcel of multi-family designated R-15 land. This leaves approximately 10 acres of land designated as future park (8 acres) and neighborhood commercial (2 acres). (**Attachment “D”**)

### **TENTATIVE SUBDIVISION MAP**

The City of Woodland’s Subdivision Ordinance, Section 21-4-6 Phasing Plan, outlines the requirements for phasing of tentative maps. The current project proposes to split the subject map into four phases. Phase I is 9.31 net acres and 60 single family units, Phase II is 11.00 acres and 68 units, while Phase III is 7.20 net acres and 48 single family units. The remainder parcel encompasses the 5.61 net acres of R-15 designated property with an estimated future development of 84 units. (**Attachment “D” – Subdivision Map**). This map will provide for a density at the lower end of the range allowed under the R-8 category (6 to 8 dwelling units/acre). Phases I -III will have a combined density of 6.40 dwelling units per acre.

The development proposes 176 R-8 lots with lot widths ranging from 40 to 85-feet with an average 52-foot lot width. This meets the minimum requirements of Table 2.4, Spring Lake Specific Plan Area Requirements for Lots. Lot depths range from 74 to 100 feet with an average 89 foot lot depth. The lot sizes range from 3,400 square feet to 7,431 square feet with an average of 4,734 square feet. The R-15 site will be developed at a future time and will require site design and architectural review by the Planning Commission.

Lot layout is generally consistent with neo-traditional qualities as identified in the plan and will provide homes that primarily front on to local streets or side on in a few cases. The project map also provides for homes to front on to the proposed future park. Street layout is primarily gridded with only 6.4 percent of the lots in cul-de-sacs.

### **Infrastructure:**

Project access will be primarily from the collectors Harry Lorenzo Avenue and Farmers Central Road to future local streets “D” and “F”. The development will provide for the partial improvement of the perimeter collector street, Harry Lorenzo Avenue. The existing 50 foot right-of-way and 22-foot wide existing paving, will be expanded to 72-feet right-of-way with 40 feet of pavement, curb and gutter provided on both sides and sidewalk and landscaping on the west side. The project will construct the entire street section except the east side landscaping and sidewalk. The development will construct the remaining local streets. “D” Street, adjacent to the future park, will be fully constructed, to include curb, gutter, sidewalk and landscaping on both sides. In order to construct “F” Street, the applicant will be required to obtain right of way from the adjacent northerly property (Oyang).

Two roundabouts at Harry Lorenzo Avenue and “F” Street and Harry Lorenzo Avenue and Farmers Central Avenue will be constructed with the first phase. Two subdivision trails have been provided to connect Harry Lorenzo Avenue to the internal streets and to break up the block length on streets “E” and “H”.

The project is required to construct a 10-foot high sound wall along the west property boundary, adjacent to Highway 113. A 28-foot landscape setback, shown as Lot “A”, has been provided between the Caltrans ROW edge and the back of the homes (sound wall location). Lot “A” will be within the City’s Landscape and Lighting district, which funds maintenance of landscaping and sound walls. The

setback provides sound, visual and air quality buffering to the adjacent lots. The entire length of the project sound wall shall be constructed at one time, with the Phase III final map, including the portion of the wall on the remainder multi-family lot. The wall design, including freeway adjacent landscaping, shall be submitted for Design Review to the Planning Commission prior to acceptance of final map for Phase III.

In order to accommodate the 28 foot landscape setback along the freeway edge, as described above, the project design has been modified to allow curb adjacent sidewalks on one side of the north-south local streets. This modification has allowed the project to maintain the lot count and minimizes reductions to lot width or depth. Staff recommends approval of this sidewalk modification in this instance in order to both provide benefit to lots at the west boundary and to provide for an enhanced visual treatment along SR 113.

The property has one significant Heritage Oak Tree located on site and a second Heritage Oak tree located just to the north. Lot "B" has been set aside as a future dedicated mini-park to preserve the existing on-site tree. Future road improvements to the north side of the project will be designed to the extent possible to preserve the Oak tree located just off-site. Prior to issuance of the grading permit which impacts each Oak Tree, the applicant shall submit a tree protection plan to be included in the improvement plans to indicate measures that will be taken to protect the trees during construction.

The proposed future park and neighborhood commercial parcel, located southeast of the tentative subdivision is not included as a part of this map application. However, to ensure adequate future improvements including access and bike path design, key development considerations have been included in the Development Agreement Conditions of Approval. In particular, conditions relating to timing and level of construction of roadways adjacent to the park and possible future land configuration have been included. A condition has been added, such that the applicant is required to prepare a master land use concept and possible rezone to consider an alternate land use configuration. That park site would be a complete rectangle and the location for the park site would be configured to allow for a more efficient development of the remaining two acres of land. The analysis will evaluate the location and viability of the two acre commercial sites within the plan area and whether they should be rezoned to residential land.

#### **DEVELOPMENT AGREEMENT**

Resolution No. 3542 adopted May 15, 1990 establishes procedures for the consideration of Development Agreements in Woodland, These procedures essentially parallel the requirements of Section 65864 et.seq. of the Government Code. The SLSP requires that each developer enter into a Development Agreement with the City. Development agreements allow the City to negotiate the vesting of certain development rights for the applicant in exchange for benefits to the City that might not otherwise be required of a developer. The City Attorney and staff have prepared a Development Agreement template for the City to use with all SLSP developers. A simple Development Agreement (DA) was entered into as part of the Specific Plan Amendment in 2010 in order to establish the zoning and densities. A revised Development Agreement with updated Conditions of Approval is required in conjunction with review and approval of this project application and Tentative Subdivision Map.

**APPLICABLE LAWS, CODES, AND ORDINANCES:** The project is subject to several laws, codes, and ordinances:

- The California Environmental Quality Act (CEQA)

- The City of Woodland General Plan (including the Housing Element)
- The City of Woodland Zoning and Subdivision Ordinances
- Spring Lake Specific Plan (SLSP)
- SLSP Mitigation Monitoring Plan (MMP)
- SLSP Affordable Housing Plan

**PUBLIC NOTIFICATION:** Public notice advertising for the public hearing on this project was prepared by the Community Development Department in accordance with notification procedures set forth in the City of Woodland's Municipal Code and State Planning Law. Two methods of public notice were used:

1. Legal notice was published in the Woodland Daily Democrat on or before July 8, 2013.
2. Notices were mailed to all property owners within 500 feet of the project site on July 5, 2013.

Copies of the staff report for the proposed project have been on file at City Hall since July 12, 2013. The public notice was sent to the current Spring Lake developers.

**PREVIOUS ACTION TAKEN (to amend the SLSP):** On December 18, 2001, the City Council adopted the Spring Lake Specific Plan (SLSP) (Resolution No. 4330). The SLSP has since been amended seven (7) previous times:

- a. November 19, 2002 (Resolution No. 4399) to address the Settlement Agreement and various staff-identified errata;
- b. December 17, 2002 (Resolution No. 4406) to address changes to the Plan requested by Spring Lake Planning Group LLC;
- c. October 19, 2004 (Resolution No. 4583) to address additional changes to the Plan requested by Spring Lake Planning Group LLC; and
- d. February 27, 2007 (Resolution No. 4807) to amend the Spring Lake Specific land use designations and Table 2.4 requested by the proposed Reynen & Bardis-Spring Lake Central Development Project.
- e. November 16, 2010 (Resolution 5147) to amend the Spring Lake Specific Plan to remove reference to the Gibson Road Bike/Pedestrian overcrossing and the Class 1 bike path south of Gibson Rd between Pioneer High School and Woodland Community College.
- f. December 14, 2010 (Resolution No 5160) to amend the Spring Lake Specific Plan land use designations to relocate the neighborhood commercial and park site on the Cal West property, eliminate a school site and R-5 single family acreage and increase the R-8 and R-15 acreage.
- g. March 19, 2013 (Resolution No 6118), to amend the Spring Lake Specific Plan to rezone a 10 acre school site and 6.22 acre multi-family R-20 site (16-20 dwelling units per acre) to Residential Single Family R-8 (6-8 dwelling units per acre).

**CEQA CLEARANCE:** On August 15, 2000, the City Council certified the Turn of the Century Final EIR (State Clearing House Number 1199022069; Resolution No. 4215 adopted August 15, 2000). The City Council subsequently adopted several CEQA Addendums to the Turn of the Century EIR. Pursuant to Government Code Section 65457(a), any residential development project, including any subdivision, or any zoning change that is undertaken to implement and is consistent with a specific

plan for which an environmental impact report has been certified after January 1, 1980, does not require additional CEQA review. Addendums prepared include:

- a) Addendum #1 (Resolution No. 4330 adopted December 18, 2001) for the purposes of approval of the final SLSP;
- b) Addendum #2 (Resolution No. 4399 adopted November 19, 2002) for the purposes of amending the Plan to satisfy the Settlement Agreement and to make other staff-initiated errata;
- c) Addendum #3 (Resolution No. 4406 adopted December 17, 2002) for the purposes of amending the Plan based on a request from the Spring Lake Planning Group LLC;
- d) Addendum #4 (April 15, 2003) for the purposes of the Williamson Act Rescission Agreement for the Russell Property;
- e) Addendum #5 (Resolution No 4583 adopted October 19, 2004 for the purposes of amending the Plan based on a request form the Spring Lake Planning Group LLC);
- f) Addendum #6 (Resolution No 4806 adopted February 27, 2007, for the purposes of amending the Plan based on a request by Reynen and Bardis);
- g) Addendum #7 (Resolution No. 5146 adopted November 16, 2010 for the purposes of amending the Plan based on a request by the Gibson Ogden Investors, LLC to remove a bike overcrossing and path); and
- h) Addendum # 8 (Resolution No. 5159 adopted December 14, 2010 for the purposes of amending the Plan based on a request by Cal West Investors, LLC to modify land use designations and rezone a school site).
- i) Addendum #9 (Resolution No. 6117) adopted March 19, 2013 for the purposes of amending the Plan based on a request by ALC IV Woodland Spring Lake, LLC to modify land use designations and rezone a school site, amend the Housing Element list of available sites.

Because the proposed land uses are similar to those studied in the SLSP, Turn of the Century EIR, and in the Addendum prepared December 14, 2010, the changes proposed are not substantial and would not require major revisions. Furthermore, the proposed changes would not create new or significant environmental effects which have not already been analyzed.

The SLSP requires that each development application include certain project-level and property-specific technical analyses to demonstrate consistency with the performance thresholds and requirements of the SLSP and SLSP Mitigation Monitoring Plan. The following studies have been submitted with the subject application in fulfillment of these requirements (SLSP, Development Regulation 2.4 and page 9-1):

- Biological Resources Assessment, Foothill and Associates June 15, 2011 (Development Regulation 7.1).
- Cal West Tentative Map Traffic Impact Study, Ferh and Peers, (SLSP Development Regulation 4.10, 4.11 and Mitigation Measure 4.6-1).
- Environmental Noise Assessment, Bollard Acoustical Consultants, Inc July 19, 2011 (SLSP, Development Regulation 2-4 and page 9.1).
- Cultural Resources Inventory, Peak and Associates, Inc, May 31, 2011, (SLSP Development Regulation 2-4 and page 9.1).
- Arborist Report, Foothill Associates, June 14, 2011
- Phase I Environmental Site Assessment, R.S. Holdstock R.E.A, February 24, 2006, (SLSP Mitigation Measure 4.12-1).

- Geotechnical Engineering Investigation, Geocon Consultants, Inc. May 2011, and updated February 15, 2013.
- Water modeling to determine adequate fire flow, West Yost, July 2013.

City staff have reviewed each of these studies and reached the following conclusions: a) the studies satisfy the SLSP requirements; b) applicable requirements or conditions recommended in the study have been included as Conditions of Approval for this project; c) the studies identify no environmental circumstances specific to the site or the proposed project that were not previously anticipated and addressed in the original EIR and later addendums.

Specific conditions have been added to the project with regard to tree preservation and noise mitigation.

#### Tree Preservation

An Arborist report for the site was prepared on June 14, 2011. The City regulates impacts to or removal of trees under Section 20A of the Municipal Code. Trees are defined as any woody plant with a trunk of 6 inches or more in diameter at breast height (54 inches above grade). Applications for new development must include a program for the preservation of the street trees, heritage, specimen and landmark trees and trees with aesthetic value. Replacement planting is required for each heritage, specimen and landmark tree removed at a rate of four 15-gallon trees for each six-inches, or fraction thereof, of trunk diameter removed. Mitigation for removal of street trees is at a rate of two 15-gallon trees for each six inches removed.

The report identified a total of five trees, consisting of three Valley Oaks, one California Fan Palm, and one Canary Island Date Palm on the project site. An additional 16 Valley Oaks are located adjacent to and overhanging the project site. None of the trees were recommended for removal. Tree #37 in the report was identified as a Heritage Tree. One tree located off site, to the north was also identified as a Heritage Tree.

Based on the identification of the two Heritage Oak Trees, staff has worked with the applicant to the extent possible to preserve these two trees. Tree #37 will be preserved on Lot B, which has been set aside for this purpose. Further, efforts will be made in evaluating street improvement plans to attempt to preserve the Heritage Oak tree located north adjacent to the project site.

A condition has been placed on the project with regard to the Lot B:

*The oak tree on Lot B, shall be preserved in place. Lot B shall be dedicated to the city to create a small pocket park around the existing tree. Prior to approval of the final map which dedicates Lot B, the OWNER shall receive the equivalent in park fee credits of \$10,000*

#### Noise

A Noise analysis for the site was conducted on March 28 and 29, 2011, to evaluate the potential future noise impacts associated with the SR 113. The findings were compared to the City's required General Plan Noise standards, which provide for a maximum 60 dB Ldn/CNEL within outdoor activity areas (backyards). A level of 65 dB Ldn/CNEL may be allowed assuming that all reasonable/feasible noise-mitigating construction (sound wall) has been included, and interior noise exposure criterion are met. Unmitigated noise on lots closest to SR 113 would be approximately 74 dB Ldn/CNEL. A barrier height of 10 feet from pad grade, would satisfy a conditionally acceptable noise level standard of 65 dB

Ldn/CNEL. Further, the additional setback of 28-feet for the lots from the Cal Trans Right of Way line will further mitigate noise and air quality concerns.

These studies and consistency determinations provide the substantial evidence to show that the project as conditioned is consistent with the adopted Specific Plan and fulfills all conditions and CEQA Mitigation Measures. Therefore, pursuant to Section 65457(a) of the California Government Code and Section 15182(a) of the CEQA Guidelines, no other CEQA documentation is required for the City to take action to approve this project.

#### **GENERAL PLAN CONSISTENCY**

The Spring Lake Specific Plan (SLSP) has been determined by the City Council to be consistent with the General Plan. This consistency is maintained at the project-level via a determination of consistency with the SLSP. The project, with the proposed conditions of approval, Development Agreement and tentative subdivision map phasing, have been determined by staff to be consistent with the SLSP and General Plan.

#### **SPRING LAKE SPECIFIC PLAN CONSISTENCY**

In order to assess project consistency with the SLSP, a detailed analysis was performed comparing the project proposal to each section of the SLSP (including text, development regulations, figures, tables, and the Illustrative Plotting Plan to the extent applicable) and to the various implementing documents of the SLSP. The proposed Development Agreement and tentative subdivision map have been determined by staff to be consistent with the SLSP.

#### **Spring Lake Specific Plan Design Standards**

The SLSP Design Standards adopted May 20, 2003, identify minimum design requirements for development within the Spring Lake area including architectural requirements for the homes, and landscaping requirements for public improvements. A condition has been added that requires future development, within the project to complete Design Review as required by the Spring Lake Design Standards.

#### **ZONING ORDINANCE CONSISTENCY**

The proposed project as conditioned is consistent with the City's Zoning Ordinance.

**Community Design Standards:** Requirements for community design have been established per the SLSP Design Standards. SLSP area is excluded from the Community Design Standards, unless the language in the specific plan is ambiguous or silent. At that point, the Community Design Standards will take effect.

#### **SUBDIVISION ORDINANCE CONSISTENCY**

Phasing - The subject site that is part of the Tentative Map application is comprised of two parcels totaling approximately 34 acres. The applicant proposes to subdivide the property into three phases and a remainder parcel with Phases I, II and III developed at an R-8 density and the remainder parcel at an R-15 density. The parcel located south east of the subdivision totaling ten acres, including eight acres designated Neighborhood Park and two acres neighborhood commercial site, are not a part of the proposed Tentative Subdivision map. (**Attachment "D"– Tentative Subdivision Map**).



Lot Development – The R-8 lots have lot widths ranging from 40 feet to 85 feet with an average 52 foot lot width. This meets the minimum requirements of Table 2.4 which requires a 40 foot minimum and 45 foot average.

The proposed R-8 lots range in size from 3,400 to 7,431 square feet with an average lot size of 4,734 square feet. Lot depths range in size from 74 to 100 feet with an average of 89 feet.

Circulation - The proposed circulation pattern consists of two Collector Streets: Harry Lorenzo Avenue, which is a north/south collector to the east and Farmers Central Road, which is an east/west collector connecting the eastern portion of Spring Lake to the project.

Primary access to the subdivision is proposed at Harry Lorenzo Avenue which has a right of way width of 70.9 to 72-foot right-of-way and new east/west streets “D” and “F”. These streets would meet the standard SLSP 57-foot right-of-way. .

Infrastructure:

The project is consistent with the SLSP Capital Improvement Plan and Infrastructure Plans adopted June 22, 2004.

Water – Water service will be brought into the property via two 12-inch connections. Water supply for this development will come from existing wells and a new well being constructed as part of the SLSP development and future surface water project. Water modeling has been conducted by West Yost in order to verify that 12 inch lines will provide adequate fire flow.

Sewage – Infrastructure to convey wastewater will be constructed for the project to connect to the SLSP’s City’s Wastewater Treatment plant located east of County Road 102. A central pump station exists at the intersection of Farmers Central and Mickle Avenue.

Sewer lines already exist along Farmer’s Central Avenue flowing east and are proposed for Harry Lorenzo Avenue flowing south to the Farmers Central Line. Service will be brought into the property via two 8-inch connections proposed at the proposed intersection access points.

Storm Drainage - For the entire SLSP and Master Plan Remainder Area (MPRA), the east regional detention pond has been constructed east of County Road 102.

**Consistency with Other Land Use Plans:** The project site does not fall within the planning area of any other relevant specific plans, area plans, redevelopment plans, airport land use plans, or other such adopted land use plans of the City.

**REVIEW AGENCY COMMENTS:** The application was circulated for review by agencies of jurisdiction. Comments that were received from Fire, Development Engineering, and Public Works have been incorporated as Conditions of Approval.

**STAFF ANALYSIS:** Staff supports this project based on Findings of Fact and Conditions of Approval as presented in **Attachment “A” - Findings of Fact and Conditions of Approval**. The following analysis addresses key areas of the Spring Lake Specific Plan’s policies and regulations. A

summary analysis of the SLSP policies and regulations is provided below for Planning Commission and City Council consideration.

**Spring Lake Specific Plan Consistency:** In order to assess project consistency with the SLSP, a detailed analysis was performed comparing the project proposal to each section of the SLSP (including text, development regulations, figures, tables, and the Illustrative Lotting Plan to the extent applicable) and to the various implementing documents of the SLSP including: Building Unit Allocation Program, Agricultural Land Mitigation Program, Affordable Housing Plan, Design Standards, and Mitigation Monitoring Program.

Key areas of review include the following:

*Density* – The SLSP establishes both maximum and minimum density for each land use category. For the R-8 category the minimum is six dwelling units per acre (du/ac) and the maximum is eight du/ac. Acreages are already “net”, meaning that arterials, collectors, and plan-level (as opposed to project-level) open space have been deducted from the gross acreages. Local streets and subdivision trails have not been deducted. The net density for the project is 6.4 dwelling units per acre.

*Affordable Housing Discussion* – The Spring Lake Affordable Housing Plan requires that all residential projects provide certain percentages of units that are affordable to low and very low-income households. As proposed, 176 single family homes are proposed, of which 18, or 10-percent, will be required to as affordable to low-income households. The estimated number of units on the R-15 site is anticipated at 84. This would result in 17 very low and 9 low income units required

*Inclusionary Housing Agreement* - Prior to the City approving the applicant’s Final Map, the applicant and City shall enter into an Inclusionary Housing Agreement as required by the SLSP Affordable Housing Plan (AHP).

*Size and Design of Affordable Units* - As allowed by the Affordable Housing Plan, affordable units may be smaller in square footage than the market-rate units. However, recognizing the need for larger units for larger families, a mix of bedroom numbers and square footage among for-sale units is desired. Also, affordable units shall have similar numbers of bedrooms as the market rate units in the same zoning district, and at similar proportions as the market rate units, as approved by the City’s Housing and Redevelopment Staff.

The design of affordable units and the materials used in construction of affordable units shall be of an equal standard; however affordable for-sale units may feature different interior amenities than those of market-rate for-sale units.

*Cul-de-Sac Calculation* – Development Regulation 4.8 states that a grid system is encouraged, although a modified grid is acceptable with the goal of not more than 50 percent cul-de-sacs in a subdivision. The proposed subdivision provides 6.4 percent cul-de-sac.

*Block length* – Development Regulation 2.34 and Table 2.4 lists the maximum block length as 600 feet with the goal of 10 homes on one side of the street. The overall street length on “A” Street is approximately 900 feet. This is due to the project constraint of being located adjacent to the SR 113 to the west. In order to mitigate for the extended block length on the west side of Street “A”, a condition of approval has been added to state that, *the home designs along Street “A” shall be designed to have*

*significant variability in terms of front setback, mix of one and two-story, and building architectural frontage design. All homes along this stretch from extending from lot 160 to 176 shall have either a full usable front porch or a separated front patio extension with low walls.*

*Street Loading* – Development Regulation 2.31 requires homes to face a local residential street, two-lane collector, court or private street. Only the rear or side property lines may abut arterials and only side or front of units may abut collectors or greenbelts. The project design as proposed meets these requirements.

*Lot Width Variation* - Development Regulation 2.35.5 requires lot width variation. The intent of this regulation is to provide variation within a subdivision block. Lots in the subdivision vary from 40 to 85 feet with an average of 52 feet.

*Entry Sign* – Per the Spring Lake Design Standards 1.6.2, the applicant has been conditioned to provide a neighborhood entry sign at the corner of “D” Street and Harry Lorenzo Avenue.

*Bicycle / Pedestrian Access* – Development Regulation 2.24 requires access connections for bicycles and pedestrians to open space, parks, and subdivision trails. Subdivision trails are internal trails required to improve pedestrian and bicycle circulation and provide increased connectivity to the planned SLSP multi-purpose trail system. They also act as separators between homes on blocks that contain more than 10 homes in a row. Subdivision trails are required to be a minimum of 25 feet in width and landscaped. The project contains subdivision trails to provide access from Harry Lorenzo Avenue internal to the site.

*Tree Preservation.* Based on an arborist report prepared by Foothill and Associates, two existing Heritage Oak trees were identified are recommended for preservation.

It has been recommended and conditions added to require that the oak tree on Lot B, shall be preserved in place. Lot B shall be dedicated to the city to create a small pocket park around the existing tree. Prior to approval of the final map which dedicates Lot B, the OWNER shall receive the equivalent in park fee credits of \$10,000. Further, the Heritage Oak tree located off-site, north of Lot B, shall also be preserved in place, unless it cannot be preserved in place due to infrastructure requirements. The “F” Street cross section may be modified, subject to approval by the City Engineer, at that location to accommodate the preservation of this street tree (i.e. removing the planting strip and attaching the sidewalk at that locations, etc...) The trees and pocket park shall be included in the Spring Lake Lighting and Landscaping assessment district.

*Park Development trigger* – Development Regulations 5.1, 5.11.1, and 8.2 (as amended by the SLSP Settlement Agreement) establish two triggers for the required construction of neighborhood parks:

1) 60 percent build-out of each neighborhood; and 2) per various dwelling unit thresholds. Regarding the first trigger, neighborhood development is defined on page 2-10 of the SLSP. The subject subdivision is located in Neighborhood A. Presently, 60% build-out has not been achieved. .

Regarding the second trigger, the first neighborhood park is triggered by the issuance of a building permit for the 650<sup>th</sup> dwelling unit equivalent (DUE), the second neighborhood park is triggered by the 1,950<sup>th</sup> unit, and the third neighborhood park is triggered by the 3,250<sup>th</sup> unit. Park construction is subsequently required to be completed within 15 months. Each single-family unit is one DUE and multi-family units are 0.66 DUE. Number of permits issues to date are 1,015 single family and 200

multi-family, or a DUE amount equivalent to 1,147 DUE units. An additional 803 building permits will be required to trigger the park construction. With consideration of prior and recent project approvals, including this project site, the following permits can be expected in the near future (98 SF Heritage Unit 4; 108 SF Parkview; 104 SF Heidrick Phase II; 94 SF Solara Ranch; 241 Merrit Murphy and 173 Cal West) totaling 818 units.

*Park Design* – The future park site is not a part of the proposed tentative subdivision proposal. However, the future park and neighborhood commercial sites are both contained within the original Development Agreement for the site rezone in December 2010 and development of the map will impact development of the future park site. Conditions have been added to address access, by requiring full construction of the road to the north of the park site “D” Street, including curb, gutter, and sidewalk and landscaping.

While specific details for the park have not been designed, there is a desire to develop a master layout of the park and adjoin properties. Of additional concern is the viability of the two acre commercial sites in this location and elsewhere in the Plan. In order to address these future master plan issues, the city is requesting that prior to the first final map approval that the applicant either submit an application to evaluate the park and neighborhood commercial uses, or funding toward a future analysis of this issue.

*Energy Efficiency* – The project shall comply with minimum energy efficiency standards provided in Development Standard 2.25 which requires that five (5%) percent of all units to have roof photovoltaic energy systems or other alternative energy system.

*Water Conservation Ordinance* – The project shall comply with the State Water Conservation Ordinance. This applies to all yard and public landscaping.

*Residential Fencing*. All wood fence footings and foundations shall be constructed of galvanized steel, reinforced concrete, or masonry. No treated wood materials in contact with the ground will be permitted. All wood fencing shall be stained with a water sealant to prevent water damage and staining.

*Freeway Sound wall* - A freeway adjacent sound wall is required in accordance with the Environmental Noise Analysis and shall be at least 10 feet in height. The sound wall design shall meet the SLSP Design Standards (Section 6.2.1). Access for required maintenance shall be provided via Lot “A” and shall be a minimum of 28-feet in width. The entire length of the project sound wall shall be constructed at one time, with the Phase 3 final map, including the portion of the wall on the remainder parcel. The wall design, including freeway adjacent landscaping, shall be submitted for Design Review to the Planning Commission prior to issuance of permits. Landscape and sound wall will need to be bonded for and are included in the public improvements and are eligible for SLIF fee credits

Building Unit Allocation Program – In order to ensure that the City will maintain an average annual growth rate of 1.7 percent citywide and still meet development needs, the SLSP required the development of a Unit Allocation Program (SLSP, page 8-3). The Building Unit Allocation (BUA) Ordinance (Ordinance No. 1343, adopted April 16, 2002). The BUA Ordinance was subsequently amended on March 19, 2013. In accordance with the Ordinance revision, the applicant will be required to submit a request for BUAs prior to issuance of final maps. 158 BUAs would be required for market rate single family units.

**Agricultural Land Mitigation Program and Hawk Mitigation Requirements:** Pursuant to the SLSP Agricultural Land Mitigation Program, CEQA Mitigation Monitoring Plan, and Settlement Agreement, the applicant must preserve ±44.97 acres of equivalent agricultural land and Swainson hawk foraging land in an area proximate to the SLSP.

**Mitigation Monitoring Plan:** The SLSP MMP is contained in Appendix A of the SLSP. As conditioned, the subject project is consistent with all requirements of the Mitigation Monitoring Program.

**Consistency with Other Land Use Plans:** The project site does not fall within the planning area of any other relevant specific plans, area plans, redevelopment plans, airport land use plans, or other such adopted land use plans of the City.

**Zoning Consistency:**

*Lot Coverage* - The maximum lot coverage is 50 percent.

*Parking* – Pursuant to Section 25-23-10A of the Zoning Ordinance, the applicable parking ratio is 2 parking spaces per unit. The proposed parking must conform to minimum standards. Lots with second units must comply with SLSP Design Standard 2.10e, which requires 2 additional parking spaces.

**Community Design Standards:** Requirements for community design have been established per the SLSP Design Standards. Spring Lake Specific Plan area is excluded from the Community Design Standards, unless the language in the specific plan is ambiguous or silent. At that point, the Community Design Standards will take effect.

**Appeals:** Any interested party, including the City Council, any individual City Council Member, or the City Manager, dissatisfied with the decision of the Planning Commission may appeal the decision to the City Council within ten (10) days after the action of the Planning Commission. No conflict of interest shall exist solely by reason of the filing of the appeal by the City Council, an individual City Council Member, or the City Manager. Any such appeal shall be filed with the City Clerk and, except an appeal by the City Council, a Council Member, or the City Manager, shall be accompanied by a filing fee as prescribed by City Council resolution. Upon filing of an appeal, the City Clerk shall set the matter for a hearing. Such hearing shall be held within thirty days after the date of filing the appeal. Within ten days or at its next regular meeting following the conclusion of the hearing, the City Council shall render its decision of the appeal.

**RECOMMENDATION:**

Staff recommends approval of the project by making an affirmative motion as follows:

**I move that the Planning Commission recommend approval of the Cal West Investors/Optimistic Partners project to the City Council based on the identified Findings of Fact and subject to the Conditions of Approval, by taking the following actions:**

1. Adopt the proposed "Findings" for approval of the Tentative Subdivision Map No. 4991; and "Conditions of Approval" to be incorporated in to the Development Agreement between the City of Woodland and the Developer(s) as presented in the Staff Report (**Attachment "A"**); and,

2. Approve the Tentative Subdivision Map (TSM#4991) in accordance with the “Conditions of Approval” as presented in this Staff Report (**Attachment “D”**);
3. Adopt Ordinance No. , authorizing the City Council to execute the Project Development Agreement as presented (**Attachment “F”**).

**ATTACHMENTS:**

|                       |                                             |
|-----------------------|---------------------------------------------|
| <b>Attachment “A”</b> | Findings of Fact and Conditions of Approval |
| <b>Attachment “B”</b> | Statement of Justification and Application  |
| <b>Attachment “C”</b> | Location Map                                |
| <b>Attachment “D”</b> | Tentative Subdivision Map                   |
| <b>Attachment “E”</b> | Arborist Report and Noise Report            |
| <b>Attachment “F”</b> | Development Agreement                       |

# ATTACHMENT A





**FINDINGS AND CONDITIONS OF APPROVAL FOR THE CAL WEST PROJECT  
INCLUDING TENTATIVE SUBDIVISION MAP # 4991, DEVELOPMENT  
AGREEMENT, AND: (As approved by the Woodland \_\_\_\_\_).**

July 12, 2013

**FINDINGS**

**CEQA Findings:**

1. On August 15, 2000 the City Council certified the Turn of the Century FEIR (SCH #99022069; Resolution No. 4215 adopted August 15, 2000).
2. The City Council subsequently adopted the following CEQA Addendums to the Turn of the Century EIR: a) Addendum #1 (Resolution No. 4330 adopted December 18, 2001) for the purposes of approval of the final SLSP; b) Addendum #2 (Resolution No. 4399 adopted November 19, 2002) for the purposes of amending the Plan to satisfy the Settlement Agreement and to make other staff-initiated errata; c) Addendum #3 (Resolution No. 4406 adopted December 17, 2002) for the purposes of amending the Plan based on a request from the Spring Lake Planning Group LLC; and d) Addendum #4 (April 15, 2003) for the purposes of the Williamson Act Rescission Agreement for the Russell Property; e) Addendum #5 (Resolution No 4583 adopted October 19, 2004 for the purposes of amending the Plan based on a request from the Spring Lake Planning Group LLC); and f) Addendum # 6 (Resolution No 4806 adopted February 27, 2007, for the purposes of amending the Plan based on a request by Reynen and Bardis); and g) Addendum # 7 (Resolution No 5146 adopted November 16, 2010 for the purposes of amending the Plan based on a request by the Gibson Ogden Investors LLC to remove a bike overcrossing and path); and h) Addendum # 8 (Resolution No 5159 adopted December 14, 2010 for the purposes of amending the Plan based on a request by Cal West Investors LLC to modify land use designations and rezone a school site; and i) Amendment # 9 based on a request by Parkview by ALC IV Woodland Spring Lake LLC for the purposes of amending land use designations to rezone a former school site and multi-family site to single family R-8.
3. Section 65457(a) of the California Government Code and Section 15182(a) of the California Environmental Quality Act (CEQA) provides that no EIR or Negative Declaration is required for any residential project undertaken in conformity with an adopted Specific Plan for which an EIR has been certified.
4. The EIR for the SLSP has been written to qualify all of the planned SLSP residential projects for this exemption, assuming they are consistent with the SLSP and that they fulfill all conditions and CEQA mitigation measures.
5. The SLSP requires that each development application include certain project-level and project-specific technical analyses to demonstrate consistency with the performance thresholds and requirements of the SLSP and SLSP Mitigation Monitoring Plan (MMP). All the required studies have been submitted for the subject project, reviewed by staff, and the following conclusions reached: a) the studies satisfy the SLSP requirements; b) applicable requirements or conditions recommended in the studies have been included in the conditions

of approval for the subject project; c) the studies identify no environmental circumstances specific to the subject site or the proposed project that were not previously anticipated and addressed in the original EIR and later addendums.

6. The City of Woodland hereby finds that these studies provide the substantial evidence demonstrating that the project as conditioned is consistent with the adopted Specific Plan and fulfills all conditions and CEQA mitigation measures.
7. Therefore, pursuant to Section 65457(a) of the California Government Code and Section 15182(a) of the CEQA Guidelines, no other CEQA clearance is required for the City to take action to approve this project.

**General Plan Consistency Findings:**

1. The project is consistent with the General Plan.

**Spring Lake Specific Plan Consistency Findings:**

1. The project is consistent with the policy language (goals, policies, and objectives) of the SLSP.
2. The project is consistent with the land use designations, roadways, and bike paths identified in the SLSP.
3. The project is consistent with the Land Use Summary and other relevant Plan text throughout the SLSP.
4. The project is consistent with the Development Regulations in the SLSP including a determination of substantial consistency with Regulations 2.6, 6.1, 6.4, and 6.7 based on language in Section 4.29 of the Development Agreement which precluded submittal of final maps until infrastructure plans are completed and tentative maps made consistent, if applicable.
5. The project is consistent with the figures and tables in the SLSP.
6. The project is consistent with the SLSP Design Standards and SLSP Affordable Housing Plan.
7. This project represents a unique situation in which an additional buffer from the freeway has been required, thereby affecting lot layout and density. In order to maintain the lot density and to provide an enhanced aesthetic appearance on SR 113 and to provide a significant buffer for noise and air quality purposes, modifications to the sidewalk location on the north south oriented local streets to allow one side to have curb adjacent walks have been allowed in this case.

**Zoning Consistency Findings:**

1. Single family Residential (R-1) zoning is identified on page 2-22 of the Specific Plan as a consistent zone within the R-8 Specific Plan land use categories.
2. The project, as conditioned, meets all applicable regulatory requirements of the Zoning Ordinance.

**Tentative Subdivision Map Findings:**

1. The tentative map is consistent with the goals and policies of the General Plan and Specific Plan.
2. The tentative map is in conformance with the applicable provisions of the Subdivision Ordinance and Zoning Ordinance of the City.
3. The tentative map is in conformance with the Subdivision Map Act.

**Findings Related to Community Design Guidelines:**

1. The project substantially satisfies the requirements of the Community Design Guidelines.

**Findings Related to Other Regulatory Requirements:**

1. The project substantially satisfies the relevant requirements of the City's Standard Specifications and Details.
2. The project substantially satisfies the Infrastructure Master Plans for streets, water, sewage, and storm drainage.
3. The Development Agreement satisfies the City's Development Agreement Resolution and the requirements of State law.

**CONDITIONS OF APPROVAL FOR THE CAL WEST INVESTORS Tentative  
Subdivision Map #4991 and DEVELOPMENT AGREEMENT**

Conditions of Approval: The following conditions shall be fully satisfied prior to acceptance of Final Map (unless otherwise stated):

**General Conditions**

1. Project Approval. The project shall be substantially (as determined by the City) developed as depicted on the maps and exhibits included in the [REDACTED] City Council staff report, as approved by City Council, for the Cal West Investors, LLC and Optimistic Partners, LLC project, except as modified by these conditions of approval. Substantive modifications to the project description shall require modification of the Development Agreement, conditions and environmental documents.
2. Indemnification. The applicant shall defend, indemnify, and hold harmless the City of Woodland, its agents, officers or employees from any claim, action or proceeding against the City of its agents, officers or employees to attack, set aside, void or annul an approval of the subject application by the City, its legislative body, advisory agencies or administrative officers. The City will promptly notify the applicant of any such claim, action or proceeding against the City and the applicant will either, at the City's discretion, undertake defense of the matter and pay the City's associated legal costs, or will advance funds to pay for the defense of the matter by the City Attorney.
3. Deed Disclosures. Deed Disclosures that satisfy Development Regulation 2.1 (Disclosures) of the Spring Lake Specific Plan shall be submitted for review and approval by the Community Development Director and City Attorney. These approved disclosures shall be placed on deeds for final lots as specified by the Development Regulation. The deed disclosures for all lots shall include language that addresses Development Regulation 2.35.6 (Landscape Strips along local streets) within Spring Lake.
4. Responsibility to Inform. The applicant/developer shall be responsible for informing all subcontractors, consultants, engineers, or other business entities providing services related to the project of their responsibility to comply with all pertinent requirements of the City of Woodland Municipal Code, including the requirement that a business license be obtained by all entities doing business in the City as well as hours of operation requirements in the City in addition to applicable state and federal laws.
5. Construction Management Plan. Prior to issuance of any permit or inception of any construction activity on the site, the developer shall submit a construction impact management plan including a project development schedule and "good neighbor" information for review and approval by the Community Development Department. The plan shall include, but is not limited to public notice requirements for periods of significant impacts (noise/vibration/street closures, tree removal, etc.), special street posting, construction vehicle parking plan, phone listing for community concerns, names

of persons who can be contacted to correct problems, hours of construction activity, noise limits, dust control measures, and security fencing and temporary walkways.

6. Fee Notice. The conditions of approval set forth herein include certain fees, dedication requirements, reservation requirements and/or other exactions. Pursuant to Government Code, Section 66020(d), these conditions constitute written notice of the amount of such fees, and a description of the dedications, reservations and other exactions.

The applicant is hereby notified that the 90-day protest period, commencing from the date of project approval, has begun. If the applicant fails to file a timely protest regarding any of the fees, dedication requirements, reservation requirements and/or other exactions contained in this notice, complying with all the requirements of Government Code, Section 66020, the applicant will be legally barred from later challenging such fees, dedications requirements, reservation requirements and/or other such exactions. Notwithstanding the foregoing, the City does not waive any rights it may have to enforce any settlement agreement, memorandum of understanding or other agreement with the applicant which authorizes the City to impose certain fees, and which may waive the applicant's right to challenge the imposition of some or all of the fees, dedication requirements, reservation requirements, and/or other exactions set forth in these conditions of approval.

7. Coordination of Plans. The applicant shall be responsible for coordinating all plans to ensure consistency with and including site plan, landscaping, and improvement plans, prior to submittal for review.
8. Affordable Housing. The project is subject to the Spring Lake Affordable Housing Plan and Ordinance 6A, the City's Inclusionary Housing Ordinances. Where there is a conflict the Spring Lake Affordable Housing Plan shall prevail. The Plan requires 10 percent (10%) of single-family units to be affordable to Low-Income households. For multi-family projects the Plan requires that ten percent (10%) of all multi-family units be affordable to Low-income households and that twenty percent (20%) of the units to be affordable to very low income households, or that twenty five percent (25%) of the units are affordable to Very-low income households.. This project requires 18 single family affordable units, based on a total unit count of 176 single family lots. The total number of affordable multi-family units will be determined at the time a development application is submitted.
9. Concurrent Construction. The affordable single family units shall be dispersed throughout the project in terms of location and product type. Affordable dwelling units shall be constructed concurrently with, or prior to, market-rate units within the residential project. In phased developments, inclusionary units should be constructed and occupied in proportion to the number of units in each phase of the residential project. The Community Development Department and Housing Staff shall review and approve the location of the affordable sites prior to approval of the Final Map. If the Developer

desires to modify the approved locations of the Affordable dwelling units, the requested modifications shall be submitted along with a map review fee, with the final map.

10. Inclusionary Housing Agreement. Prior to the City approving the applicant's first final map, the OWNER and City shall enter into an Inclusionary Housing Agreement as required by the SLSP Affordable Housing Plan (AHP). This agreement shall be prepared by the City, shall be consistent with all applicable provisions of the SLSP AHP, and shall contain language inclusive of, but not limited to, the checklist in the SLSP AHP.
11. SLSP AHP Compliance. Prior to approval of the map(s), the OWNER shall show proof of compliance with the Spring Lake Specific Plan Affordable Housing Plan through preliminary designation of affordable housing lots.
12. Offsite Affordable Fee. The off-site Affordable housing fee shall be paid for each single family market rate unit.
13. Affordable Unit replacement site. With respect to the currently zoned R-15 multi-family property, located east of SR 113 designated as a remainder parcel, any low or very-low income units that may be lost as a result of either the parcel being built out at a lower than maximum density or a possible rezone to a lower density, may be deemed as replaced with the units that may be developed as a result of the proposed future development of the Heidrick Phase I, R-25 site (Mutual Housing). However, only those units for which building permits have been pulled on the R-25 site, may be considered as potential replacement units and only if they are in excess of the minimum number of affordable units required for the R-25 multi-family site, (13 low income units and 25 very low income or 32 very low income units).
14. Affordable unit size. There shall be an average of three bedrooms provided per affordable unit, and the developer can provide more but not less than the average target, unless it can be clearly demonstrated that a different average is required in order for the units to be sold in the affordable marketplace. A developer of a for-sale residential project may request an exemption from the requirements of this condition if, based on substantial evidence and financial information, such a mixture would be infeasible to the satisfaction of the Community Development Director. Affordable, for-sale single family units may be smaller in square footage than the Market-Rate units that trigger the affordable housing obligation, with a minimum living area of 850 square feet, however, a mix of bedroom numbers and square footage among for-sale single family house is desired.
15. Affordable quality of materials. The design of affordable units and the materials used in construction of affordable units shall be of an equal standard; however, affordable for-sale units may feature different interior amenities than those of the market rate units.
16. Fair Share Cost. The applicant agrees to fund on a fair share basis, as determined by the City of Woodland nexus study, public facilities, services, and improvements including



transit capital and operating costs, design and construction of transit stops, fire station construction and operations (Development Regulations 4.7.3, 4.9.5, 6.22 and 6.23), police operations (Development Regulations 6.30 and 6.31), park development (Development Regulation 5.6), greenbelts/pathways/trails (Development Regulation 5.28), and library services (Development Regulation 6.42 and 6.43) pursuant to Development Regulation 2.7 (Fair Share fees and Financing).

17. Backbone infrastructure. Prior to occupancy within any subdivision, necessary backbone infrastructure and services to serve the subdivision, as determined by the City of Woodland, must be in place, and adequate fire service must be demonstrated, pursuant to Development Regulation 2.8 (Infrastructure and service availability), 4.4 through 4.7 (roadway improvements), 6.24 and 6.25 (fire station).
18. Nexus Study. The applicant must comply with the requirements of the Spring Lake Specific Plan Nexus Study.
19. Funding Public Services. Prior to issuance of a building permit, the funding of public services shall be addressed pursuant to Development Regulations 2.7, 6.23 and 6.37.
20. SLIF Fee Revenue. Additional SLIF revenue generated by the additional residential units, as a result of the prior approved rezone of the project site on December 14, 2010, shall provide benefit overall to the Spring Lake Plan, and allocation of those units to cover any funding shortfall, as determined by the City shall be applied as follows: 1) Should the affordable multi-family project, (by Mutual Housing California) on the R-25 site in the Heidrick Ranch Phase 1 be developed, the difference between the maximum density of 125 units and the proposed unit density of 101 units, or 24 units, for that site may be made up through application of the Cal West Investor LLC and Optimistic Partner LLC project's additional fee revenue. 2) Any additional remaining fee revenue as a result of the Cal West Investors LLC and Optimistic Partners LLC development would be available should any possible future rezone applications on the Cal West Investors and Optimistic Partner project site be presented; and 3) Any remaining fee revenue would be utilized at the City's discretion.
21. Building Unit Allocations (BUA)s. With the exception of affordable and multi-family housing, approval of a final map requires that all lots included in the final map, have a building unit allocation. No final map shall be recorded by the City unless BUAs for that map are assigned with the final map. In this case, with respect to the site formerly zoned for a school site, assignment may require requesting that additional BUAs be added to the Spring Lake Plan area. If BUA's are transferred from another site, or if BUAs are requested to be added, either transaction shall be recorded to the satisfaction of the Community Development Department and in compliance with the BUA Ordinance.
22. Reservation of Lots for public sale. The requirements of Section 21-15-1 of the City Code relating to "Reservation of Lots for Public Sale" shall be met. Lots shall be offered at a fair market price. If the offered lots have not sold by the end of the 45-day period,

the subdivider shall be required to demonstrate that the lots were offered at a fair market price. This will entail the provision of an appraisal by a qualified professional appraiser. If appraiser indicates that he offered price unreasonably exceeded the fair market price, the lots shall be re-offered for an additional 45- days at a fair market value.

### **Finance Department**

1. SL Maintenance Facilities District. Prior to recordation of each final map, with respect to that map, OWNER shall petition the City to be annexed into the boundaries of the Spring Lake Maintenance Community Facilities District. The OWNER agrees to provide any and all information necessary to complete such annexation within 45 days of making this petition.
2. SL Community Facilities District 2004-1. At OWNER's option, OWNER may petition the City to be annexed into the boundaries of the Spring Lake Community Facilities District 2004-1 prior to the approval of each final map. OWNER agrees to provide any and all information necessary to complete such annexation within 45 days of making this petition. Alternatively, OWNER may instead meet its SLIF financial obligation by paying the then equivalent bond proceeds in cash at building permit, before applying fee credits or paying cash, at OWNER's option, for balance of the fee creditable portion of the SLIF.
3. Fee Credits Any financing method employed which would allow additional proceeds to be raised to pay back the First Release Property Owners, would then allow OWNER to use the fee credits associated with the Community Facilities District.

### **Community Development**

1. Design Review. For all residential uses, final site plans, architectural plans, elevations, sound wall, and landscape plans shall be submitted for review and approval by the Planning Commission to ensure consistency with the Spring Lake Specific Plan and Spring Lake Design Standards. Additional design detail shall be provided on corner lots with emphasis on side elevations, porches and entries (Design Standard 2.7). (All mechanical equipment, whether roof mounted or on the ground, shall be fully screened from view (Development Regulation 2.21 Utility Facilities). All antennas shall be placed in building interiors. Satellite dish antennas are prohibited on roofs. Units shall be energy efficient pursuant to Development Regulation 2.25 (Energy Efficiency). Dwelling unit shall be oriented toward the street pursuant to Development Regulation 2.31 (street loading), Development Regulations 2.35.3 (separated entry walks), 7.5 (Fireplaces), 7.6 (air conditioning), 7.7 (wiring), 7.10 (energy efficiency), 7.16 through 7.18 and 7.20 and 7.21.1 and 7.21.2 relating to energy conservation.)
2. Block Length on Street "A". In order to mitigate for the extended block length on the west side of Street A, the homes along this stretch shall be designed so that there is variability provided through careful use of such elements as front setback, mix of one and two-story, and building architectural frontage design. All homes along this segment

extending from lot 160 to lot 176 shall have either a full usable front porch or a separated front patio extension with low walls.

3. Architectural Diversity. Emphasis shall be placed on creating architectural diversity within the development as discussed in Sections 2.3, 2.4 and 2.5 of the Spring Lake Design Standards. Particular care will be required to create a diverse architectural appearance on lots that are fairly narrow (40 to 45 feet in width). Creativity and innovation will be encouraged.
4. Energy Efficiency. All building designs shall be designed to meet and are recommended to exceed energy efficiency
5. Landscape Plan Submittal. Detailed Landscape and Irrigation Plans, shall be designed and prepared by a licensed landscape architect and shall be certified in accordance with State water conservation requirements. Landscape plans shall be submitted and approved by the Community Development and Public Works Departments prior to issuance of building permits. Landscape plans shall specify the following:
  - Locations, size and quantity of all plant materials.
  - A plant legend specifying species type (botanical and common names), container size, maximum growth habit and quantity of all plant materials.
  - Location of all pavements, fencing, buildings, accessory structures, parking lot light poles, property lines and other pertinent site plan features.
  - Planting and installation details and notes including soil amendments. A soil fertility test shall be prepared prior to approval of plans to determine planting and amendment requirements.
  - Existing trees on site shall be identified. Trees planned for removal or relocation shall be marked on the plans, methodology to preserve trees in place provided on plans.
  - Details of all irrigation (drip, sprinkler, bubbler) as well as equipment such as backflow controller and water meter devices identified.
6. Street Tree Master Plan. Street Tree Master Planting Plan shall be approved prior to the issuance of the first building permit. Shall be reviewed for conformance with the SL Design Standards and shall be reviewed and approved by the Community Development Department and the City's Public Works Department – Urban Forestry division. A soils test shall be submitted that will assist in appropriate species selection.
7. Public Landscaping. Landscaping design, materials, installation and maintenance in roadways, medians, greenbelts, subdivision trails, and other public areas shall be consistent with applicable City requirements. Landscaping shall satisfy and fully implement Development Regulations 2.15.1 and 4.16 (Tree Canopy), 2.22 (Drought – tolerant plantings), 4.17 (Timing of landscaping), 4.17.1 (landscaping at intersections), 4.18 and 4.19 (bikeway and landscaping) and 7.13 (public landscaping).
8. Tree Preservation and Replacement Planting

- Replacement. In accordance with Section 20A of the City of Woodland Municipal Code, the applicant shall comply with the following replanting schedule for removal of trees on and adjacent to the project site:
    - A. Replacement planting is required for each heritage, specimen, and landmark tree removed at a rate of four 15- gallon trees for each six-inches, or fraction thereof, of trunk diameter removed. Removal of street trees requires replacement planting of approved species at a rate of two 15 –gallon trees for each six inches removed in accordance with Section 20A -1-100.
    - B. The approved species and locations of replanting shall be specifically shown on the Landscape and Development plans and shall be subject to review and approval by the Community Development and Public Works departments. Replacement planting shall be in addition to standard planting requirements.
    - C. Landscape Development plans shall be submitted concurrently with subdivision improvement plans prior to any grading on site and final map approval.
  - Preservation. The City’s Tree Preservation Ordinance requires preservation of Heritage Trees to the extent possible. The two existing Heritage Oak trees shall be preserved. Prior to issuance of a grading permit which impacts each Oak Tree, the applicant shall submit a tree protection plan to be included in the improvement plans which shall indicate measures to be taken to protect the trees during construction.
    - A. The oak tree on Lot B shall be preserved in place. Lot B shall be dedicated to the city to create a small pocket park around the existing tree. Park amenities shall be provided and design approved prior to acceptance of the final map which dedicates Lot B.
    - B. Upon approval of the park design and installation of all required amenities for Lot B, the OWNER shall receive the equivalent in park fee credits of \$10,000.
    - C. The Heritage Oak tree located off-site, north of Lot B, shall also be preserved in place, unless it cannot be preserved in place due to infrastructure requirements. The “F” Street cross section may be modified subject to approval by the City Engineer, at that location to accommodate the preservation of this street tree (i.e. removing the planting strip and attaching the sidewalk at that locations, etc...)
    - D. The trees and pocket park shall be included in the Spring Lake Lighting and Landscaping assessment district.
9. Utility Design. The location of all utility structures shall be coordinated with and depicted on the landscaping plans. Location and installation of utility structures shall be to the satisfaction of the Community Development Director and City Engineer. Public

utility lines, along public street frontages and /or landscaped areas shall be underground type unless otherwise approved by the Community Development Director and City Engineer. The applicant shall ensure consistency with Development Regulation 2.11 (Utilities), 2.13 (connectivity), 2.21 (utility facilities) and 6.17 through 6.19 (general utility requirements).

10. Light pole location. Light poles shall not be located so as to conflict with planting or future growth and shading of trees throughout the site. Review shall be provided prior to issuance of final map.
11. Street and Lot lighting. Lights along local roads and in public use areas shall be consistent with SL Development Regulation 2.22.2.
12. Compliance with State Water Conservation Ordinance. The project shall comply with State Water Conservation Ordinance, as well as water conserving requirements in the Spring Lake Specific Plan and SL Design Standards. This applies to all yard and public landscaping. Plans shall be reviewed for compliance prior to issuance of building permits.
13. Sound Wall. A freeway adjacent sound wall is required in accordance with the Environmental Noise Analysis and shall be 10-feet in height. The sound wall design shall meet the SLSP Design Standards (Section 6.2.1). Access for required maintenance shall be provided via Lot A shall be 28 feet in width. The entire length of the project sound wall shall be constructed at one time, with the Phase 3 final map, including the portion of the wall on the remainder parcel. The wall design, including freeway adjacent landscaping, shall be submitted for Design Review to the Planning Commission prior to acceptance of the Phase 3 final map. Landscape and sound wall will need to be bonded for and are included in the public improvements and are eligible for SLIF credits
14. Sound Wall Landscaping. Landscaping shall be provided in accordance to 6.2.1 (d) to help screen the wall, minimize graffiti and shade on the west elevation. Landscaping shall include trees, shrubs and groundcover. The landscaping, predominately trees (fine needled such as pines or redwoods depending on soil fertility report recommendations), will be planted in a fairly dense manner within a 28 foot easement on the west side of the wall. A reciprocal access and maintenance agreement will be established and recorded with the sound wall and landscaping in order to provide access for maintenance of the sound wall and landscaping. The landscape plans shall be reviewed and approved prior to issuance of permits for the wall. Landscaping shall be installed with the Phase 3 final map.
15. Single Story Homes. Consideration shall be given to the extent possible that the units constructed on the lots backing to the HWY 113 freeway be single story, or that the second story portion be recessed from the back of the single story portion.

16. Interconnecting Walk and Pathway. Interconnecting walks and pathways shall be a minimum of 25 feet wide and landscaped consistent with Section 6.9 of the SL Design Standards.
17. Residential Fencing. All wood fence footings and foundations shall be constructed of galvanized steel, reinforced concrete, or masonry. No treated wood materials in contact with the ground will be permitted. All wood fencing shall be stained with a water sealant to prevent water damage and staining. Consideration shall be given to the use of wood with integral stain. All required notes/details shall be provided on plans prior to the issuance of permits. Fencing shall comply with Section 2.9 of the SL Design Standards.
18. Entry signs. Per the Spring Lake Specific Plan and the Spring Lake Design Standards, the applicant shall establish neighborhood entry signs. A sign shall be provided at the north west corner entry of Harry Lorenzo Avenue and "D" Street consistent with SL Design Standard 1.6.2.  
  
A design specification for this signs shall be prepared for review and approval by the Community Development and City Engineer prior to acceptance of the final map. The signs shall be installed prior to the issuance of the first house permit in Phase I.
19. Prohibit RV Parking. Provisions in the CC&Rs for the Single Family (R-8) Development shall be adopted that prohibit recreational vehicle parking in the front yard for longer than 24 hours. This provision shall be enforced through mechanisms established in the CC&Rs.
20. Prohibit Garage Conversions. Provisions in the CC& Rs for all residential development shall be adopted that prohibit garages from being converted to residential use except for a model home sales office. When the sales office is vacated, it must be converted back to a garage.
21. No Restriction on Color. Provisions in the CC&Rs shall be adopted that prohibit any restrictions of color on residential structures. This provision shall be enforced through mechanisms established in the CC & Rs.
22. Multi-family Development. Multi-family development shall comply with the Spring Lake Specific Plan and Design Standards including Development Regulations 2.35 (Multi-family Attached Rental Development), 2.35.7 (R-15 Façade Requirements).
23. Bike Parking. Bicycle parking for multi-family units shall be provided at a minimum ratio of 10 percent of the normally required number of vehicle spaces, or to the satisfaction of the Community Development Department. Bicycle parking shall be highly visible, in a secure location, and to the greatest extent feasible, located in a covered area.

24. Future Park and Rezone Application. The Specific Plan indicates that the 2-acre commercial sites within the Plan area shall be floating designations with the precise location determined at the time of the land division that creates the park and surrounding residential lots. Prior to acceptance of the first final map the applicant shall either submit an application for a Spring Lake Plan Amendment or provide funding toward a future Plan Amendment for the relocation of the park west of its existing location. Determination for the location of the remaining 2 acres shall be provided at that time.

**SLSP Mitigation Measures:**

1. Mitigation Requirements. The project applicant shall comply with all mitigations required by the TOC EIR Mitigation Monitoring Program provided as Attachment A to the SLSP, as well as any further analysis provided through additional studies and evaluations required to ensure compliance with mitigations.
2. Environmental Noise Analysis. The design of the project shall comply with the exterior and interior noise level requirements of the Noise Element of the City of Woodland General Plan and with the requirements specified in the Environmental Noise Analysis prepared by Bollard Acoustical Consultants, Inc dated July 19, 2011.
  - A 10-foot tall noise barrier should be constructed along the western property line of the project site. The barrier heights shown are those required to reduce future SR 113 traffic noise to 65 dB Ldn or less. Barriers should be constructed of masonry block, concrete or earth berms. A combination of berms and walls is acceptable provided the combined height is sufficient to achieve satisfaction with City noise standards. Final design and wall height to achieve adequate protection shall be determined at the time of the final Phase 3 grading plan submittal.
  - City of Woodland's interior noise standard is 45 dB Ldn. Exterior noise levels at second floor facades facing the freeway can be up to 77 dB Ldn. Recommendations to reduce interior noise as stated in the Environmental Noise Analysis, dated April 20, 2011, prepared by Bollard Acoustical Consultants shall be complied with. If two story units are proposed, the additional construction techniques identified shall be followed as well.
  - When final site lot and grading plans are completed they shall be reviewed by an acoustical consultant to ensure that the conclusions of the acoustical study have not changed.
  - Disclosure statements shall be provided to all prospective residences notifying them of the elevated projected future Hwy 113 noise environment and informing them that satisfaction with the City of Woodland 45 dB Ldn interior noise standard may only be achieved with windows in closed positions.
3. Ground nesting Raptor Survey. Pursuant to Mitigation Measure 4.5-3, thirty (30) days prior to commencement of grading or any site work, the applicant shall have prepared and submitted a survey for ground nesting raptors (e.g. northern harrier and burrowing owl). This survey shall be prepared by a qualified raptor biologist using appropriate protocol acceptable to responsible agencies. If survey nesting raptor species are found,



then Mitigation Measures 4.5-3 (b-d) of the Spring Lake Specific Plan Mitigation Monitoring plan shall be followed. Survey results shall be valid only for the season when construction activity occurs.

4. Mitigation Easements. Mitigation for loss of agricultural land and hawk habitat in the form of land set asides shall be fully executed and in place pursuant prior to final map approval consistent with Development Regulation 2.2 (Land Set Asides) and 7.2 related to the 1:1 mitigation requirement. Fully executed, meaning signed and recorded with the County.
5. Raptor Survey. Each landowner or applicant shall conduct a pre-construction or pre-tree pruning or removal survey of trees greater than 30 feet tall during the raptor breeding season (March 1 through September 15). This survey shall be conducted for a half mile around the proposed site at which any construction activity is proposed. The survey shall be conducted by a qualified raptor biologist during the same calendar year that he proposed activity is planned to begin to determine if any nesting birds of prey would be affected.
6. Geotechnical. The recommendations contained in the Conclusions and Recommendations Section of the Geotechnical Engineering Report (Geocon Consultants, Inc May 2011 – Geocon project no s9574-06-01)
7. Air Quality Directives. Owner shall comply with Air Quality Management District directives as specified in Development Regulation 2.12 for both off-road and on-road low-emissions heavy duty vehicles and construction equipment during all grading and construction. (SLSP page 7-4, Regulation 7.3).
8. Mosquito Vector Control. Prior to each construction season each landowner or applicant with a project under construction shall consult with, and implement the recommendations of the Mosquito Vector Control District regarding control of mosquitoes, black gnats, and other vectors.
9. Construction Recycling. Prior to the commencement of construction on any project, the applicant shall ensure that the construction contractor has established construction recycling measures pursuant to the requirements of the Mitigation Monitoring Plan and all other City requirements. (MM 4.13-18)
10. Dust Suppression. Applicant shall comply with all dust suppression requirements during all grading and construction activities (SLSP Regulation 7.4)
11. Off site improvements. Off-site improvements must satisfy the requirements of SLSP and SLSP MM including but not limited to Development Regulation 6.13 and Mitigation Measure 4.5-7.

12. Cultural Resources. During grading or any site work, development must comply with Development Regulation 7.22 (MM 4.10-1)

## **Engineering Development Services**

### **Roadways**

1. Regarding “E” Street between phase 1 and phase 2 and “B” Street road between 2 and 3 and “D” Street between phase 3 and phase 4. The road may be revised to a partial street section (similar to cross section C on Sheet 4 with approval of the City Engineer).
2. Streets fronting the park: Phase 1 shall construct full street section and curb gutter, sidewalk, and landscaping along opposite side of the street fronting the park (“D” Street). Phase 2 shall construct a full section of curb, gutter, sidewalk, and landscaping of Street opposite the park (“D” Street). Phase 4 shall construct full street section and curb gutter, sidewalk, and landscaping along opposite side of the street fronting the park (“B” Street). This requirement may be reduced or altered by the City Engineer, if, the appropriate portions of park frontage are added to the SLIF fee capital improvement program.
3. Applicant shall revise partial street cross sections; partial street sections shall have 4’ shoulders with 2’ paved shoulders to the same structural section as the remainder of the road and 2’ unpaved.
4. Unless constructed by others project shall construct Harry Lorenzo from “F” Street to Farmers Central Road (including park frontage with first final map without transition) in accordance with section E. If land fronting Harry Lorenzo Avenue is rezoned to residential lots prior to application for final map, the improvement plans may be modified to reduce fronting improvement requirements, with the approval of the City Engineer.
5. Unless constructed by others, project shall place a type III slurry or micro pave, at the discretion of the City Engineer, and stripe Harry Lorenzo Avenue from the improvements of the Harry Lorenzo Drive to its southerly terminus.
6. Unless constructed by others the project shall construct/extend Farmers Central Road from Pioneer Avenue to Harry Lorenzo Avenue with the first final map. If necessary for access, only the road section may be reduced to two twelve foot lanes plus four foot shoulders on each side with additional turn lanes as necessary at Harry Lorenzo Drive. Design of the interim/partial road improvements shall be compatible with the ultimate design of the roadway. Upon request of the applicant City will enter into a third party reimbursement agreement to allocate fair share costs to the adjacent property owners. The third party reimbursement agreement shall be completed prior to the approval of the final map.

7. Along the alignment of Farmer's Central Extension there shall be a 20 foot landscaped greenbelt corridor including a 10 foot bike path. Path may meander to the north only if necessary to avoid PG&E transmission poles. Path design and alignment shall be subject to the approval of the City. At a minimum, the corridor shall include a 10 foot path shall: be reinforced to support maintenance/emergency vehicles, include 10 foot of landscaping, parkway level lighting along the length of the corridor, and connect to "B" Street as well as align ultimately for the SR 113 overcrossing. Furthermore, design of the bikeway shall include working with PG&E to vacate its existing easement and establish a new easement that aligns with the actual transmission line. Property descriptions and easements shall be to the satisfaction of the City Engineer. Timing of the landscaped bike path corridor may be deferred until the development of the remainder parcel provided that fair share payments are made on a per unit basis for phases 1, 2 & 3 into a City held escrow account. A fair share shall be determined by the following process.
  - A. With the first final map application the applicant shall prepare a preliminary design with a cost estimate for the greenbelt corridor. The cost estimate shall include a 20% contingency and 7.5% in plan check and inspection rate, 10% design costs, and a 7% CM overhead rate. Cost estimate for landscaped bike path shall be itemized separately so that SLIF credits may be applied towards that portion of the cost separate from the balance of the remainder of the subdivision improvements. The calculation shown below is an example based on the anticipated number of units in the map. The calculation shall be updated as needed.
  - B. Then the total cost shall be divided by 234 (176 units for the map plus 84 x .7 for the multi family).
  - C. Then each final map shall pay the amount at time of final map on a per unit basis.
  - D. Upon request, the City will enter into a 3<sup>rd</sup> party reimbursement agreement to seek a proportional share reimbursement from the adjacent residentially zoned benefitting property owner. (MF site).
  - E. Cash payments and construction costs may be reimbursable or creditable from the SLIF if the facility is included in the SLIF CIP subject to restrictions of the master reimbursement agreement.
8. Prior to approval of the first final map the applicant shall submit for approval of the City Engineer a traffic calming plan for the entire tentative map area. Plan shall generally conform to recommendations made in the traffic study. Traffic calming features may

vary from those shown on the tentative map. Applicant shall construct components of the traffic calming plan as part of the public improvement program.

9. Underground overhead distribution utilities on the property. Transmission lines in the PG&E easement may remain overhead.
10. With first final map and the extension of Farmers Central Road from Pioneer Avenue to Harry Lorenzo Drive the applicant shall construct roundabouts at the intersection of Farmers Central Road and Harry Lorenzo Avenue and at "F" Street and Harry Lorenzo Avenue. Upon inclusion in the Spring Lake SLIF CIP, the cost of the roundabout shall be SLIF reimbursable/creditable.
11. With the phase one and two final map improvement plans, details for the construction of "F" Street shall include a tree preservation plan for the Heritage Oak(s) required to remain on site. Design of the pre preservation plan, fencing materials, and all other components shall be approved at the sole discretion of the City.
12. Project shall provide paved access with bollard or gate control to City approved openings in the sound wall for Maintenance access. Paved access and access control design shall be subject to the approval of the City. Paved access shall meet alley width minimum requirements, or the width may be reduced to 15 feet with the approval of the City Engineer.
13. Cross section J shall have a 4.5 foot sidewalk adjacent to curb and 10' PUE behind the monolithic curb.
14. Cross sections 2/C01 and 3/C02 shall be removed from Sheet C05 of the Tentative Map.

#### **Easements and Right of Way**

1. A seven (7) / ten (10) foot adjacent to monolithic sidewalk foot public utility easement back of (separated) sidewalk, adjacent to all public streets within the development shall be dedicated to the City and may be required elsewhere as requested by the utility companies and approved by the City.
2. Prior to approval of first set of improvement plans and final map, Applicant shall acquire all rights of way and easements necessary to construct off-site and on-site improvements associated with the tentative map. Final determination of Right of Way Requirements shall be made by the City Engineer.

3. Phase 3 final map shall dedicate a 28 foot strip between the tentative map edge and Caltrans Right of Way.
4. Lots 160 through 176 shall include a general access easement to the City for repair and maintenance of the sound wall.
5. Project shall acquire or dedicate 15' maintenance access easements along the north edge of the property (may be on adjacent property) and along the south side of Lot 176. Project shall provide paved PCC access with bollard control to City approved openings in the sound wall for maintenance access.
6. Should, after a good faith effort based on a MAI Appraisal, the applicant has been unable to obtain offsite right of way, the applicant may request that the City obtain the land at the cost of the applicant. Applicant shall deposit estimated cost of land, staff time and attorney time to obtain the land. After land has been obtained City shall relinquish balance of funds on hand.
7. Applicant shall acquire by deed or lot line adjustment the right of way for the knuckle on "B" Street, with the final map which includes this portion of "B" Street prior to sale of the Park site, unless mapping of that corner can be made without expanded corner, subject to the approval of the City Engineer.

#### **Wastewater and Sewer Collection System**

1. The property shall be connected to the City of Woodlands sewer system, with a separate sewer lateral required for each parcel, in accordance with City of Woodland standards.
2. The Tentative Map Sewer Plan showing sewer routing, pipe slopes and sizing and locations, are preliminary only and do not constitute approval in any way. Final approval for the Sewer Plan shall occur with the final improvements based on the requirements set forth in these conditions of approval.
3. Construction of deep sewer mains shall be connected to laterals by a parallel main and connections at Manholes.
4. Applicant shall obtain a groundwater discharge permit from the State Board of Reclamation prior to ground dewatering.
5. Any onsite Septic tanks shall be to county health department standards, prior to the final map within which boundary it is contained.

### **Storm Water**

1. A comprehensive storm drainage plan shall be prepared by a registered civil engineer for project watershed(s), including the plan area. The plan shall identify specific storm drainage design features to control increased runoff from the project site. The drainage plan shall demonstrate the effectiveness of the proposed storm drainage system to prevent negative impacts to existing downstream facilities and to prevent additional flooding at off-site downstream locations. All necessary calculations and assumptions and design details shall be submitted to the City Engineer for review and approval. The design features proposed by the applicant shall be consistent with the most recent version of the City's Storm Drainage Master Plan criteria and City Standard Specifications and Details. The plan shall incorporate secondary flood routing analysis and shall include final sizing and location of on-site and off-site storm conduit channels, structures and (detention basins if required). The Storm Drainage Plan shall be submitted for approval prior to submittal of the first final map and/or construction drawings for checking. The applicant shall pay the cost associated with all improvements required by the plan and an appropriate reimbursement agreement shall be drafted to reimburse the applicant for oversize improvements on a pro rata basis per the Project level Development Agreement.
2. A topographic survey of the entire site and a comprehensive grading plan prepared by a registered civil engineer shall be required for the development. The plan shall include topographic information on adjacent parcels. In addition to grading information, the grading plan shall indicate all existing trees, and trees to be removed as a result of the proposed development, if any. A statement shall appear on the site grading and drainage plan, which shall be signed by a registered civil engineer or land surveyor and shall read, "I hereby state that all improvements have been substantially constructed as presented on these plans". Reference the City of Woodland Engineering Design and Construction Standards for additional requirements.
3. The Tentative map Grading and Drainage plan showing grading and drainage information including topographic information, drainage routing, pipe slopes and sizing and locations and including topographic information, and overland drainage routing are preliminary only and do not constitute approval in any way. Final approval for the grading and Drainage Plan shall occur with the final improvements based on the requirements set forth in these conditions of approval.
4. Unless constructed by others the first final map shall construct the extension of the 72" storm drain line along Farmers Central Road from pioneer Avenue to Harry Lorenzo Avenue.

5. Development of the remainder parcel (multi-family site) will require construction of the 60" storm drain line from SR 113 to Harry Lorenzo Avenue at its sole cost less any reimbursement collected by item 6 below.
6. Each phase of the project shall contribute fair share costs for the 60" Storm Drain line along the southerly boundaries; construction costs are eligible for SLIF credits and reimbursements. Fair share payments are made on a per unit basis for phases 1, 2 & 3 (for reimbursement and or construction into a City held escrow account). A fair share shall be determined by the following process:
  - A. With the first final map the applicant shall prepare a preliminary design with a cost estimate 60" storm drain, access road, gates, and appurtenances. The cost estimate shall include a 20% contingency and 7.5% in plan check and inspection rate, 10% design costs, and a 7% CM overhead rate.
  - B. Then the total cost shall be divided by 234 (176 units for the map plus 84 x. 7 for the multi family).
  - C. Then each final map shall pay the amount at time of final map on a per unit basis.
  - D. Upon request the City will enter into a 3<sup>rd</sup> party reimbursement agreement to seek a proportional share reimbursement from the adjacent residentially zoned benefitting property owner.
  - E. Cash payments and construction costs will be reimbursable or creditable from the SLIF subject to restrictions of the master reimbursement agreement.

#### **Storm Water Quality Control**

1. Construction of projects disturbing more than one acre of soil shall require a National Pollution Discharge Elimination System (NPDES) construction permit. Applications/projects disturbing less than one acre of soil shall implement BMP's to prevent and minimize erosion. The improvement plans for construction of less than 1 acre shall include a BMP to be approved by the City Engineer. Projects of this size shall also prepare a SWPPP (Storm water Pollution prevention plan).
2. Project shall comply with Storm Water Quality Ordinance, for site specific, general, and treatment control measures.

3. The Developer shall create a storm water phasing plan to be approved by the City Engineer prior to a grading permit or final map, unless otherwise determined unnecessary by the City Engineer.

**Water Infrastructure Conditions**

1. All materials and installation of the water system shall be at the developer's expense per City of Woodland Standard Specifications and Details.
2. Until such time as actual service connections are approved for the subdivision, the water agency may withhold water service due to a water shortage declared by the water agency.
3. If not constructed by others, the first final map shall construct a 12" water line in Harry Lorenzo Avenue connecting to the water mains in Farmers Central Road and Gibson Road and extend the 12" main in Farmers Central Road from Pioneer Avenue to Harry Lorenzo Avenue. Upon request, the City may enter into a 3<sup>rd</sup> party reimbursement agreement to seek a proportional share reimbursement from the adjacent residentially zoned benefitting property owner, if determined applicable to the adjacent development.
4. The Tentative Map Water Plan showing water routing, sizing and locations, are preliminary only and do not constitute approval in any way. Final approval for the Water Plan shall occur with the final improvements based on the requirements set forth in these conditions of approval. Applicant shall comply with making changes to water system distribution pipe sizes and alignments based on the results of the specific water modeling performed for the project. Applicant shall pay for all required water modeling for identifying water infrastructure needs to serve its development and shall construct offsite water improvements to connect to the City water distribution system.
5. Per City of Woodland Cross Connection Control Program, all types of commercial buildings and landscape irrigation services are required to maintain an approved backflow prevention assembly, at the developer's expense. Service size and flow-rate for the backflow prevention assembly must be submitted. Location of the backflow prevention assembly shall be per the City of Woodland Standard Specifications and Details. Prior to the installation of any backflow prevention assembly between the public water system and the owner's facility, the owner or contractor shall make application and receive approval from the City Engineer or his designated agent.
6. Any fire hydrant installed will require, in addition to the blue reflector noted in Standard Drawings, an additional blue reflector and glue kit that is to be supplied to the City of Woodland Fire Department for replacement purposes.
7. One Water Sampling Station shall be installed with the first final map.



8. Applicant shall abandon all on site private wells with the demolition of existing structures served by the wells and prior to any final maps in the project prior to final map within which the well is located.

### **Landscaping**

1. Landscaping of public areas is a public improvement. Design and construction of public landscaping areas shall proceed concurrently with adjacent development. Public improvements will not be formally accepted until a 90-day maintenance period on landscaping improvements is completed. This requirement may be waived at time of acceptance of other public improvements with approval of the Parks, Public Works and Community Development departments, but if waived shall require submittal of a separate security to ensure landscaping completion.
2. The phase 3 final map in Calwest shall construct the entire sound wall along the western edge of the tentative map. Sound wall design and construction costs are eligible for SLIF credits.
3. Phase 3 and Phase 4 shall construct 28' landscape strip along western boundaries of their map commensurate with their improvements.

### **Grading**

1. A topographic survey of the entire site and a comprehensive grading and drainage plan prepared by a registered civil engineer, shall be required for the development. The plan shall include topographic information on adjacent parcels. In addition to grading information, the grading plan shall indicate all existing trees, and trees to be removed as a result of the proposed development, if any. A statement shall appear on the site grading and drainage plan, which shall be signed by a registered civil engineer or land surveyor and shall read, "I hereby state that all improvements have been substantially constructed as presented on these plans". Reference the City of Woodland Engineering Design and Construction Standards for additional requirements.
2. The Tentative map Grading and Drainage plan showing grading and drainage information including topographic information, drainage routing, pipe slopes and sizing and locations and excluding topographic information, and overland drainage routing are preliminary only and do not constitute approval in any way. Final approval for the grading and Drainage Plan shall occur with the final improvements based on the requirements set forth in these conditions of approval.

3. The differential in elevation between rear and side abutting lot lines shall not exceed twelve inches (12") without construction of concrete or masonry block retaining walls.

**Fees**

1. The Owner shall pay all required fees for processing final maps (technical check) with final map submittal.
2. Prior to approval of improvement plans, the Owner shall pay all fees for plan check and inspection of offsite infrastructure improvements, as approved by City Council and defined in the City Fee Schedule. If Owner pays a deposit only at improvement plan submittal, the balance shall be paid prior to improvement plan approval by the City Engineer.
3. At building permit issuance the applicant shall pay applicable Development Impact Fees or connect fees in effect at the time of building permit issuance.
4. Shall pay \$794 per house for 25A; construction & reimbursement, the fee is due at building permit. (DA Item)
5. Transit Capital fee: Prior to final map or project approval (for non-mapped multifamily) applicant shall pay a \$208 per DUE fee. (DA item)
6. Transit Operation fee: Prior to final map or project approval (for non-mapped multifamily) applicant shall pay a \$35 per DUE fee. (DA item)
7. If a multi family project does not require a final map (rental apartments), the project shall pay prior to building permit a per unit fee of \$146 for transit capital and \$25 for transit operation. (DA Item)
8. The conditions of approval set forth herein include certain fees, dedication requirements, reservation requirements and/or other exactions. Pursuant to Government Code, Section 66020(d), these conditions constitute written notice of the amount of such fees, and a description of the dedications, reservations and other exactions.

The applicant is hereby notified that the 90-day protest period, commencing from the date of project approval, has begun. If the applicant fails to file a timely protest regarding any of the fees, dedication requirements, reservation requirements and/or other exactions contained in this notice, complying with all the requirements of Government Code,

Section 66020, the applicant will be legally barred from later challenging such fees, dedications requirements, reservation requirements and/or other such exactions. Notwithstanding the foregoing, the City does not waive any rights it may have to enforce any settlement agreement, memorandum of understanding, or other agreement with the applicant which authorizes the City to impose certain fees, and which may waive the applicant's right to challenge the imposition of some or all of the fees, dedication requirements, reservation requirements, and/or other exactions set forth in these conditions of approval.

9. If existing buildings are demolished, applicant shall document size and type of buildings prior to demolition to determine if there is a credit for impact fees, If there are no sewer or water service connections no sewer or water impact fees will be credited.
10. Applicant shall pay \$150 per lot at final map for the advance planning study for the SR 113 bike overcrossing. (DA Item)

### **General Conditions**

1. Prior to final map the applicant shall submit and have approved a revised tentative map in compliance with these conditions. The revised tentative map is subject to the approval of the City Engineer and Community Development Department.
2. Developer shall document and show evidence that all tentative map conditions are met with submittal of final map.
3. Enter into a (Subdivision) Improvement Agreement for the construction of public improvements prior to construction of any improvements, approval of improvement plans, approval of final map, or building permits.
4. Prepare improvement plans for any work within the public right-of-way and submit them to the Engineering Division for review and approval. The improvement plan sheets shall include the title block as outlined in the City of Woodland Standard Specifications. This submittal is separate from the building permit submittal. All public improvements shall conform to the current City of Woodland Standard Specifications.
5. Submit proposed Street names to fire department for approval with a copy to Engineering prior to improvement final map submittal.

6. Conform to any mitigation measures outlined in the Environmental Impact Report (E.I.R.) and traffic study.
7. Public improvements, in addition to roadway construction shall include water, sewer and storm drain mains, Fire hydrants, street lights and appurtenances
8. All non single family water services to this site shall include backflow prevention devices and water meters, with meters located within the Public Utilities Easement (P.U.E.) adjacent to the public road, in a location approved by the Public Works Department.
9. Submit an application for reapportionment of assessments with the parcel map or subdivision map.
10. Project shall obtain a Caltrans encroachment permit for construction of the sound wall and landscaping if necessary. A copy of the permit shall be provided to the City prior to approval of the final map and start of construction.
11. All utility poles that are to be relocated in conjunction with this project shall be identified on the improvement plans, with existing and proposed locations indicated.
12. All public landscape areas shall include a separate point of connection for water laterals with meters and PG&E power service points for automatic controllers.
13. Prior to recording of the final map, provide evidence of payment for the Habitat Mitigation Fee. This fee is payable to the Yolo County Habitat Conservation JPA, but collected by the City.
14. If improvements are constructed and/or installed by a party or parties other than the Developer, which improvements benefit Developer's property, Developer shall pay a proportionate share of the costs of said improvements, including interest, prior to the issuance of building permit(s) (approval of the final map) to Developer.
15. If conditions for the project require Owner to construct improvements which benefit parties other than Owner, and are subject to reimbursement by others as determined by the City Engineer, Owner may request to enter into a reimbursement agreement drafted by the City. City shall endeavor to collect reimbursements from the benefiting party(ies) including requiring payment prior to approval of any entitlements for benefiting party(ies). All reimbursement agreements shall be executed prior to final map approval.

16. If greater than 640 S.F., second units shall pay single family dwelling unit development fees.
17. All Second units shall have separate water service and meter
18. Prior to approval of the final map the applicant shall establish a lighting and landscaping district or annex into the Spring Lake Lighting and Landscape district. Improvements included in the district shall include the storm drain detention ponds and ditches, all public lighting, landscaping, and traffic signals.
19. This project is subject to the construction and demolition debris recycling and diversion ordinance; contact Marshal Echols, Conservation coordinator, at 661-2063 for more information.
20. Joint trench/utility plans shall be submitted to the City Engineer for review, prior to approval of the final map and improvement plans.
21. U.S. Post Office mailbox locations shall be shown on the improvement plans subject to approval by the City Engineer and Postmaster.
22. A registered landscape architect shall design landscape and sound wall and privacy wall improvements and improvements shall be per the SLSP and other City Standards, as applicable.
23. Project shall include in the disclosure document for each house that the future park does not have a scheduled date for construction and that future construction will be subject to available funds

## **Fire Department**

1. Weed Abatement. The project site shall comply with the City of Woodland Weed Abatement Ordinance. The project, parcel map, along with any lots shall be maintained throughout the year so that all dead trees or any vegetation growing upon the streets, sidewalks, or upon private property which bears seeds of a wingy or downy nature shall be removed and maintained so as to meet the City of Woodland standards.
2. Fire Flow- The minimum fire flow required shall be determined as specified by the City of Woodland Municipal Code, Chapter 9, 2010 California Fire Code and the City of Woodland Standard Specifications and Details, 2010 edition. Given the present plans and information, the required fire flow is approximately 1,500 gallons per minute at

20 psi for a minimum 2 hour duration. The applicant shall meet the required volume and duration at the project site prior to obtaining a building permit.

3. Water Supply and Hydrants. Water supply and fire hydrants shall be installed in accordance with CFC Article 9 (903). When any portion of the facility or building is in excess of 150 feet from a water supply on a public street, on site fire hydrants will be required. A plan shall be submitted to the Fire Department to determine the location of the fire hydrants. Plans shall be approved prior to the installation.

### **Building Division**

1. The project will be required to conform to the current codes that are in effect at the time of plan submittal.
2. Plans will need to be complete at the time of submittal as the City of Woodland does not accept deferred submittals.
3. All sub-contractors/companies working on the project will be required to obtain a City of Woodland Business Registration.
4. The project shall comply with FEMA regulations.

### **Yolo Solano Air Quality Management District**

1. Portable diesel fueled equipment greater than 50 horsepower (HP), such as generators or pumps, must be permitted with the District, or under specific circumstances as approved by the District, may be registered with the Air Resources Board's (ARB's) Portable Equipment Registration Program (PERP) (<http://www.arb.ca.gov/perp/perp.htm>).
2. Dust emissions must be prevented from creating a nuisance to surrounding properties as regulated under District Rule 2.5 Nuisance.

## **ATTACHMENT B**





## **Cal West Investors Statement of Justification**

This application is for a Tentative Map and modification of a Development Agreement. Cal West Investors LLC and Cal West Seeds previously completed a rezone application for their 25 and 20 acres, respectively, and as part of that rezone. Subsequently, Cal West Seeds sold its property to Optimistic Partners.

The two current owners, Cal West Investors "Cal West" and Optimistic Partners are making this application jointly. The tentative map covers a portion of their respective properties, and the Development Agreement modification covers 100% of their respective properties. This application is currently mapping 27.48 acres into 173 single family units, in three phases, at an overall density of 6.30. This map is consistent with the Spring Lake Specific Plan land use guidelines. The map also identifies the following land uses:

1. Remainder Parcel designated Future Residential,
2. Future Park (by others) (not a part of this Tentative Map; and
3. Future Neighborhood Commercial (by others).

The application is being sought in order to proceed with improvement plans and a final map for the first phase of development, with the goal of getting the property under construction in 2014.

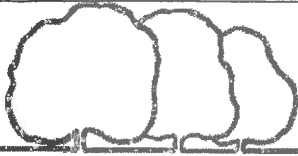
Two development agreements were entered into by Cal West Investors and Cal West Seeds for their respective properties as part of a rezone of the property. The agreements anticipated future modifications with the tentative mapping process. Subsequently, the parties completed a lot line adjustment and cross assigned their development agreements to match the reconfigured parcels. Optimistic Partners now owns the Cal West Seeds property, and so Optimistic Partners and Cal West Investors want to enter into a revised or replacement development agreement which matches the actions being taken with this map.

The revised development agreement should address the SLIF fee balancing and usage anticipated for the 45 acres as a whole. Attached is a schedule showing the potential fee use.

The revised development agreement should also reflect that the affordable component of the multifamily site is met through prior action using the Heidrick Ranch 5 acre multifamily site as an affordable development.

- a. The Cal West Property was previously linked to the Heidrick Ranch 5 acre multifamily site and rezone, and this request is a reflection of that linkage. The history supporting this request is as follows:
  - i. We and the City have previously linked these two sites in terms of meeting multifamily affordable requirements and SLIF fee balancing. Through an earlier application made by Pioneer Investors, the Planning Commission previously approved rezone of the Heidrick Ranch R-25 site to single family, provided the

affordable component was made up on the Cal West property. We subsequently found a way for the R-25 property to instead remain a multifamily site by selling it to SMHA, an affordable housing provider, making the site nearly 100% affordable. We thereby reversed the flow of the affordable units, and the overall anticipated multifamily obligation from this rezone and the affordable obligation, instead of transferring to Cal West, are being met through that multifamily project being built by SMHA. This also provides for an earlier delivery of these affordable units to the affordable population.



City of Woodland

**Community Development Department**

520 Court St, Woodland CA 95695  
(530) 661-5820 Fax (530) 406-0832  
www.cityofwoodland.org

## General Application Form

### 1. Owner/Applicant

**PROPERTY OWNER:**

Cal-West Investors LLC/ Optimistic Partners

**MAILING ADDRESS:**

173 Court Street, Suite D

**CITY STATE ZIP CODE:**

Woodland, CA 95695

**PHONE NUMBER:**

530.668.4056 OR 530.574.5959

**E-MAIL ADDRESS:**

Melanie\_Mathews@springlakedevelopment.org

**PROJECT APPLICANT**

same

**MAILING ADDRESS:**

same

**CITY STATE ZIP CODE:**

**PHONE NUMBER:**

**E-MAIL ADDRESS:**

### 2. Application Requested

- |                                                               |                                                                          |                                                            |
|---------------------------------------------------------------|--------------------------------------------------------------------------|------------------------------------------------------------|
| <input type="checkbox"/> General Plan Petition                | <input type="checkbox"/> Zoning Amendment                                | <input checked="" type="checkbox"/> General Plan Amendment |
| <input checked="" type="checkbox"/> Tentative Subdivision Map | <input type="checkbox"/> Tentative Parcel Map                            | <input type="checkbox"/> Lot Line Adjustment               |
| <input type="checkbox"/> Site Plan Review                     | <input type="checkbox"/> Design Review                                   | <input type="checkbox"/> Sign Design Review                |
| <input type="checkbox"/> Conditional Use Permit (CUP)         | <input type="checkbox"/> Zoning Administrator Permit                     | <input type="checkbox"/> Variance                          |
| <input type="checkbox"/> Public Convenience or Necessity      | <input checked="" type="checkbox"/> Other <u>Specific Plan Amendment</u> |                                                            |

Is this request part of another application? ☐ Yes ☒ No If so, what? \_\_\_\_\_

### 3. Project Description

**Project Name:**

Tentative Subdivision Map #4991

**Total Acres or Square Feet**

Approx. 45 acres

**Site address or location:**

19266 Harry Lorenzo Ave (County Rd 101), Woodland

**Assessor's Parcel Number:**

041-070-044 & 041-070-046

**Is Your Project Located in a Flood Zone?**

☐ Yes ☒ No

**Does this request include signage?**

☐ Yes ☒ No

### 4. Justification for Request



On a separate sheet, explain in detail your request and why you believe your request is justified.

## 5. General Plan Amendment

**Existing General Plan Designation**  
Residential- Medium Density

**Gross Acres**  
5.89 gross

**Proposed General Plan Designation**  
**Resid-Medium-Low Density**

**Gross Acres**  
**6.21**

## 6. Zoning Amendment

**Existing Land Use Zone**  
MF

**Gross Acres**  
**5.61 net**

**Proposed Land Use Zone:**  
**SF R-8**

**Gross Acres**  
**8.21**

## 7. Residential Development

No. of residential units are being requested? 173

Single Family 173 Half-plex           

Duplex \_\_\_\_\_ Apartments \_\_\_\_\_

Condominiums \_\_\_\_\_ Other \_\_\_\_\_

Townhomes \_\_\_\_\_ Total Units 173

No. of lots will be created by this project? 0

Do you intend to market the units for sale?

☒ YES ☐ No

Do you intend to market the units for rent?

☐ YES ☒ No

## 8. Commercial/Industrial Development

**Indicate the type of commercial/industrial development proposed:**

Indicate the gross and leasable square footage for each type of development:

## 9. Authority to File Application

**Check one:**

☒ Property Ownership      ☐ Power of Attorney\*

☐ Contract to Purchase\* ☐ Other

**Specify** \_\_\_\_\_

\* **Attach Evidence of Authority**

I hereby certify that the above information and accompanying documents are true and accurate to the best of my knowledge and acknowledge that the processing of this application may require additional fees and expenses for the preparation of necessary environmental documentation and planning studies. I certify that I have reviewed the current Hazardous Waste and Substances Site List, developed pursuant to AB 3750, and found that my project is not on the list.

**APPLICATION WILL NOT BE ACCEPTED WITHOUT  
SIGNATURE OF LEGAL OWNER OR OFFICIAL AGENT**

**Cal-West Investors LLC/ Optimistic Partners**

Applicant: [Signature] Date: 12/19/17  
CWI: [Signature]

Legal Owner: \_\_\_\_\_ Date \_\_\_\_\_

OP. *[Signature]* 121916

Legal Owner: \_\_\_\_\_ Date: \_\_\_\_\_

## DEPARTMENT USE ONLY

Amount Paid: \_\_\_\_\_

Project No: \_\_\_\_\_

Amount Due: \_\_\_\_\_

Logged by: \_\_\_\_\_ Date: \_\_\_\_\_

GP / Zoning Designation: \_\_\_\_\_

Planner: \_\_\_\_\_ Date: \_\_\_\_\_

## 5. General Plan Amendment

Existing General Plan Designation  
Residential- Medium Density

Gross Acres  
5.89 gross

Proposed General Plan Designation  
Resid-Medium-Low Density

Gross Acres  
6.21

## 6. Zoning Amendment

Existing Land Use Zone  
MF

Gross Acres  
5.61 net

Proposed Land Use Zone  
SF R-8

Gross Acres  
6.21

## 7. Residential Development

No. of residential units are being requested? 173

No. of lots will be created by this project? 0

Single Family 173 Half-plex         

Do you intend to market the units for sale?

Duplex          Apartments         

☒ YES ☐ No

Condominiums          Other         

Do you intend to market the units for rent?

Townhomes          Total Units 173

☐ YES ☒ No

## 8. Commercial/Industrial Development

Indicate the type of commercial/industrial  
development proposed:

Indicate the gross and leasable square footage for  
each type of development:

## 9. Authority to File Application

Check one:

☒ Property Ownership ☐ Power of Attorney\*

☐ Contract to Purchase\* ☐ Other

Specify                                                 

\*Attach Evidence of Authority

I hereby certify that the above information and accompanying documents are true and accurate to the best of my knowledge and acknowledge that the processing of this application may require additional fees and expenses for the preparation of necessary environmental documentation and planning studies. I certify that I have reviewed the current Hazardous Waste and Substances Site List, developed pursuant to AB 3750, and found that my project is not on the list.

**APPLICATION WILL NOT BE ACCEPTED WITHOUT  
SIGNATURE OF LEGAL OWNER OR OFFICIAL AGENT**

Cal-West Investors LLC/ Optimistic Partners

Applicants CWI- [Signature] Date 12/19/12

Legal Owner: OP- Date 12/19/12

Legal Owner:          Date         

Date Recived Stamp Here

### DEPARTMENT USE ONLY

Amount Paid:                                 

Project No:                                 

Amount Due:                                 

Logged by:                                  Date:                                 

GP / Zoning Designation:                                 

Planner:                                  Date:

**CITY OF WOODLAND**  
**TENTATIVE MAP SUPPLEMENTAL APPLICATION**

**A. General Information:**

1. Applicant: Cal-West Investors Map No. 4991  
Mailing Address: 173 Court Street, Suite D  
City Woodland State CA Zip 95695  
Phone Number: 530-668-4056
2. Applicant is (x) Owner ( ) Purchaser ( ) Authorized Agent
3. Owner: Cal West Investors & Optimistic Partners  
Mailing Address: 173 Court Street, Suite D  
City Woodland State CA Zip 95695
4. Project Address Location: 19266 Harry Lorenzo Ave. (County Rd 101), Woodland
5. Engineer/Surveyor Preparing Map: Cunningham Engineering - Steve Greenfield  
Mailing Address: 2940 Spafford Street, Suite 200  
City Davis State CA Zip 95618  
Phone No.: 530-758-2026

**B. Project Description:**

1. Property Size (acreage or square footage) 44.43 acres (~45 acres)
2. Number of Existing Lots: 173 Number of New Lots: 173  
Size of New Lots: avg lot size - 4,823 sq. ft.
3. Existing Use of Property: Residential - medium density
4. Proposed Use of Property: Residential - medium-low density

**C. Certification**

I hereby certify that the facts and information contained in this application and the attached map are true and correct to the best of my knowledge.

DATE: 12/19/12

  
Signature of Applicant

**CITY OF WOODLAND  
INITIAL STUDY  
ENVIRONMENTAL INFORMATION FORM**

**Information Required as Part 1 of Initial Study of Environmental Impacts.**

----- For Office use -----

**Application Number and Title:** \_\_\_\_\_

**Date Submitted:** \_\_\_\_\_  
\_\_\_\_\_

The following information is required for all projects, which are subject to review pursuant to the California Environmental Quality Act (CEQA). Complete disclosure of environmental data is required. **NOTE: THIS INFORMATION MUST RELATE TO THE DEVELOPMENT AS DESCRIBED IN SECTIONS 11 & 12.** Reference materials needed to complete this application are available at the Community Development Department at City Hall, 300 First Street, Woodland. Answers may be continued on additional sheets. Please print or type.

**I. General Information**

1. **Name, address, and telephone number of person to be contacted concerning this project:** Melanie Mathews, 173 Court Street, Ste. D, Woodland, CA 95695

530.668.4056 and Bill Streng, 1949 Fifth St., Suite 108, Davis, CA 95616

2. **Name, address of legal property owner as shown on tax statement:** \_\_\_\_\_

CalWest Investors LLC, 173 Court St., Suite D, Woodland, CA 95695 and

Optimistic Partners, 1949 Fifth Street, Suite 108, Davis, CA 95616

3. **Address of project and/or description of location:** 19266 CR 101, Woodland, CA

Description: Bounded by RD101, HW 113

4. **Assessor's Parcel Number(s) of project site:** 041-070-046-000 & 041-070-044-000
5. **Indicate the project application which accompanies this form:** Tentative Map
6. **Have any preliminary documents been prepared for this projects (i.e. level 1, 2 or 3 soil assessment, soil study or traffic impact analysis)? If yes, please identify name and date prepared:** This site has previously been evaluated as part of the EIR  
for Specific Plan. Additionally a Phase I Environmental Assessment dated 02/24/06 and a Geocon Preliminary  
Geotechnical Evaluation dated 01/13/11 have been prepared. A traffic study was done by Fehr & Peers in Sept. 2011.
7. **List and describe any other related permits and other public approvals required for this project, including those required by city, regional, state or federal agencies (i.e., Corps of Engineers, Caltrans, Air Pollution Control District or Yolo County):**   
All are completed
8. **Existing zoning district(s) of project site:** Spring Lake Specific Plan
9. **Existing General Plan Designation(s)** Planned neighborhood OS, NC, MLDR, MDR, LDR
10. **Existing Specific Plan Designation(s)** Park, R-8, R-15, NC
11. **Fully describe the nature and purpose of the proposed project including the ultimate use of the property:** Residential
12. **Community benefits to be derived from the project:** Implementation of the  
Spring Lake Specific Plan.



## II. Project Description

### 1. Project Description

- a. **Site size in acres or square footage:** 45 Acres approximately, in two parcels
- b. **Highest and lowest elevations on site:** Site is flat
- c. **Number of floors of proposed construction:** 1-2 story for homes
- d. **Number of proposed off-street parking spaces provided:** consistent w/ Parking Req.
- e. **Anticipated project schedule (timeline):** Approval in early 2013, Construction after  
**Estimated completion date:** dependent on above
- f. **Is this project dependent on an existing or future project? If yes, please explain:** No
- g. **Anticipated future phases:** \_\_\_\_\_  
**Associated Project (if any):** None
- h. **If RESIDENTIAL, include the number of units, unit sizes, bedrooms, range of sale prices or rents, recreation, facilities and gross density (units)acre:** 173 R-8 Mapped at R-6 density
- Describe anticipated age distribution of project residents:** Various
- Projected number of cars owned by future residents:** \_\_\_\_\_  
Unknown
- i. **If COMMERCIAL and/or OFFICE, indicate the types, square footage of each type (i.e., office, sales area, restaurant), whether neighborhood, city or regionally oriented, and total square footage of building area.**  
No
- j. **If INDUSTRIAL, indicate type, estimated employment per shift, loading facilities, square footage of office area and total square footage of building area:** No
- k. **If INSTITUTIONAL, indicate the major function, estimated employment per shift, estimated occupancy, and total square footage of building:** No

- l. If the project involves a variance, conditional use permit or rezoning application, state this and explain clearly why it is required: None  
\_\_\_\_\_  
\_\_\_\_\_
- m. Describe any power lines, water, sewer or storm drain mains, pipelines or other transmission lines which are located on or adjacent to the property: Power lines abut a portion of the property at the southern edge. There is a natural gas line at the northern edge.  
\_\_\_\_\_  
\_\_\_\_\_
- n. Name of creeks and natural or man-made drainage channels through or adjacent to the property: A drainage conveyance abuts a portion of the southern edge of the property.  
\_\_\_\_\_  
\_\_\_\_\_
- o. Is there evidence of water traveling over or standing on the site? No  
\_\_\_\_\_  
\_\_\_\_\_
- p. Primary vehicle access to property comes from which street(s): \_\_\_\_\_  
Road 101  
\_\_\_\_\_  
\_\_\_\_\_
- q. Are any easements known to traverse the site? If yes, explain the type and purpose: Refer to Preliminary Title Reports  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

## 2. Site Grading

- a. Approximate number of cubic yards of earth to be moved for the completion of the project. 5000
- b. State the location from which fill will be obtained if needed.  
Onsite
- c. State the location to which excess earth will be moved if necessary.  
Adjacent subdivisions to the south
- d. What percent of the area of the lot will be modified by grading?  
100%
- e. State the range and depth of cuts and fills.  
1.1' cut - 1.7' fill
- f. Explain the means that are being taken to control erosion.  
On-site erosion control plan to be prepared-SWPPP

3. **Water, Air, Noise**

- a. **Is copy portion of the site within the 100-year floodplain? Is any portion of the site within the 500-year floodplain?**  
No
- b. **What percent of the property will be covered by impervious surfaces?**  
65%
- c. **Describe means to dispose of storm drainage.**  
Connect to City of Woodland Storm Drainage System
- d. **Is the project in the vicinity of or will it affect a water shed or water supply such as an open reservoir, artesian well or spring? If so, describe.**  
No
- e. **Could the project have a detrimental affect on water quality? If yes, explain.** No
- f. **Will there be the possibility of the discharge of any metal or chemical, including oil or grease, into a sanitary sewer, storm drain, parking lot, street or waterway?** None
- g. **State the length of time noisy machinery will be in use during the construction phase.** 7AM-6PM during construction
- h. **What measures are proposed to decrease the impact of construction noise on the surrounding area?** The limit of hours as indicated in g. above
- i. **Estimate exterior noise levels in decibels that would be experienced after completion of the project. Describe noise sources.**  
45
- j. **Estimate interior noise levels in decibels generated by exterior sources (e.g. traffic) that would be experienced after completion of the project.**  
40
- k. **Could the project have an affect on air quality? If yes, explain.**  
No

4. **Transportation (a detailed traffic study may be required.)**

- a. **State the projected number of vehicle trips per day and peak hour generated by the project according to vehicle type (car, truck, bus); (a vehicle moving to and from the site is defined as two trips.)**

|           | CAR               | TRUCK/BUS |
|-----------|-------------------|-----------|
| Per Day   | 200               | minimal   |
| Peak Hour | See traffic study | unknown   |

- b. **What are the morning and afternoon peak hours of traffic generation?**  
Please refer to the traffic study done by Fehr & Peers in Sept. 2011.

5. **Plants and Animals**

- a. **Describe the existing vegetation.** Seed plots for Safflower and other seed crops.  
1) State the number and species of trees more than 6 inches in diameter that are planned to be removed to complete the project. Please show these trees on the site plan.  
Oak Trees
- b. **Are there any heritage trees on the site?**  
One
- c. **Are there any trees over 12 inches in diameter on the site? What species?** Yes, Oaks
- d. **Explain the manner in which the project is integrated with existing trees, vegetation, creeks, terrain and other natural features of the property.**
- e. **Explain the manner in which such features will/could be damaged.**
- f. **Describe any wildlife on the site.**  
None
- g. **Describe how wildlife could be affected by the project.**  
Minimally

6. **Facilities**

- a. **Sewer use: List the number of plumbing fixtures by type.** per unit estimate which is consistent with the approved SLSP

| Toilets | Sinks | Shower/Tubs | Other (specify) |
|---------|-------|-------------|-----------------|
| 2-3     | 3-4   | 2-3         |                 |

- b. **Could the projected sewage effluent overload sewer capacity? Is project within water and sewer service areas?** No, project is within City of Woodland Service Area
- c. **Could the completion of this project require additional social service facilities, such as schools, childcare centers, parks, or senior citizens homes?** Consistent with that which is anticipated in SLSP.
- d. **What is the distance and response time from the servicing fire station to the site?** 3 minutes

7. **Aesthetics**

- a. **What design characteristics have been incorporated into the project to help it harmonize with the existing neighborhood?**  
It is a new neighborhood with no adjacent homes
- b. **Would the completion of the project impair any existing views both from the site and off the site?** No. Project is exempt - see list.

- c. Would the project have signs, outdoor storage areas, or similar features visible from within 600 feet of a freeway, arterial street, or right of way? Describe. How will features other than signs be screened? No

8. Other

- a. Describe means being used to avoid inefficient and unnecessary consumption of energy. Passive solar design, energy efficient appliances
- b. Are there any existing structures on the property, which were constructed before 1940? If yes, describe. No
- c. Does the site contain anything of known historical or archaeological significance? No
- d. Would the proposed project necessitate the displacement of any residents? If yes, how many? No
- e. What specific measures are proposed to safeguard against vandalism and other criminal activity?
- f. Is site within existing city limits? Yes
- g. Are there 25% or greater slopes on the property? No
- h. Is the site susceptible to landslides? (refer to Chapter 8 in the General Plan Background Report No
- i. Is the site within an Airport Land Use plan? If yes, what airport plan(s) is it within and do restrictions affect the proposal? No
- j. Is this site listed on California EPA's Hazardous site list. No
- k. What is the farmland designation of the proposed site? (refer to Figure I-5 in the General Plan Background Report Prime Ag
- l. Is the site under agricultural contract? If yes, what is contract # and expiration date? No

III. Non-Residential Projects Only

1. Human Health

- a. Could the project expose people to health hazards?
- b. Will any dust, gases or noxious materials be developed on the site? If so, describe.
- c. Will the project involve the application, use, or disposal of hazardous materials? If yes, explain.

2. Noise

- a. Estimate peak noise level in DBA from the completed project and give time of day expected.
- b. List significant on-site noise sources.
- c. Is any equipment to be operated during evening hours? If so, what kind?
- d. List measures to be incorporated into the project to mitigate noise from the completed project.

3. Waste Materials

- a. Will the project generate significant solid or liquid wastes? If so, state type and quantity.
- b. Will any attempt be made to recycle waste materials?

IV. Environmental Analysis

1. Are the following items applicable to the project or its effects? Discuss at end all items checked yes or maybe (attach additional sheets as necessary).

|                          | Yes                      | Maybe                    | No                                  |    |                                                                                                              |
|--------------------------|--------------------------|--------------------------|-------------------------------------|----|--------------------------------------------------------------------------------------------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | A. | Change in existing features of any lakes, reservoirs or hills, or substantial alteration of ground contours. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | B. | Change in scenic views or vistas from existing residential areas or public lands or roads.                   |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | C. | Change in character of general area of project.                                                              |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | D. | Produce or involve large amounts of solid waste or litter.                                                   |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | E. | Disrupt or adversely affect a historic or archaeological site.                                               |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | F. | Change in dust, ash, smoke, fumes or odors in vicinity.                                                      |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | G. | Change in lake, stream or ground water quality or quantity, or alteration of existing drainage patterns.     |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | H. | Substantial change in existing noise or vibration levels in the vicinity.                                    |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | I. | Site on filled land or on slope of 10 percent or more.                                                       |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | J. | Use or disposal of potentially hazardous material such as toxic substances, flammable or explosives.         |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | K. | Substantial change in demand for public services (police, fire, water, sewage, schools, etc).                |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | L. | Substantially increase fuel or energy consumption (electricity, oil, natural gas, etc).                      |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | M. | Relationship to a larger project or series of projects.                                                      |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | N. | Substantially diminish habitat for fish, wildlife or plants.                                                 |

2. Attach photographs that provide thorough coverage of the site. Include photographs of the surrounding properties to illustrate type(s) of land use and intensity of development. Snapshots or Polaroid® photos will be accepted.
3. Provide site plan showing buildings, parking, landscaped areas, easements, adjacent streets, driveways, paved areas, public and private utilities and other distinguishing characteristics of the site. The site plan must be accurately drawn to an appropriate scale to adequately depict the required information. All features or structures shown should be accurately labeled. Failure to properly reflect existing and proposed conditions may result in rejection of the initial statement and delay in the processing of the application.
4. Certification: I hereby certify that the statements furnished above and in the attached exhibits present the data and information required for this initial evaluation to the best of my ability, and that the facts, statements, and information presented are true and correct to the best of my knowledge and belief.

12/7/12  
Date

Melanie Chaffin  
Signature

Cal West Investors  
For

Revised by Community Development Staff

DATE: \_\_\_\_\_

\_\_\_\_\_  
(Name – print)

\_\_\_\_\_  
(Signature)

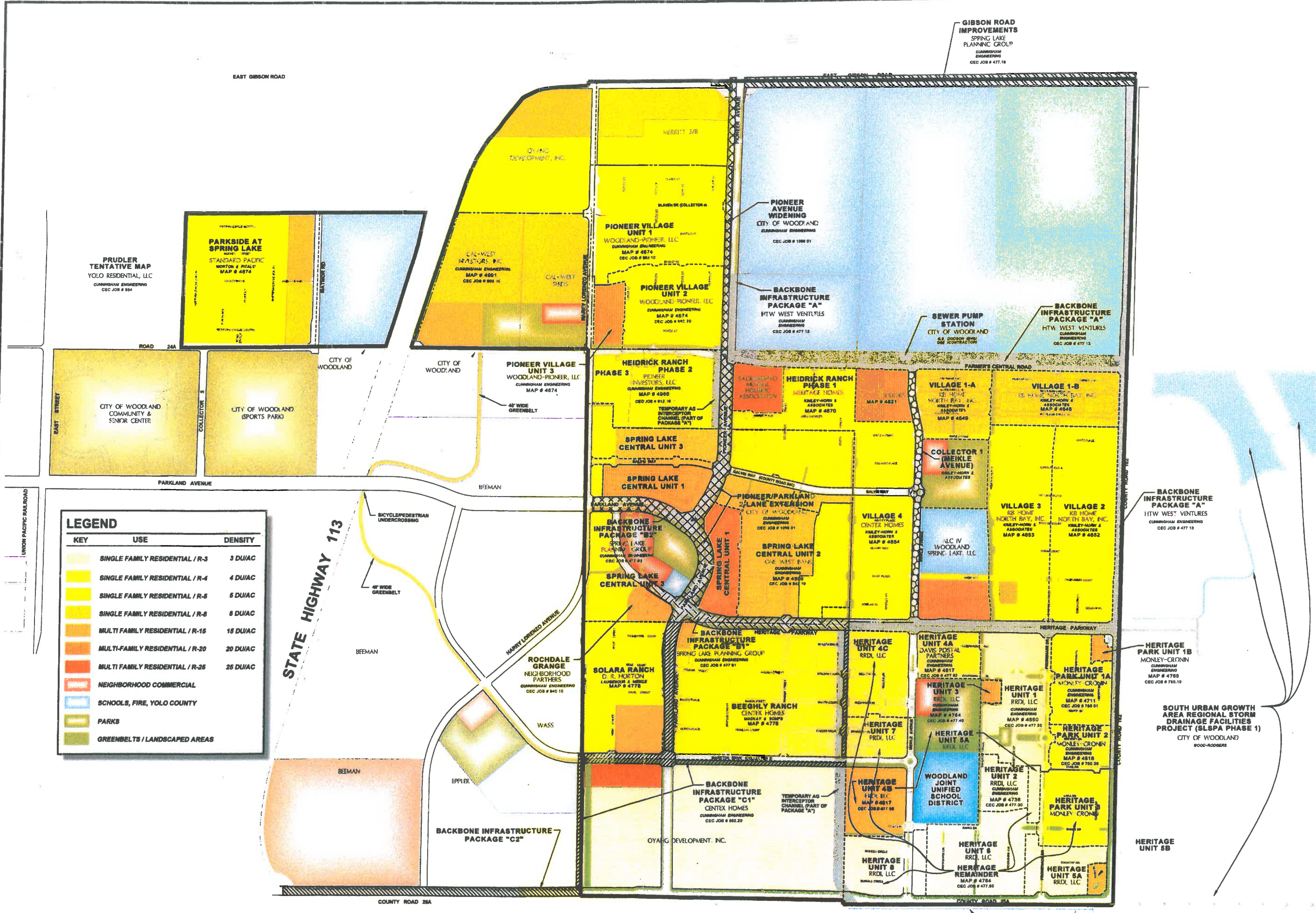
Materials that will assist you answer questions include: The City General Plan, Flood Zone Maps, Assessor Parcel Books, and Zoning Map.





**ATTACHMENT C**





| LEGEND         |                                 |          |
|----------------|---------------------------------|----------|
| KEY            | USE                             | DENSITY  |
| [Light Yellow] | SINGLE FAMILY RESIDENTIAL / R-3 | 3 DU/AC  |
| [Yellow]       | SINGLE FAMILY RESIDENTIAL / R-4 | 4 DU/AC  |
| [Light Orange] | SINGLE FAMILY RESIDENTIAL / R-5 | 5 DU/AC  |
| [Orange]       | SINGLE FAMILY RESIDENTIAL / R-8 | 8 DU/AC  |
| [Dark Orange]  | MULTI FAMILY RESIDENTIAL / R-15 | 15 DU/AC |
| [Red-Orange]   | MULTI FAMILY RESIDENTIAL / R-20 | 20 DU/AC |
| [Red]          | MULTI FAMILY RESIDENTIAL / R-25 | 25 DU/AC |
| [Dark Red]     | NEIGHBORHOOD COMMERCIAL         |          |
| [Blue]         | SCHOOLS, FIRE, YOLO COUNTY      |          |
| [Green]        | PARKS                           |          |
| [Light Green]  | GREENBELTS / LANDSCAPED AREAS   |          |

SPRING LAKE SPECIFIC PLAN  
ILLUSTRATIVE OWNERSHIP MAP

DESIGNED BY  
DRAWN BY  
CHECKED BY  
SCALE  
1" = 400'

CEC/EST.COM  
Project Planning - Civil Engineering - Landscape Architecture  
Davis Office  
2940 Spafford Street, Suite 200  
Davis, CA 95618  
(530) 758-2028  
Sacramento Office  
2120 20th Street, Suite Three  
Sacramento, CA 95818  
(916) 455-2028



CALIFORNIA

CITY OF WOODLAND

SHEET  
1  
OF  
1  
DATE: 3/30/11  
JOB NO: 1179.01

REVISED 1/20/11



**ATTACHMENT D**



Cal-West/Optimistic Partners  
Spring Lake Specific Plan

Lot Matrix

| Lot Number | Depth (ft) | Width (ft) | Area (SF) | Lot Number | Depth (ft) | Width (ft) | Area (SF) |
|------------|------------|------------|-----------|------------|------------|------------|-----------|
| 101        | 86         | 50         | 4,300     | 150        | 85         | 50         | 4,289     |
| 102        | 86         | 50         | 4,300     | 151        | 85         | 56         | 4,492     |
| 103        | 86         | 50         | 4,300     | 152        | 85         | 56         | 4,629     |
| 104        | 86         | 55         | 4,730     | 153        | 89         | 40         | 3,590     |
| 105        | 86         | 50         | 4,300     | 154        | 91         | 50         | 4,622     |
| 106        | 86         | 50         | 4,375     | 155        | 94         | 50         | 4,771     |
| 107        | 89         | 50         | 4,717     | 156        | 97         | 50         | 4,921     |
| 108        | 96         | 57         | 6,698     | 157        | 90         | 48         | 4,815     |
| 109        | 89         | 65         | 5,605     | 158        | 90         | 52         | 4,683     |
| 110        | 89         | 50         | 4,450     | 159        | 90         | 53         | 5,171     |
| 111        | 89         | 50         | 4,450     | 160        | 74         | 60         | 5,043     |
| 112        | 89         | 55         | 4,895     | 161        | 82         | 55         | 4,669     |
| 113        | 89         | 50         | 4,428     | 162        | 90         | 54         | 5,619     |
| 114        | 89         | 50         | 4,450     | 163        | 95         | 50         | 4,750     |
| 115        | 89         | 54         | 4,826     | 164        | 95         | 55         | 5,225     |
| 116        | 89         | 50         | 4,450     | 165        | 95         | 50         | 4,750     |
| 117        | 89         | 50         | 4,450     | 166        | 95         | 55         | 5,225     |
| 118        | 89         | 65         | 5,743     | 167        | 95         | 55         | 5,225     |
| 119        | 89         | 65         | 5,811     | 168        | 95         | 50         | 4,750     |
| 120        | 89         | 50         | 4,522     | 169        | 95         | 50         | 4,750     |
| 121        | 89         | 50         | 4,451     | 170        | 95         | 50         | 4,750     |
| 122        | 89         | 54         | 4,826     | 171        | 95         | 50         | 4,750     |
| 123        | 89         | 50         | 4,450     | 172        | 95         | 50         | 4,750     |
| 124        | 89         | 50         | 4,428     | 173        | 95         | 50         | 4,750     |
| 125        | 89         | 55         | 4,895     | 174        | 95         | 50         | 4,750     |
| 126        | 89         | 50         | 4,450     | 175        | 95         | 50         | 4,750     |
| 127        | 89         | 50         | 4,450     | 176        | 95         | 50         | 4,750     |
| 128        | 89         | 65         | 5,751     |            |            |            |           |
| 129        | 85         | 55         | 4,670     |            |            |            |           |
| 130        | 85         | 50         | 4,250     |            |            |            |           |
| 131        | 85         | 50         | 4,250     |            |            |            |           |
| 132        | 85         | 50         | 4,618     |            |            |            |           |
| 133        | 85         | 61         | 6,106     |            |            |            |           |
| 134        | 85         | 48         | 5,003     |            |            |            |           |
| 135        | 85         | 60         | 4,661     |            |            |            |           |
| 136        | 96         | 60         | 5,723     |            |            |            |           |
| 137        | 85         | 50         | 4,325     |            |            |            |           |
| 138        | 85         | 55         | 5,247     |            |            |            |           |
| 139        | 85         | 63         | 5,388     |            |            |            |           |
| 140        | 85         | 53         | 5,571     |            |            |            |           |
| 141        | 98         | 63         | 5,761     |            |            |            |           |
| 142        | 95         | 50         | 4,811     |            |            |            |           |
| 143        | 92         | 50         | 4,658     |            |            |            |           |
| 144        | 88         | 55         | 4,947     |            |            |            |           |
| 145        | 85         | 50         | 4,337     |            |            |            |           |
| 146        | 85         | 55         | 4,679     |            |            |            |           |
| 147        | 85         | 50         | 4,672     |            |            |            |           |
| 148        | 90         | 85         | 6,229     |            |            |            |           |
| 149        | 89         | 69         | 5,567     |            |            |            |           |

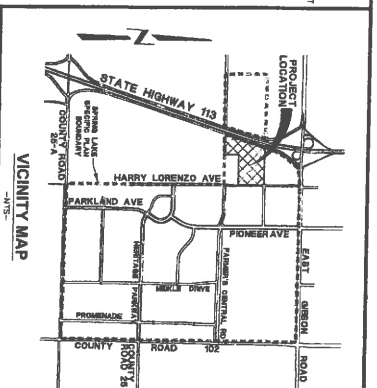
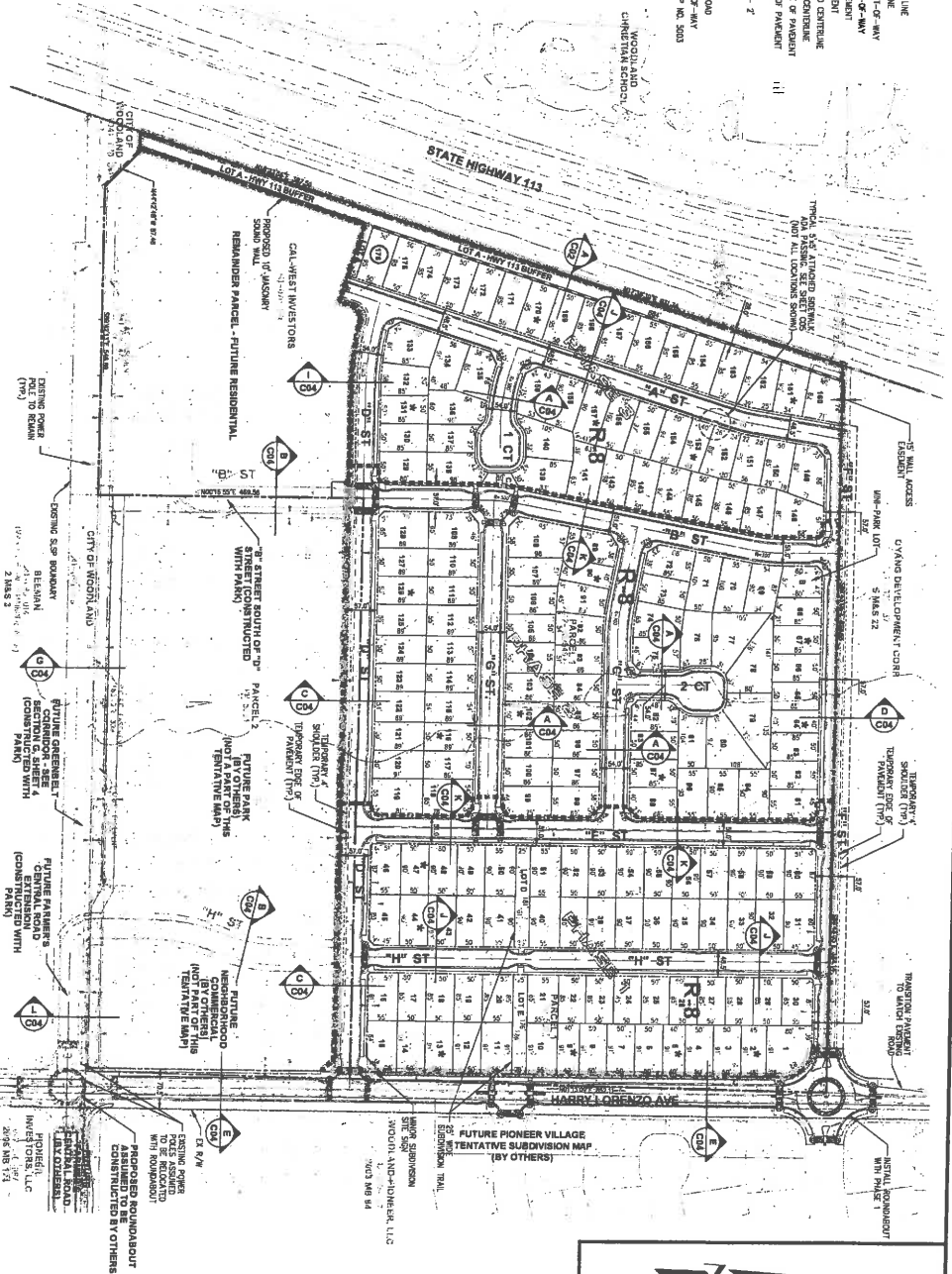
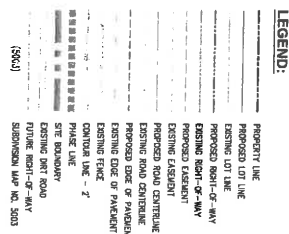
|      |     |    |       |
|------|-----|----|-------|
| Min. | 74  | 40 | 3,400 |
| Max. | 100 | 85 | 7,431 |
| Avg. | 89  | 52 | 4,734 |



Cal-West/Optimistic Partners  
Spring Lake Specific Plan

Lot Matrix

| Lot Number | Depth (ft) | Width (ft) | Area (SF) | Lot Number | Depth (ft) | Width (ft) | Area (SF) |
|------------|------------|------------|-----------|------------|------------|------------|-----------|
| 1          | 91         | 80         | 6,700     | 51         | 90         | 55         | 4,964     |
| 2          | 91         | 45         | 4,095     | 52         | 90         | 50         | 4,513     |
| 3          | 91         | 50         | 4,550     | 53         | 90         | 50         | 4,513     |
| 4          | 91         | 50         | 4,549     | 54         | 90         | 50         | 4,513     |
| 5          | 91         | 40         | 3,639     | 55         | 90         | 50         | 4,513     |
| 6          | 91         | 50         | 4,549     | 56         | 90         | 50         | 4,513     |
| 7          | 91         | 50         | 4,549     | 57         | 90         | 50         | 4,513     |
| 8          | 91         | 50         | 4,549     | 58         | 90         | 50         | 4,513     |
| 9          | 91         | 40         | 3,639     | 59         | 90         | 50         | 4,513     |
| 10         | 91         | 55         | 5,004     | 60         | 90         | 55         | 4,962     |
| 11         | 91         | 55         | 5,003     | 61         | 85         | 55         | 4,641     |
| 12         | 91         | 50         | 4,549     | 62         | 85         | 50         | 4,250     |
| 13         | 91         | 50         | 4,548     | 63         | 85         | 50         | 4,250     |
| 14         | 91         | 50         | 4,548     | 64         | 85         | 40         | 3,400     |
| 15         | 91         | 55         | 4,645     | 65         | 85         | 50         | 4,250     |
| 16         | 85         | 55         | 4,660     | 66         | 85         | 50         | 4,250     |
| 17         | 85         | 50         | 4,274     | 67         | 85         | 50         | 4,250     |
| 18         | 85         | 50         | 4,274     | 68         | 85         | 50         | 4,178     |
| 19         | 85         | 50         | 4,275     | 69         | 88         | 54         | 4,678     |
| 20         | 85         | 55         | 4,701     | 70         | 90         | 55         | 5,075     |
| 21         | 85         | 55         | 4,702     | 71         | 100        | 50         | 5,117     |
| 22         | 85         | 50         | 4,274     | 72         | 85         | 55         | 4,561     |
| 23         | 85         | 50         | 4,274     | 73         | 85         | 50         | 4,250     |
| 24         | 85         | 50         | 4,274     | 74         | 85         | 50         | 4,962     |
| 25         | 85         | 50         | 4,275     | 75         | 85         | 56         | 4,791     |
| 26         | 85         | 50         | 4,274     | 76         | 95         | 50         | 5,358     |
| 27         | 85         | 50         | 4,274     | 77         | 82         | 42         | 6,953     |
| 28         | 85         | 50         | 4,274     | 78         | 80         | 50         | 7,353     |
| 29         | 85         | 50         | 4,274     | 79         | 80         | 50         | 7,431     |
| 30         | 85         | 55         | 4,697     | 80         | 92         | 43         | 6,787     |
| 31         | 90         | 55         | 4,926     | 81         | 92         | 50         | 4,708     |
| 32         | 90         | 50         | 4,513     | 82         | 85         | 54         | 4,504     |
| 33         | 90         | 50         | 4,513     | 83         | 85         | 50         | 4,250     |
| 34         | 90         | 50         | 4,513     | 84         | 90         | 55         | 4,950     |
| 35         | 90         | 50         | 4,513     | 85         | 90         | 55         | 4,950     |
| 36         | 90         | 50         | 4,513     | 86         | 90         | 55         | 4,950     |
| 37         | 90         | 50         | 4,513     | 87         | 85         | 50         | 4,250     |
| 38         | 90         | 50         | 4,513     | 88         | 85         | 55         | 4,561     |
| 39         | 90         | 50         | 4,513     | 89         | 92         | 55         | 4,946     |
| 40         | 90         | 55         | 4,964     | 90         | 92         | 40         | 3,680     |
| 41         | 90         | 55         | 4,964     | 91         | 88         | 57         | 4,859     |
| 42         | 90         | 50         | 4,513     | 92         | 86         | 50         | 4,741     |
| 43         | 90         | 50         | 4,513     | 93         | 86         | 51         | 4,377     |
| 44         | 90         | 50         | 4,513     | 94         | 86         | 50         | 4,300     |
| 45         | 90         | 55         | 4,858     | 95         | 86         | 50         | 4,300     |
| 46         | 90         | 55         | 4,913     | 96         | 86         | 50         | 4,300     |
| 47         | 90         | 50         | 4,513     | 97         | 86         | 50         | 4,300     |
| 48         | 90         | 50         | 4,513     | 98         | 86         | 55         | 4,616     |
| 49         | 90         | 50         | 4,513     | 99         | 86         | 55         | 4,688     |
| 50         | 90         | 55         | 4,964     | 100        | 86         | 50         | 4,300     |



DESIGNED BY SG/AB  
DRAWN BY LE/AB  
CHECKED BY SG  
SCALE  
AS SHOWN

## GENERAL NOTES

**OWNER / DEVELOPER:**

173 COURT STREET, SUITE D  
WOODLAND, CA 95695

1949 FIFTH STREET, SUITE 108  
DAVIS, CA 95616

CIVIL ENGINEER.

STEVE GREENFIELD RCE C50880  
CUNNINGHAM ENGINEERING

DAVIS, CALIFORNIA 95818  
(530) 756-2026

**PARCEL NUMBERS and APN'S:**

AP# 041-070-091  
PARCEL 1 OF PM 5003;

**AREA:**

## EXISTING ZONING:

SLSP-PZ-S', SLSP-PZ-W'

SL-59-S\*

**EXISTING LAND USE:**

**PROPOSED LAND USE:**

ELI LILLY AND COMPANY  
2000

X, 3402

## DOMESTIC WATER, SANITARY SEWER AND DRAINAGE:

CITY OF WOODLAND

PG &amp; E

## CABLE TELEVISION:

**NOTES:**

STREET NAMES TO BE APPROVED BY THE CITY OF WOODLAND. STREET NAMES NOT DESIGNATED WITH

ADJACENT FINAL WRAPPED PROJECTS.

INLET IN LOT B (SEE SHEET C02).

4. THIS TENTATIVE MAP CONFORMS WITH ALL THE REQUIREMENTS OF THE GENERAL LAND OFFICE.

unpublished.

\_\_\_\_\_

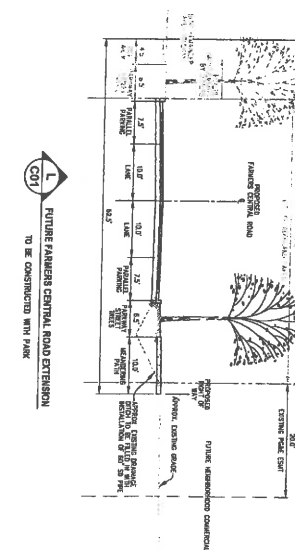
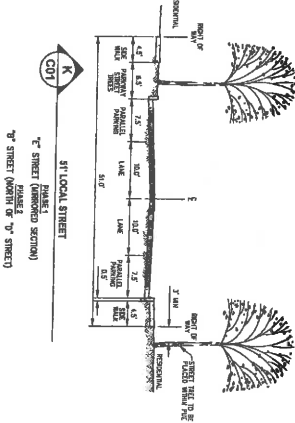
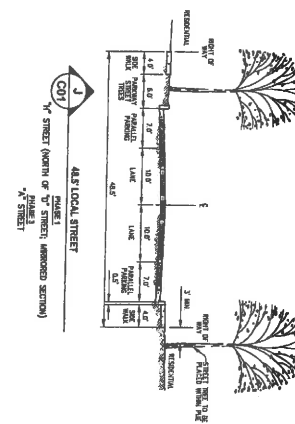
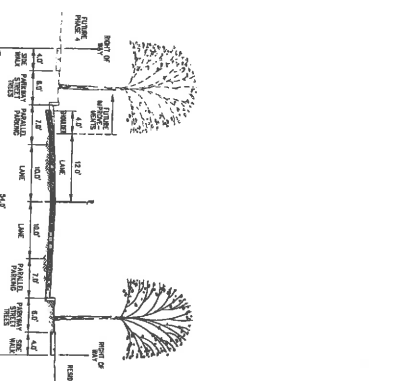
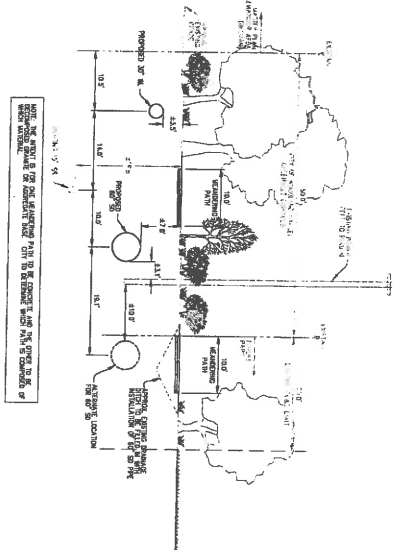
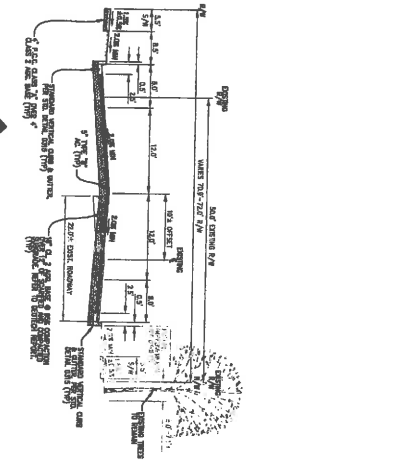
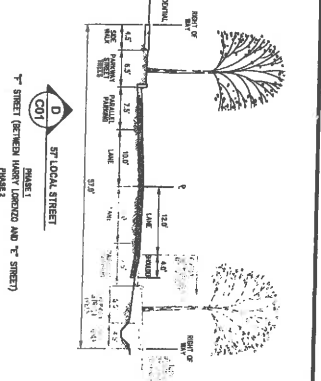
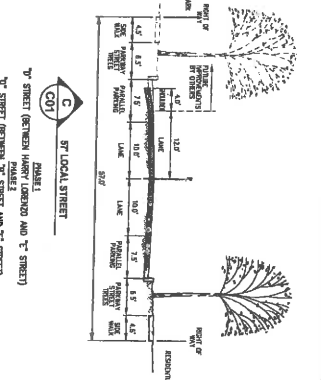
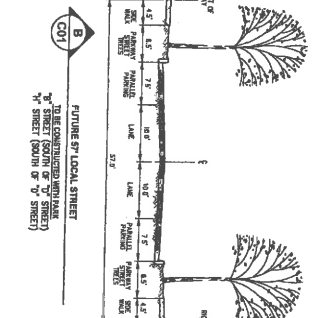
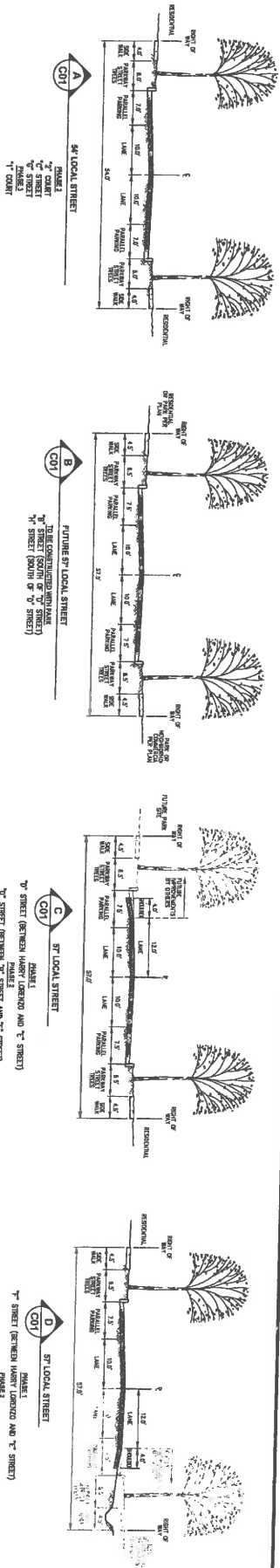
**SPRING LAKE SPECIFIC PLAN  
CAL WEST  
TENTATIVE SUBDIVISION MAP #4991  
STREET AND LOTTING PLAN**

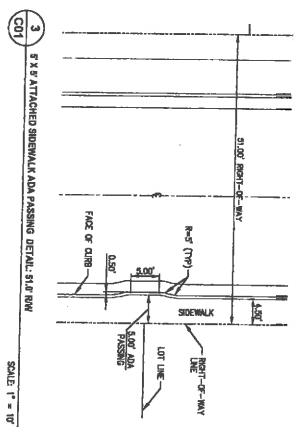
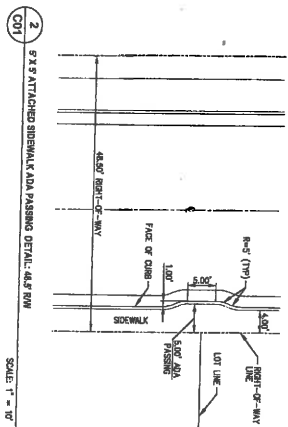
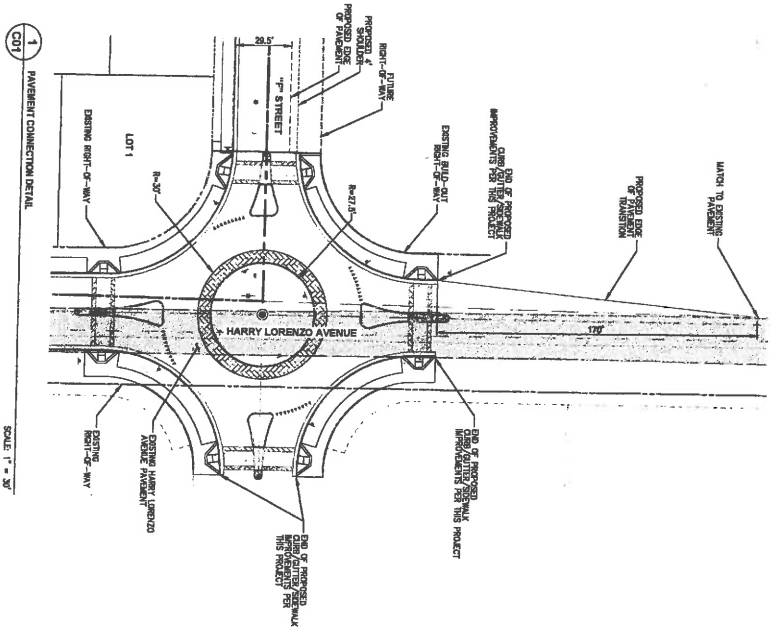
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JOB NO: 905.40



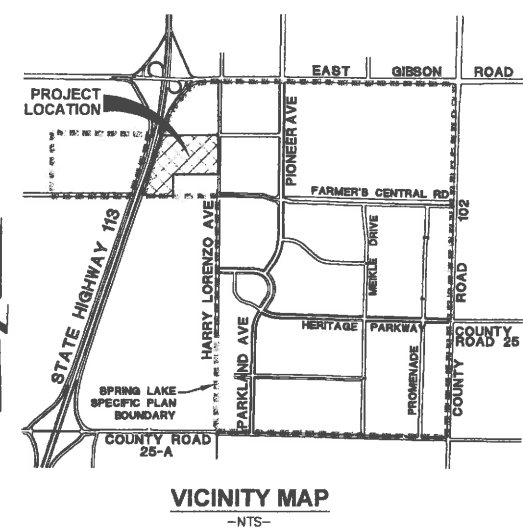








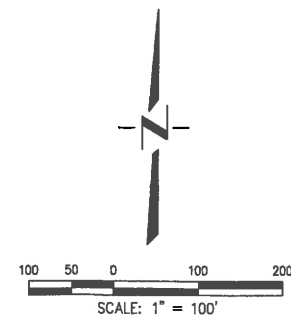
PROPERTY LINE  
PROPOSED LOT LINE  
EXISTING LOT LINE  
PROPOSED RIGHT-OF-WAY  
EXISTING RIGHT-OF-WAY  
PROPOSED EASEMENT  
EXISTING EASEMENT  
PROPOSED ROAD CENTERLINE  
EXISTING ROAD CENTERLINE  
PROPOSED EDGE OF PAVEMENT  
EXISTING EDGE OF PAVEMENT  
EXISTING FENCE  
CONTOUR LINE - 2'  
PHASE LINE  
SITE BOUNDARY  
EXISTING DIRT ROAD  
FUTURE RIGHT-OF-WAY  
SUBDIVISION MAP NO. 5003

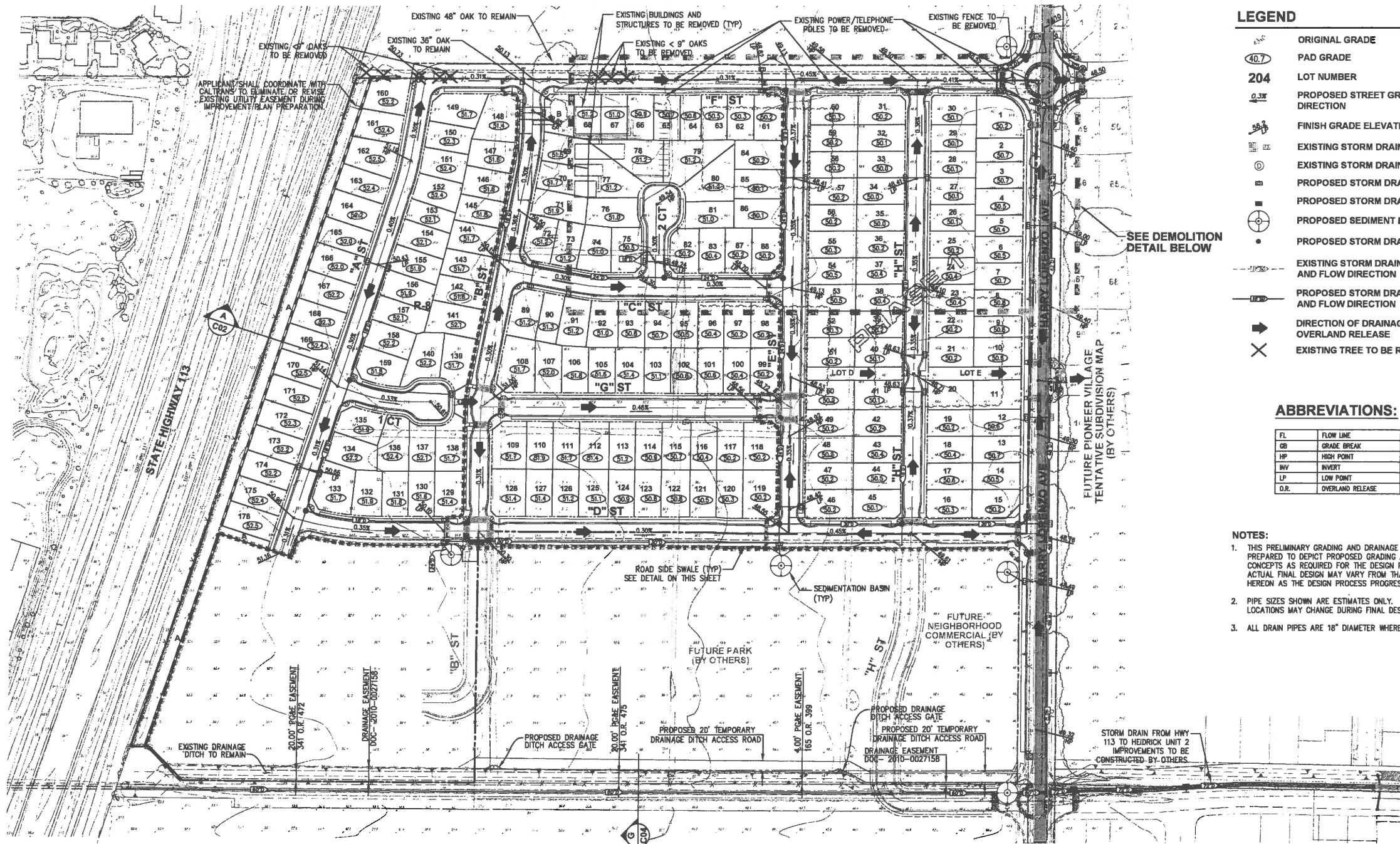


4. THIS TENTATIVE MAP CONFORMS WITH ALL THE REQUIREMENTS OF THE CITY OF WOODLAND SUBDIVISION ORDINANCE.

♦ ALL AFFORDABLE UNITS SHOWN ON THIS MAP ARE INDICATED WITH "\*".

|          |                                                                                    |
|----------|------------------------------------------------------------------------------------|
| LOT A    | LOT TO BE DEDICATED TO CITY FOR HWY 113<br>BUFFER AND WALL/TREE MAINTENANCE ACCESS |
| LOT B    | MINI-PARK                                                                          |
| LOTS C-E | SUBDIVISION TRAIL CORRIDOR                                                         |



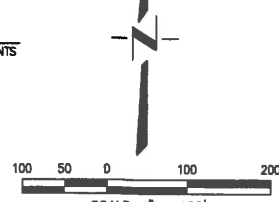
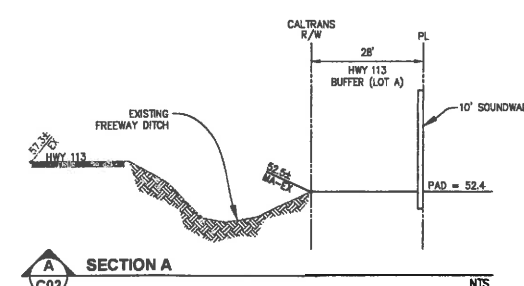
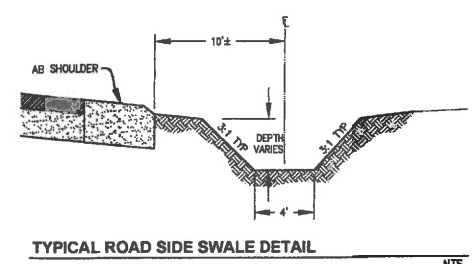
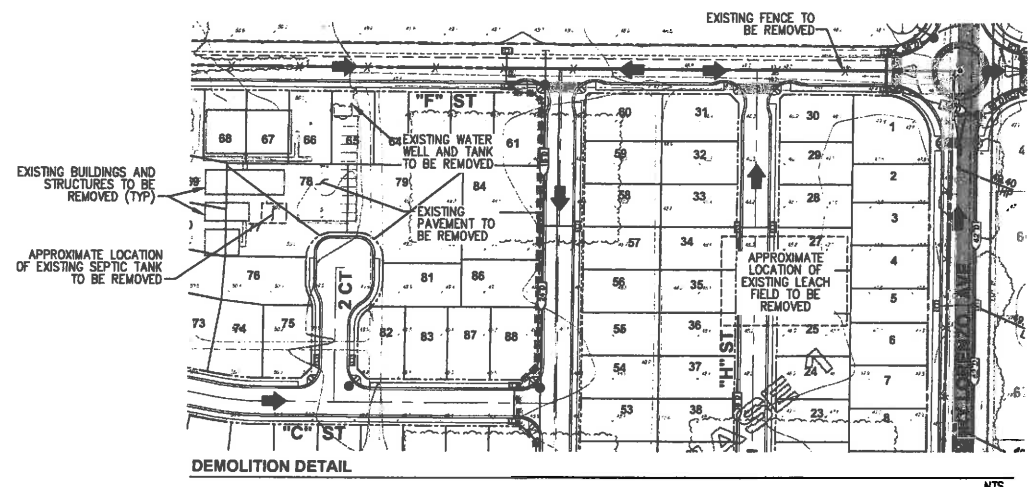


- LEGEND**
- ORIGINAL GRADE
  - PAD GRADE
  - LOT NUMBER
  - PROPOSED STREET GRADE AND DIRECTION
  - FINISH GRADE ELEVATION
  - EXISTING STORM DRAIN INLET
  - EXISTING STORM DRAIN MANHOLE
  - PROPOSED STORM DRAIN INLET
  - PROPOSED STORM DRAIN JUNCTION BOX
  - PROPOSED SEDIMENT BASIN INLET
  - PROPOSED STORM DRAIN MANHOLE
  - EXISTING STORM DRAIN PIPE, SIZE AND FLOW DIRECTION
  - PROPOSED STORM DRAIN PIPE, SIZE AND FLOW DIRECTION
  - DIRECTION OF DRAINAGE OVERLAND RELEASE
  - EXISTING TREE TO BE REMOVED

**ABBREVIATIONS:**

|      |                  |
|------|------------------|
| FL   | FLOW LINE        |
| GB   | GRADE BREAK      |
| HP   | HIGH POINT       |
| INV  | INVERT           |
| LP   | LOW POINT        |
| O.R. | OVERLAND RELEASE |

- NOTES:**
- THIS PRELIMINARY GRADING AND DRAINAGE PLAN WAS PREPARED TO DEPICT PROPOSED GRADING AND DRAINAGE CONCEPTS AS REQUIRED FOR THE DESIGN REVIEW PROCESS. ACTUAL FINAL DESIGN MAY VARY FROM THAT SHOWN HEREON AS THE DESIGN PROCESS PROGRESSES.
  - PIPE SIZES SHOWN ARE ESTIMATES ONLY. SIZES AND LOCATIONS MAY CHANGE DURING FINAL DESIGN.
  - ALL DRAIN PIPES ARE 18" DIAMETER WHERE NOT LABELED.



DESIGNED BY: SC/AB  
DRAWN BY: LE/AB  
CHECKED BY: SC  
SCALE: AS SHOWN

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Project Planning & Civil Engineering & Landscape Architecture  
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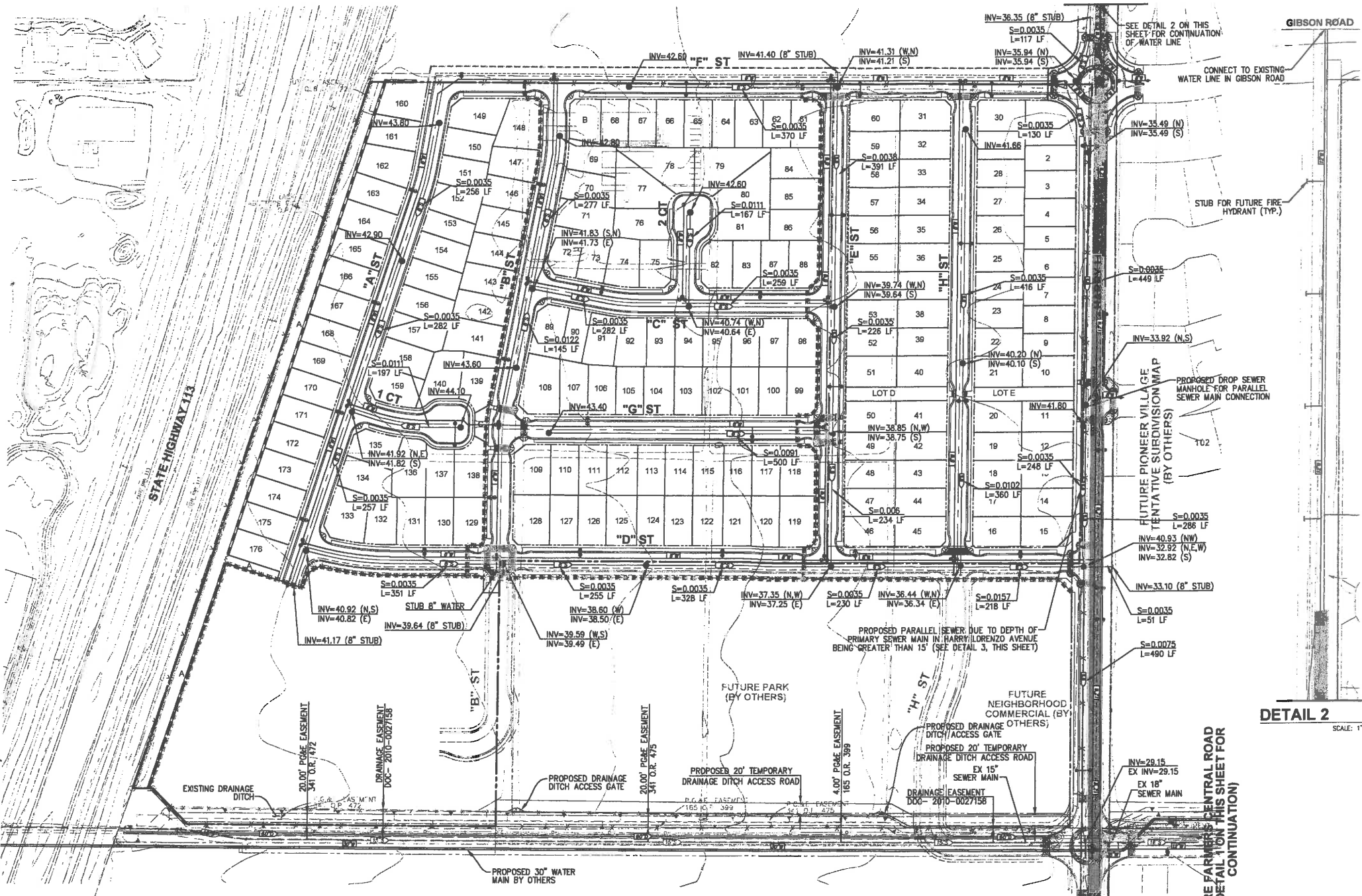
CITY OF WOODLAND  
CALIFORNIA

SPRING LAKE SPECIFIC PLAN  
CAL WEST  
TENTATIVE SUBDIVISION MAP #4991  
GRADING AND DRAINAGE PLAN

SHEET  
**C02**  
OF  
**5**

DATE: 07/03/13  
JOB NO: 905.40

(SEE DETAIL 1 ON THIS SHEET FOR CONTINUATION)



- LEGEND**
- 204 LOT NUMBER
  - EXISTING WATER PIPE AND SIZE
  - PROPOSED WATER PIPE AND SIZE
  - EXISTING FIRE HYDRANT ASSEMBLY
  - PROPOSED FIRE HYDRANT ASSEMBLY
  - EXISTING SEWER PIPE, SIZE, AND DIRECTION OF FLOW
  - PROPOSED SEWER PIPE, SIZE, AND DIRECTION OF FLOW
  - EXISTING SEWER MANHOLE
  - PROPOSED SEWER MANHOLE
  - PROPOSED SEWER INVERT ELEVATION
  - PROPOSED SEWER PIPE SLOPE

**NOTES:**

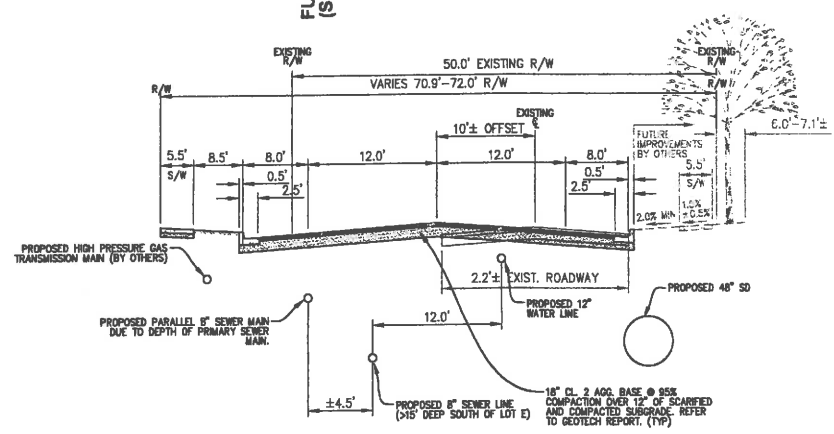
THE STREET NAMES INDICATED ON THIS MAP WITH A LETTER DESIGNATION ARE FOR PLANNING PURPOSES ONLY. ACTUAL STREET NAMES TO BE APPROVED BY THE CITY OF WOODLAND. STREET NAMES NOT DESIGNATED WITH A LETTER ARE EXTENSIONS OF STREETS WITH APPROVED NAMES FROM ADJACENT FINAL MAPPED PROJECTS.

THIS TENTATIVE MAP CONFORMS WITH ALL REQUIREMENTS OF THE STATE OF CALIFORNIA SUBDIVISION MAP ACT.

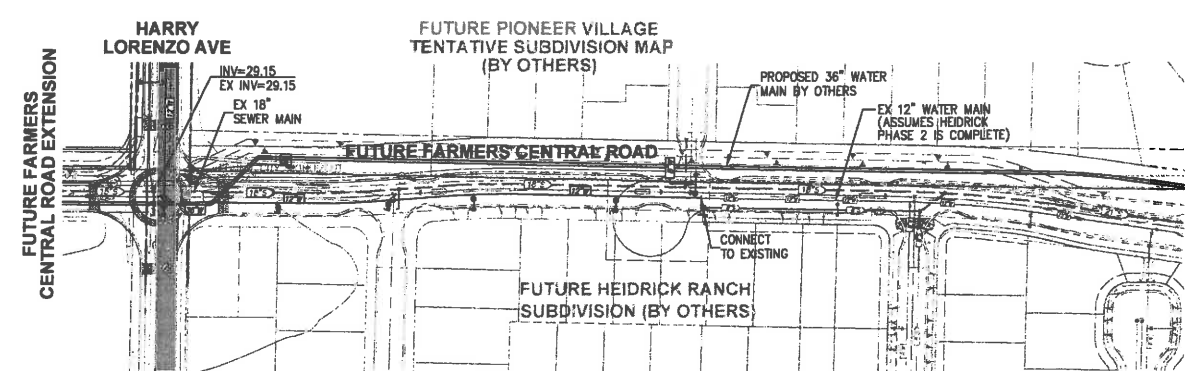
THIS TENTATIVE MAP CONFORMS WITH ALL THE REQUIREMENTS OF THE CITY OF WOODLAND SUBDIVISION ORDINANCE.

FARMERS CENTRAL 12" WATER LINE IS SUBJECT TO CHANGE DEPENDING ON ROUTING OF REGIONAL SURFACE WATER PROJECT 30"/36" TRANSMISSION MAIN.

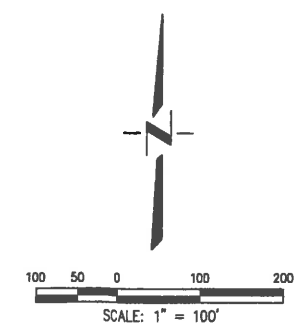
**DETAIL 2**  
SCALE: 1"=100'



**DETAIL 3: PARALLEL SEWER DETAIL**  
SCALE: N.T.S.



**DETAIL 1: FARMERS CENTRAL WATER LINE CONNECTION**  
(IF NOT CONSTRUCTED BY OTHERS)  
SCALE: 1"=100'



**SPRING LAKE SPECIFIC PLAN**  
**CAL WEST**  
**TENTATIVE SUBDIVISION MAP #4991**  
**WATER AND SEWER PLAN**

**CITY OF WOODLAND**  
CALIFORNIA

**SHEET**  
**C03**  
**OF**  
**5**

**DATE:** 07/03/13  
**JOB NO:** 905.40

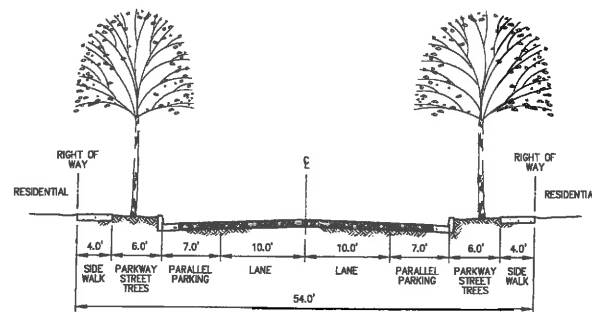
**DESIGNED BY:** SG/AB  
**DRAWN BY:** LE/AB  
**CHECKED BY:** SG  
**SCALE:** AS SHOWN

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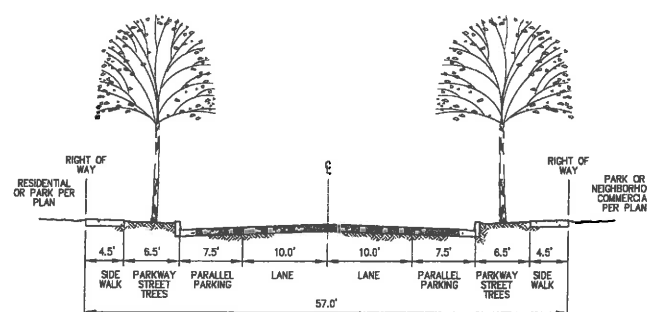
**COUNCILMAN • ENGINEER**

S:\N\4040\4040\4040-CAL-WEST-Map\Sheet\4991-40-CD-UTL.dwg - C13 WATER AND SEWER PLAN 7/03/2013 - 11:17AM Plotted by: adam

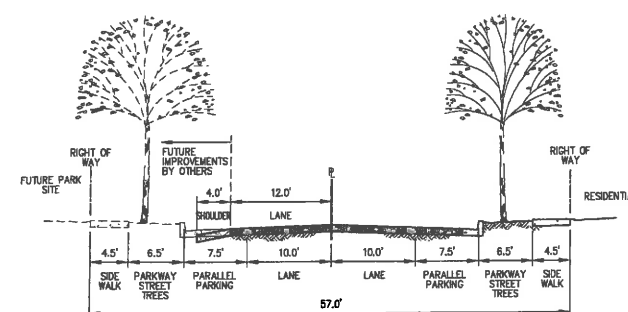




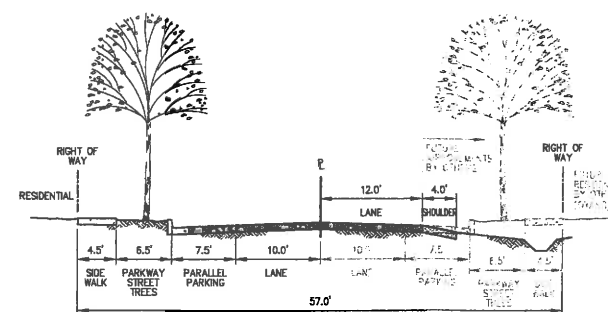
**A**  
C01  
54' LOCAL STREET  
PHASE 2  
"2" COURT  
"C" STREET  
"G" STREET  
PHASE 3  
"I" COURT



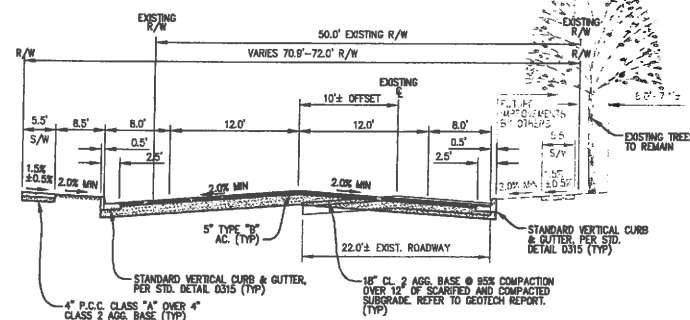
**B**  
C01  
FUTURE 57' LOCAL STREET  
TO BE CONSTRUCTED WITH PARK  
"B" STREET (SOUTH OF "D" STREET)  
"H" STREET (SOUTH OF "D" STREET)



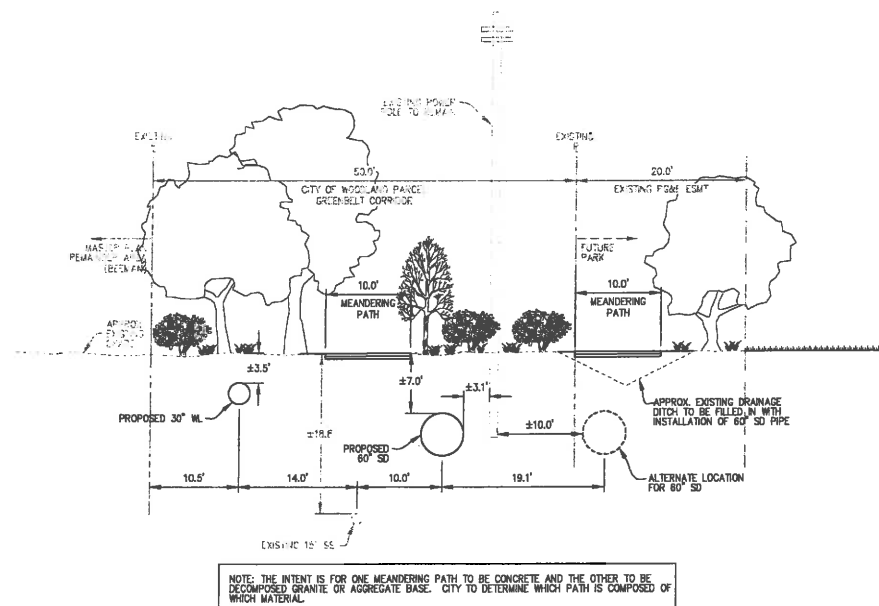
**C**  
C01  
57' LOCAL STREET  
PHASE 1  
"D" STREET (BETWEEN HARRY LORENZO AND "E" STREET)  
PHASE 2  
"D" STREET (BETWEEN "B" STREET AND "E" STREET)



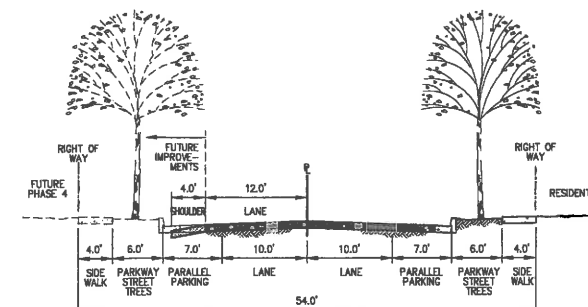
**D**  
C01  
57' LOCAL STREET  
PHASE 1  
"F" STREET (BETWEEN HARRY LORENZO AND "E" STREET)  
PHASE 2  
"F" STREET (BETWEEN "B" STREET AND "E" STREET)  
PHASE 3  
"F" STREET (BETWEEN "A" STREET AND "B" STREET)



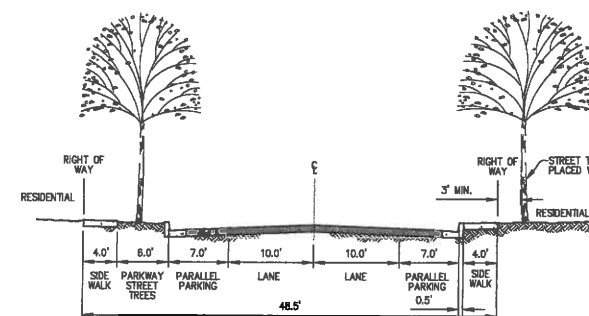
**E**  
C01  
HARRY LORENZO AVENUE  
PHASE 1  
BETWEEN "F" STREET AND FARMERS CENTRAL ROAD



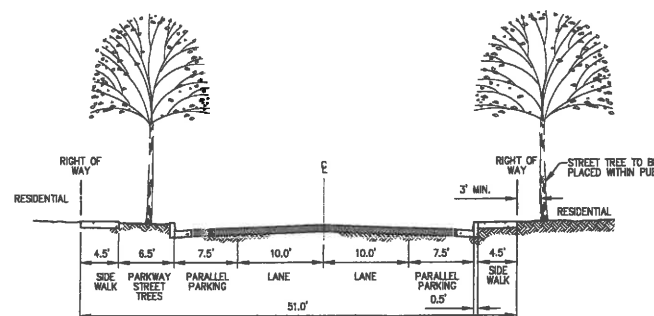
**G**  
C01  
FUTURE GREENBELT CORRIDOR  
TO BE CONSTRUCTED WITH PARK



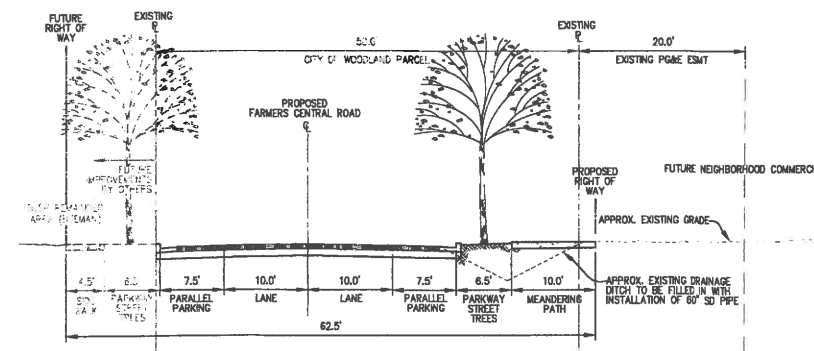
**I**  
C01  
54' LOCAL STREET  
PHASE 1  
"D" STREET (BETWEEN "A" STREET AND "B" STREET)



**J**  
C01  
48.5' LOCAL STREET  
PHASE 1  
"H" STREET (NORTH OF "D" STREET; MIRRORED SECTION)  
PHASE 3  
"A" STREET



**K**  
C01  
51' LOCAL STREET  
PHASE 1  
"E" STREET (MIRRORED SECTION)  
PHASE 2  
"B" STREET (NORTH OF "D" STREET)

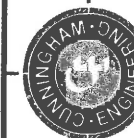


**L**  
C01  
FUTURE FARMERS CENTRAL ROAD EXTENSION  
TO BE CONSTRUCTED WITH PARK

SPRING LAKE SPECIFIC PLAN  
CAL WEST  
TENTATIVE SUBDIVISION MAP #4991  
SECTIONS

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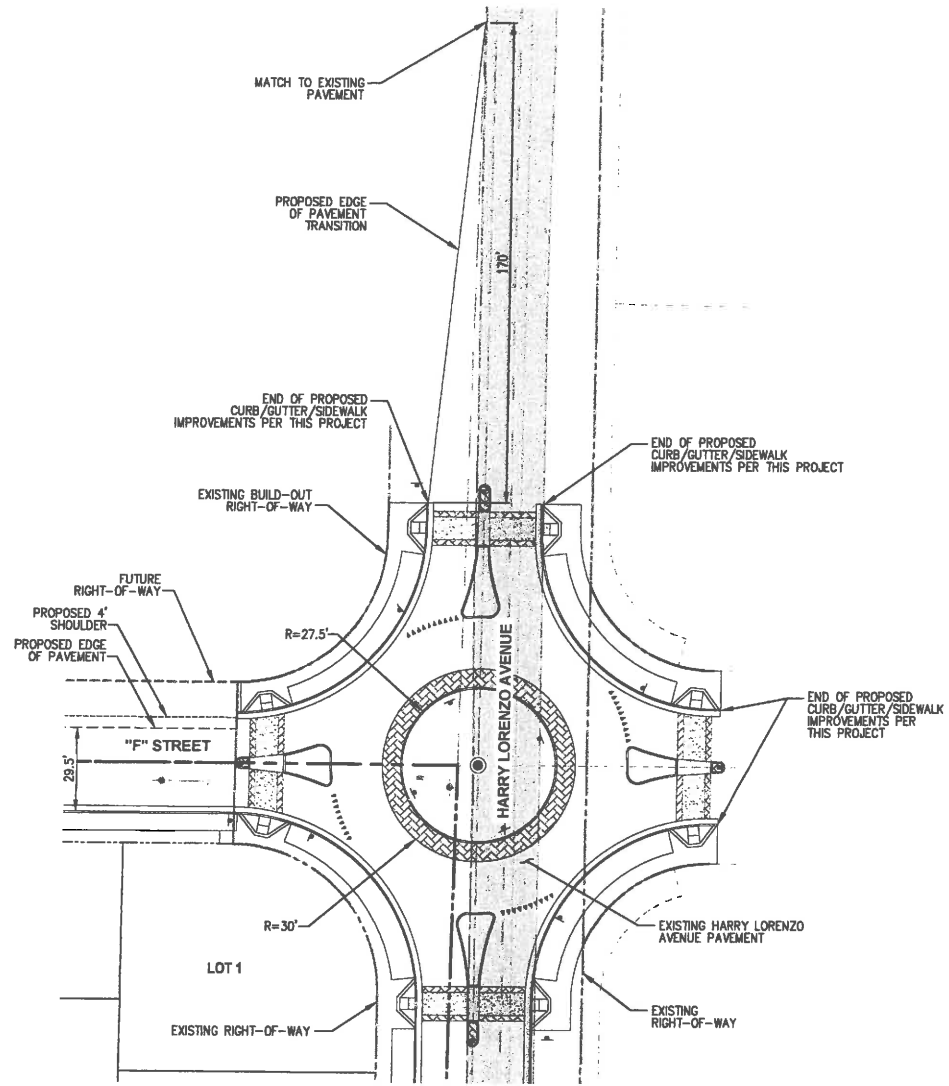
CALIFORNIA



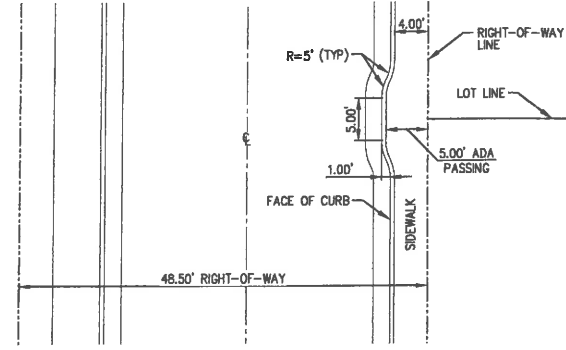
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SHEET  
**C04**  
OF  
**5**

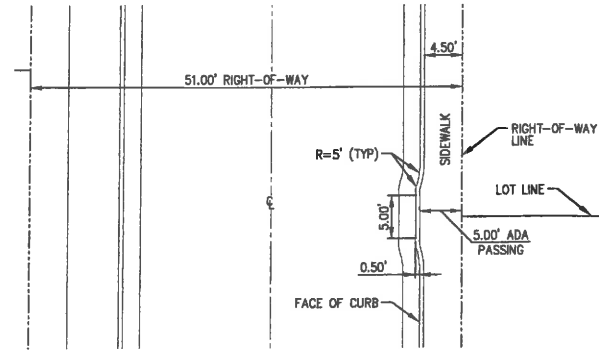
DATE: 07/03/13  
JOB NO: 905.40



1  
C01 PAVEMENT CONNECTION DETAIL  
SCALE: 1" = 30'



2  
C01 5' X 5' ATTACHED SIDEWALK ADA PASSING DETAIL: 48.5' R/W  
SCALE: 1" = 10'



3  
C01 5' X 5' ATTACHED SIDEWALK ADA PASSING DETAIL: 51.0' R/W  
SCALE: 1" = 10'

SPRING LAKE SPECIFIC PLAN  
CAL WEST  
TENTATIVE SUBDIVISION MAP #4991  
DETAILS

CITY OF WOODLAND

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DESIGNED BY SG/AB  
DRAWN BY LE/AB  
CHECKED BY SG  
SCALE  
AS SHOWN

SHEET  
C05  
OF  
5

DATE: 07/03/13  
JOB NO: 905.40

# **ATTACHMENT E**



# Arborist Report

Cal West Property  
Sacramento County, California

---

Prepared for: Cal West Investors

June 14, 2011

Submitted by:



**FOOTHILL ASSOCIATES**

© 2011



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## 1.0 INTRODUCTION

---

This report presents the results of a tree survey conducted on the ±45-acre Cal West property in the City of Woodland in Yolo County, California. The project site is bounded by State Highway 113 on the west, County Road 101 on the east, and a drainage canal on the south. The surrounding land is currently used for agriculture. The project site is located in Township 9N, Range 2E, Section 4 of the USGS 7.5-Minute *Woodland and Grays Bend* Quadrangles (**Figure 1**).

The City of Woodland regulates impacts to or removal of trees under Section 20A of the City Code. Trees are defined as any woody plant with a trunk of 6 inches or more in diameter at breast height (54" above grade). Applications for new development must include a program for the preservation of street trees, heritage, specimen, and landmark trees, and trees with aesthetic value. Protected trees are defined as follows:

**Heritage Tree:** Any valley oak (*Quercus lobata*) with a trunk diameter of thirty-three inches or more at breast height which is of good quality in term of health, vigor, growth and conformity to generally accepted horticultural standards of shape for its species.

**Landmark Tree:** A tree or stand of trees which is of historical or public significance as designated by the city council upon the recommendation of the parks and recreation commission, the historical preservation commission, and the urban forestry commission.

**Specimen Tree:** Any tree of interest because of size or unusual species, other than a heritage tree, which is of good quality in terms of health, vigor or growth and conformity to generally accepted horticultural standards of shape for its species, as designated by the city council upon the recommendation of both the parks and recreation commission and the urban forestry group.

**Tree with Aesthetic Value:** Any tree with a diameter of nine inches or more at breast height which is in healthy condition.

**Street tree:** Any tree growing within the tree maintenance strip, whether or not planted by the city.

Replacement planting is required for each heritage, specimen, and landmark tree removed at a rate of four 15-gallon trees for each six inches, or fraction thereof, of trunk diameter removed. Removal of street trees requires mitigation planting of approved species at a rate of two 15-gallon trees for each six inches removed.

## 2.0 METHODS

---

The property was surveyed by an International Society of Arboriculture (ISA) Certified Arborist (WE-6727A) on March 3, 2011. All trees located on or overhanging the property were examined to determine species type and trunk diameter at breast height (DBH). A diameter tape or calipers were used to verify each trunk diameter at 54 inches above grade. All trees with trunks six inches or greater in diameter were inventoried. The measurement from the trunk to the end of the longest lateral limb was used as the dripline radius (DLR). All of the inventoried trees within the existing fencelines were numbered in the field with an aluminum tag. Trees located off-site were not tagged. Tree tag numbers correspond to the numbering in **Appendix A** and on **Figure 2**.

The health and structural condition of each tree was rated according to **Table 1**. The health rating considers factors such as the size, color, and density of the foliage; the amount of deadwood within the canopy; bud viability; evidence of wound closure; and the presence or evidence of stress, disease, nutrient deficiency, and insect infestation. The structural rating reflects the trunk and branch configuration; canopy balance; the presence of included bark and other structural defects such as decay; and the potential for structural failure. In cases where conditions fall between the Good, Fair, and Poor ratings, intermediate ratings Fair-Good and Fair-Poor were used.

**Table 1 — Tree Rating System**

| <b>Rating</b>         | <b>Tree Health</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
|-----------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Good</b>           | There is an average or below-average amount of deadwood/dieback with respect to the tree's size and growing environment; leaf size, color, and density are typical for the species; buds are normal size, viable, abundant, and uniform throughout the canopy; current and past growth increments are generally average or better; any callusing is vigorous. This health rating indicates that there is very little, if any, evidence of stress, disease, nutrient deficiency, and/or insect infestation.                                                                                                                                                                                                                                                                  |
| <b>Fair</b>           | There is an above-average amount of deadwood/dieback with respect to the tree's size and growing environment; leaf size, color, and density may be below what is typically expected for the species; buds are normal size and viable, but slightly sparse throughout the canopy; current and past growth increments may be below average; tree may be slow to callus around old wounds. This health rating indicates that there is moderate evidence of stress, disease, nutrient deficiency, and/or insect infestation.                                                                                                                                                                                                                                                    |
| <b>Poor</b>           | There is an extreme amount of deadwood/dieback with respect to the tree's size and growing environment; leaf size, color, and density are clearly compromised; very few viable buds are present throughout the canopy; current and past growth increments are meager; no evidence of callusing around old wounds. This health rating indicates that there is widespread evidence of stress, disease, nutrient deficiency, and/or insect infestation.                                                                                                                                                                                                                                                                                                                        |
| <b>Tree Structure</b> |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| <b>Good</b>           | No wounds, cavities, decay, or indication of hollowness are evident in the root crown, trunk, or primary and secondary limbs; no anchor roots are exposed; no codominant branching or multiple trunk attachments are present; very little included bark at branch attachments exists; no dead primary or secondary limbs are present in canopy; there have been no major limb failures; limbs are not overburdened; branching structure is appropriate for species; any decay is limited to small dead branches/stubs. This structure rating represents a low potential for failure.                                                                                                                                                                                        |
| <b>Fair</b>           | With respect to the size of the tree, small to moderate wounds, cavities, decay, and indication of hollowness may be evident in the root crown, trunk, and/or primary and secondary limbs; some anchor roots may be exposed; codominant branching or multiple trunk attachments may be present, but included bark does not exist or is not well developed; minor to moderate amounts of included bark at branch attachments may exist; there may be small to moderate amounts of large dead limbs in canopy, but there is no evidence of large limb failures; limbs may be slightly overburdened; branching structure and/or canopy balance may be moderately altered by the tree's growing environment. This structure rating represents a moderate potential for failure. |
| <b>Poor</b>           | With respect to the size of the tree, significant wounds, cavities, decay, and/or indication of hollowness may be evident in the root crown, trunk, and/or primary and secondary limbs; anchor roots may be exposed and/or the tree may have lost anchorage; codominant branching or multiple trunk attachments may be present; significant amounts of included bark may exist in trunk and branch attachments; there may be significant amounts of large dead limbs in the canopy; there may be evidence of trunk or large limb failures; limbs may be severely overburdened; branching structure and/or canopy balance may be drastically altered by the tree's growing environment. This structure rating represents a high potential for failure.                       |

### 3.0 RESULTS AND DISCUSSION

A total of 5 trees, consisting of 3 valley oaks, one California fan palm (*Washingtonia filifera*) and one Canary Island date palm (*Phoenix canariensis*) are located on the project site. An additional 16 valley oaks are located adjacent to and overhanging the project site. Most of the surveyed trees are located in a windrow along the fenceline on the north boundary of the property. All of the trees are in good health, although some have pruning wounds where branches have been removed. None of the trees are recommended for removal. Table 2 lists the surveyed trees by their health and structure ratings. Appendix A shows detailed data for all surveyed trees.

Table 2 — Number of Surveyed Trees by Health and Structure Ratings

| Health | Structure   |      |           |      |           |      | Total Trees |
|--------|-------------|------|-----------|------|-----------|------|-------------|
|        |             | Good | Fair-Good | Fair | Poor-Fair | Poor |             |
|        | Good        | 7    | 12        | 1    |           |      |             |
|        | Fair-Good   |      | 1         |      |           |      |             |
|        | Fair        |      |           |      |           |      |             |
|        | Poor-Fair   |      |           |      |           |      |             |
|        | Poor        |      |           |      |           |      |             |
|        | Total Trees | 7    | 13        | 1    | 0         | 0    |             |

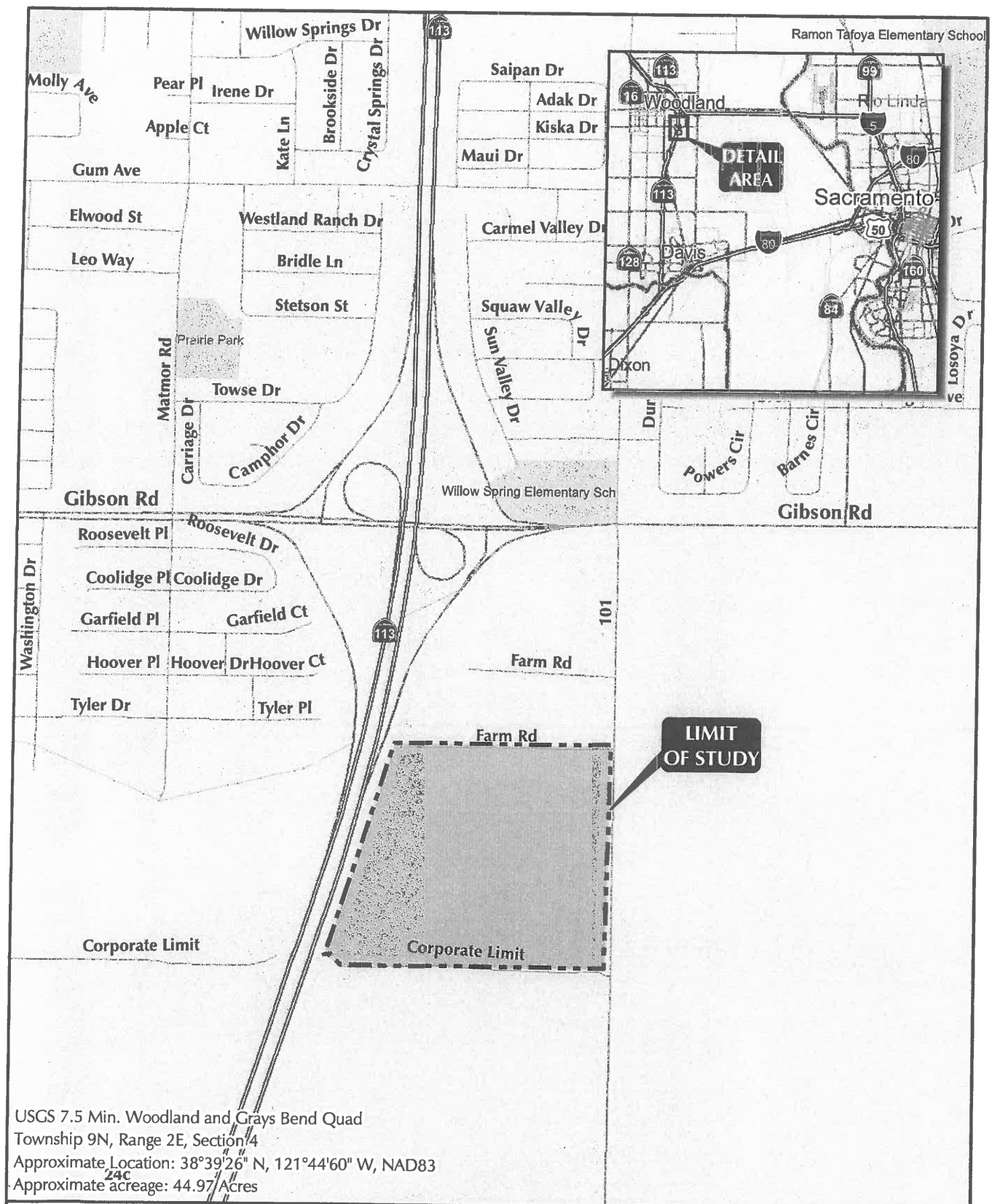
The trees located on the project site are all in good health. Tree #37 is a Heritage Tree, for which mitigation is required. Three other trees are designated as Trees with Aesthetic Value, although replacement planting is not required under the City's tree ordinance. In addition, Tree #117 may be considered a Street Tree, as it is located along County Road 101. Eight of the trees located off site qualify as Trees with Aesthetic Value and one is a Heritage Tree.

The proposed project is anticipated to remove all of the surveyed trees due to grading and development. Mitigation planting is required for removal of the two Heritage Trees. If tree #117 is considered a street tree by the City of Woodland, mitigation will be required for its removal. Required mitigation is shown in Table 3. No trees are planned to be preserved. If the project plan is amended to preserve existing trees, preservation measures should be taken in accordance with the City of Woodland's Design and Engineering Standards and Standard Specifications. Additional tree protection requirements for native oak trees are identified in standard specification section 19.04.

**Table 3 — Tree Impacts and Required Mitigation**

| <b>Tree Number</b>               | <b>Species</b>          | <b>Impact</b> | <b>Special Classification</b>         | <b>Mitigation Required</b>                                           |
|----------------------------------|-------------------------|---------------|---------------------------------------|----------------------------------------------------------------------|
| 37                               | Valley Oak              | Removed       | Heritage Tree                         | 24 15-gallon valley oaks                                             |
| 38                               | California Fan Palm     | Removed       | Aesthetic Value                       | None                                                                 |
| 39                               | Valley Oak              | Removed       | Aesthetic Value                       | None                                                                 |
| 100                              | Valley Oak              | Removed       | Heritage Tree                         | 36 15-gallon valley oaks                                             |
| 101                              | Valley Oak              | Removed       | None                                  | None                                                                 |
| 102                              | Valley Oak              | Removed       | None                                  | None                                                                 |
| 103                              | Valley Oak              | Removed       | Aesthetic Value                       | None                                                                 |
| 104                              | Valley Oak              | Removed       | None                                  | None                                                                 |
| 105                              | Valley Oak              | Removed       | None                                  | None                                                                 |
| 106                              | Valley Oak              | Removed       | None                                  | None                                                                 |
| 107                              | Valley Oak              | Removed       | Aesthetic Value                       | None                                                                 |
| 108                              | Valley Oak              | Removed       | None                                  | None                                                                 |
| 109                              | Valley Oak              | Removed       | Aesthetic Value                       | None                                                                 |
| 110                              | Valley Oak              | Removed       | Aesthetic Value                       | None                                                                 |
| 111                              | Valley Oak              | Removed       | None                                  | None                                                                 |
| 112                              | Valley Oak              | Removed       | None                                  | None                                                                 |
| 113                              | Valley Oak              | Removed       | Aesthetic Value                       | None                                                                 |
| 114                              | Valley Oak              | Removed       | Aesthetic Value                       | None                                                                 |
| 115                              | Valley Oak              | Removed       | Aesthetic Value                       | None                                                                 |
| 116                              | Valley Oak              | Removed       | Aesthetic Value                       | None                                                                 |
| 117                              | Canary Island Date Palm | Removed       | Aesthetic Value, Possible Street Tree | 12 15-gallon trees from approved list if a Street Tree               |
| <b>Total Mitigation Required</b> |                         |               |                                       | <b>60 15-gallon valley oaks<br/>12 15-gallon trees (potentially)</b> |





## SITE AND VICINITY



0 400 800  
SCALE IN FEET

Drawn By: RJM  
Date: 03/09/11

**FIGURE 1**

### Proposed Project

- Proposed Right of Way
- Proposed Development
- - - Proposed Drainage Swale
- [ ] Project Boundary

### Tree Legend

- ★ Valley Oak: Heritage Tree, On-site
- ▲ Valley Oak: Aesthetic Value, On-site
- Valley Oak: On-site
- ▲ California Fan Palm: Aesthetic Value, On-site
- ▲ Canary Island Date Palm: Aesthetic Value, On-site
- ☆ Valley Oak: Heritage Tree, Off-site
- △ Valley Oak: Aesthetic Value, Off-site
- Valley Oak: Off-site
- Tree Canopy

COUNTY ROAD 101

115 39 114 113 100 103 106 108 109 110 101 102 105 107 37 38 116 117

USDA, NAIP 1m Aerial Imagery; Yolo County, 2005.

### TREE LOCATIONS



CAL WEST PROPERTY



0 175  
SCALE IN FEET

Drawn By: MMB  
Date: 04/12/11

FIGURE 2

## **Appendix A — Tree Survey Data**

---

## Appendix A

### Tree Survey Data

#### Trees Located On Site

| Tree # | Species                 | # of Trunks | DBH (inches) | DLR (feet) | Health | Structure | Additional Notes                                                                           | Expected Impacts             |
|--------|-------------------------|-------------|--------------|------------|--------|-----------|--------------------------------------------------------------------------------------------|------------------------------|
| 37     | Valley Oak              | 1           | 35           | 30         | Good   | Good      | Heritage Tree                                                                              | Removed - located on lot     |
| 38     | California Fan Palm     | 1           | 16           | 6          | Good   | Good      | Aesthetic Tree                                                                             | Removed - located on lot     |
| 39     | Valley Oak              | 1           | 10           | 10         | Good   | Fair-Good | Aesthetic Tree, asymmetrical canopy, minor pruning wounds                                  | Removed - located on lot     |
| 105    | Valley Oak              | 2           | 6,8          | 8          | Good   | Fair-Good | Not Tagged                                                                                 | Removed - located in road    |
| 117    | Canary Island Date Palm | 1           | 36           | 15         | Good   | Good      | Aesthetic Tree overhead utility lines, Possible Street Tree (in road shoulder), Not Tagged | Removed due to road widening |

## Appendix A

### Tree Survey Data

#### Trees Located Off Site

| Tree # | Species    | of Trunk | DBH<br>(inches) | DLR<br>(feet) | Health    | Structure | Additional Notes                       | Expected Impacts                                 |
|--------|------------|----------|-----------------|---------------|-----------|-----------|----------------------------------------|--------------------------------------------------|
| 100    | Valley Oak | 1        | 54              | 45            | Good      | Fair-Good | Heritage Tree                          | Removed - swale grading close to trunk           |
| 101    | Valley Oak | 1        | 7               | 12            | Good      | Good      |                                        | Removed - located in road                        |
| 102    | Valley Oak | 1        | 7               | 11            | Good      | Fair-Good |                                        | Removed - located in road                        |
| 103    | Valley Oak | 1        | 9               | 12            | Good      | Fair-Good | Aesthetic Tree                         | Removed - located in road                        |
| 104    | Valley Oak | 1        | 7               | 9             | Good      | Fair-Good |                                        | Removed - located in road                        |
| 106    | Valley Oak | 2        | 4,6             | 8             | Good      | Fair-Good |                                        | Removed - located in road                        |
| 107    | Valley Oak | 1        | 10              | 12            | Good      | Fair-Good | Aesthetic Tree                         | Removed - located in road                        |
| 108    | Valley Oak | 1        | 6               | 7             | Fair-Good | Fair-Good | overhead utility lines                 | Removed - located in road                        |
| 109    | Valley Oak | 1        | 9               | 10            | Good      | Fair-Good | Aesthetic Tree, overhead utility lines | Removed - located in road                        |
| 110    | Valley Oak | 1        | 9               | 13            | Good      | Fair-Good | Aesthetic Tree, overhead utility lines | Removed - located in road                        |
| 111    | Valley Oak | 1        | 7               | 8             | Good      | Good      |                                        | Removed - located in road                        |
| 112    | Valley Oak | 1        | 7               | 8             | Good      | Fair-Good |                                        | Removed - located in road                        |
| 113    | Valley Oak | 1        | 9               | 12            | Good      | Good      | Aesthetic Tree                         | Removed - located in road                        |
| 114    | Valley Oak | 1        | 16              | 16            | Good      | Fair      | Aesthetic Tree, narrow crotch          | Removed - located in road                        |
| 115    | Valley Oak | 1        | 10              | 11            | Good      | Good      | Aesthetic Tree                         | Removed - soundwall construction and lot grading |
| 116    | Valley Oak | 2        | 8,10            | 14            | Good      | Fair-Good | Aesthetic Tree                         | Removed - soundwall construction and lot grading |

## Environmental Noise Assessment

# CalWest Residential Development

Woodland, California

BAC Job #2011-003

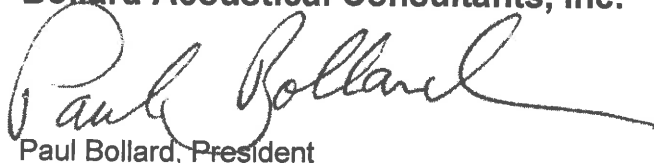
Prepared For:

### **Raney Planning & Management, Inc.**

Ms. Cindy Gnos  
1501 Sports Drive  
Sacramento, California 95834

Prepared By:

### **Bollard Acoustical Consultants, Inc.**



Paul Bollard, President

July 19, 2011



## INTRODUCTION

The CalWest residential development (proposed) is located on the east side of Highway 113, in the City of Woodland, California. Please see the site aerial presented as Figure 1. Traffic on Highway 113 is considered to be a significant noise source which may impact the project design. As a result, the City has requested an analysis of potential noise impacts associated with this noise source.

The project design, presented as Figure 2, includes 112 single-family dwellings, a future park, and future neighborhood commercial uses. The City's exterior and interior noise exposure criteria regarding residential land uses will be applied for this project.

Please refer to Appendix A for definitions of acoustical terminology used in this report.

## CRITERIA FOR ACCEPTABLE NOISE EXPOSURE

### Exterior

The City of Woodland General Plan Health and Safety Policy Document sets a variety of noise standards for various land uses affected by transportation noise sources. With respect to this project, the City of Woodland establishes a maximum allowable exterior noise level of 60 dB  $L_{dn}$ /CNEL within outdoor activity areas (e.g., backyards). A level of 65 dB  $L_{dn}$ /CNEL may be allowed assuming that all reasonable/feasible noise-mitigating construction has been included, and the interior noise exposure criterion is met.

### Interior

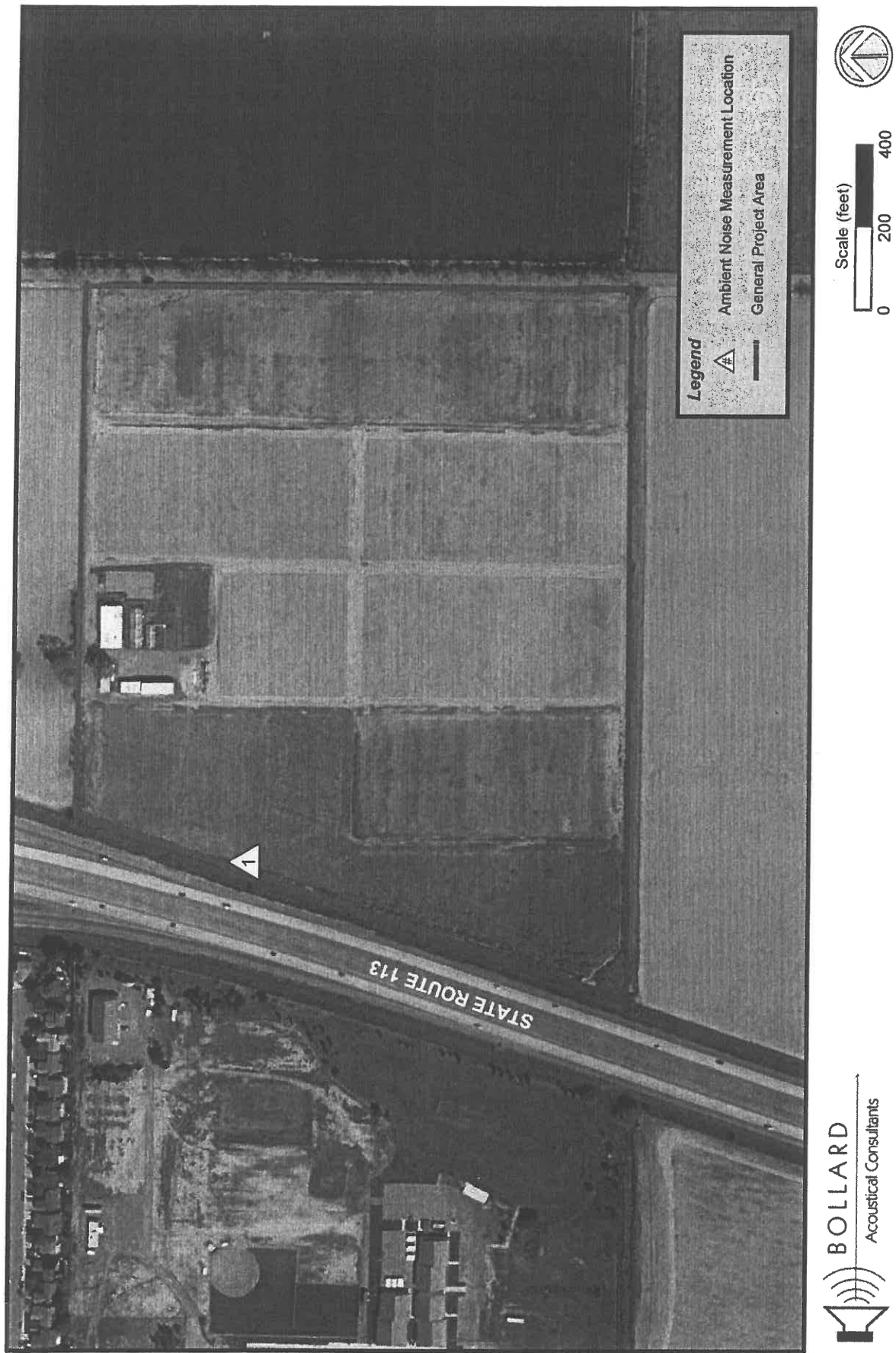
The City of Woodland establishes an interior noise level standard of 45 dB  $L_{dn}$ /CNEL or less within noise-sensitive dwellings. The intent of this interior noise limit is to provide a suitable environment for indoor communication and sleep.

## EXISTING SR 113 TRAFFIC NOISE ENVIRONMENT AT THE PROJECT SITE

To quantify existing ambient noise conditions in the immediate project vicinity, Bollard Acoustical Consultants, Inc. conducted continuous (24-hour) and short-term noise level measurements at the location shown on Figure 1 on March 28-29, 2011. The noise measurements were conducted approximately 150 feet from the centerline of SR 113 and are depicted in Figure 1. The noise level measurement survey results are summarized in Table 1, with the detailed results presented in Appendix B.

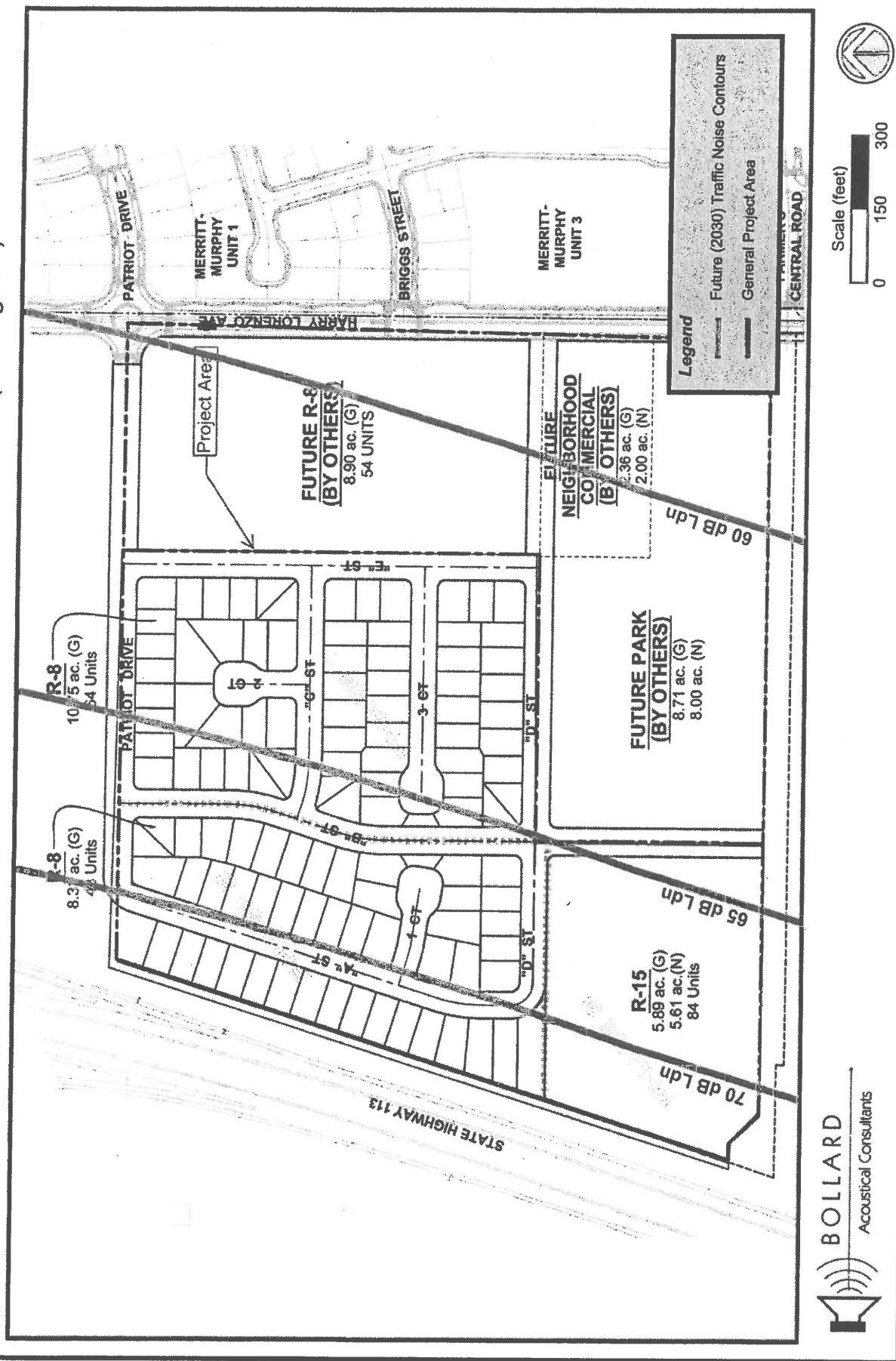
Noise measurement instrumentation consisted of a Larson-Davis Laboratories (LDL) Model 820 precision integrating sound level meter equipped with a LDL Model 2560 ½" microphone. The measurement system was calibrated in the field before use with a LDL CAL200 acoustical calibrator to ensure measurement accuracy.

**Figure 1**  
CalWest Residential Development - Woodland, California  
Project Site Aerial and Noise Monitoring Location





**Figure 2**  
 CalWest Residential Development - Woodland, California  
 Proposed Site Plan & Future (2030) Traffic Noise Contours (Unmitigated)



As shown below, the Table 1 data indicate that the existing average noise levels at the nearest proposed residential backyard areas within the CalWest development ranged from the upper 50's during nighttime hours to the mid 60's during daytime hours (dB,  $L_{eq}$ ), with a computed day/night average level of 67 dB  $L_{dn}$ .

**Table 1**  
**Summary of Ambient Noise Monitoring Results**  
**CalWest Residential Development – March 29, 2011**

| Location | Average Measured Hourly Noise Levels |          |           |                               |          |           |          |
|----------|--------------------------------------|----------|-----------|-------------------------------|----------|-----------|----------|
|          | Daytime (7 a.m. to 10 p.m.)          |          |           | Nighttime (10 p.m. to 7 a.m.) |          |           |          |
|          | $L_{eq}$                             | $L_{50}$ | $L_{max}$ | $L_{eq}$                      | $L_{50}$ | $L_{max}$ | $L_{dn}$ |
| Site 1   | 63                                   | 61       | 71-75     | 60                            | 54       | 71-82     | 67       |

Source: Bollard Acoustical Consultants, Inc.

## EVALUATION OF NOISE IMPACTS

Bollard Acoustical Consultants, Inc. employs the Federal Highway Administration (FHWA) Highway Traffic Noise Prediction Model (FHWA RD-77-108) for the prediction of traffic noise exposure. The Model is based on the CALVENO noise emission factors for automobiles, medium trucks, and heavy trucks; consideration is given to vehicle volume, speed, roadway configuration, distance to the receiver, and the acoustical characteristics of the site. The FHWA Model was developed to predict hourly  $L_{eq}$  values for free-flowing traffic conditions, and is considered to be accurate within 1.5 dB in most situations. To predict  $L_{dn}$  values, it is necessary to include the day/night distribution of traffic in the calculation.

As mentioned previously, noise level measurements and concurrent counts of Highway 113 traffic on the project site were conducted. The purpose of the short-term traffic noise level measurements/counts was to determine the accuracy of the FHWA Model in describing the existing noise environment on the project site, accounting for shielding from local topography, actual travel speeds, and roadway grade. Essentially, this is a Model calibration exercise. The noise measurement results were compared to the FHWA Model results by entering the observed traffic volumes, speed, and distances as inputs to the Model. Please refer to Figure 1 for the noise measurement locations. Appendix C summarizes the traffic calibration exercises. The FHWA Model was found to appropriately predict traffic noise exposure on the project site. As a result, no offsets were applied to the model.

Future traffic information for this project was attained from the 1999 Woodland Specific Plan Environmental Impact Report, the California Department of Transportation (Caltrans), and past Bollard Acoustical Consultants, Inc. studies for similar roadways. All FHWA Model inputs and results are presented in Appendix D. Predicted future (2030) Highway 113 traffic noise exposure at the closest residential setbacks was calculated to be approximately 74 dB  $L_{dn}$  on the undeveloped project site. Unmitigated future (2030) Highway 113 traffic noise contour locations are illustrated in Figure 2.

**Table 2**  
**Predicted Future Traffic Noise Contours**  
**CalWest Residential Development – Woodland, California**

| Roadway     | L <sub>dn</sub> @<br>Nearest<br>Backyard | Distance to Traffic Noise Contour (feet from C/L) |                       |                       |
|-------------|------------------------------------------|---------------------------------------------------|-----------------------|-----------------------|
|             |                                          | 60 dB L <sub>dn</sub>                             | 65 dB L <sub>dn</sub> | 70 dB L <sub>dn</sub> |
| Highway 113 | 74                                       | 1352                                              | 627                   | 291                   |

Source: FHWA-RD-77-108 with inputs from Caltrans & Bollard Acoustical Consultants, Inc. file data.

### Exterior Traffic Noise Exposure

Based upon the data in Table 2, Highway 113 future traffic noise levels will exceed the City of Woodland 60 dB L<sub>dn</sub> exterior noise level criterion at the nearest proposed residences. Bollard Acoustical Consultants, Inc. utilized the FHWA noise barrier performance methodology to determine the insertion loss and resulting noise levels provided by different barrier heights at the lots located nearest to Highway 113 traffic noise. Table 3 shows the results of the barrier analysis. Appendix E shows a complete listing of FHWA Barrier Model inputs.

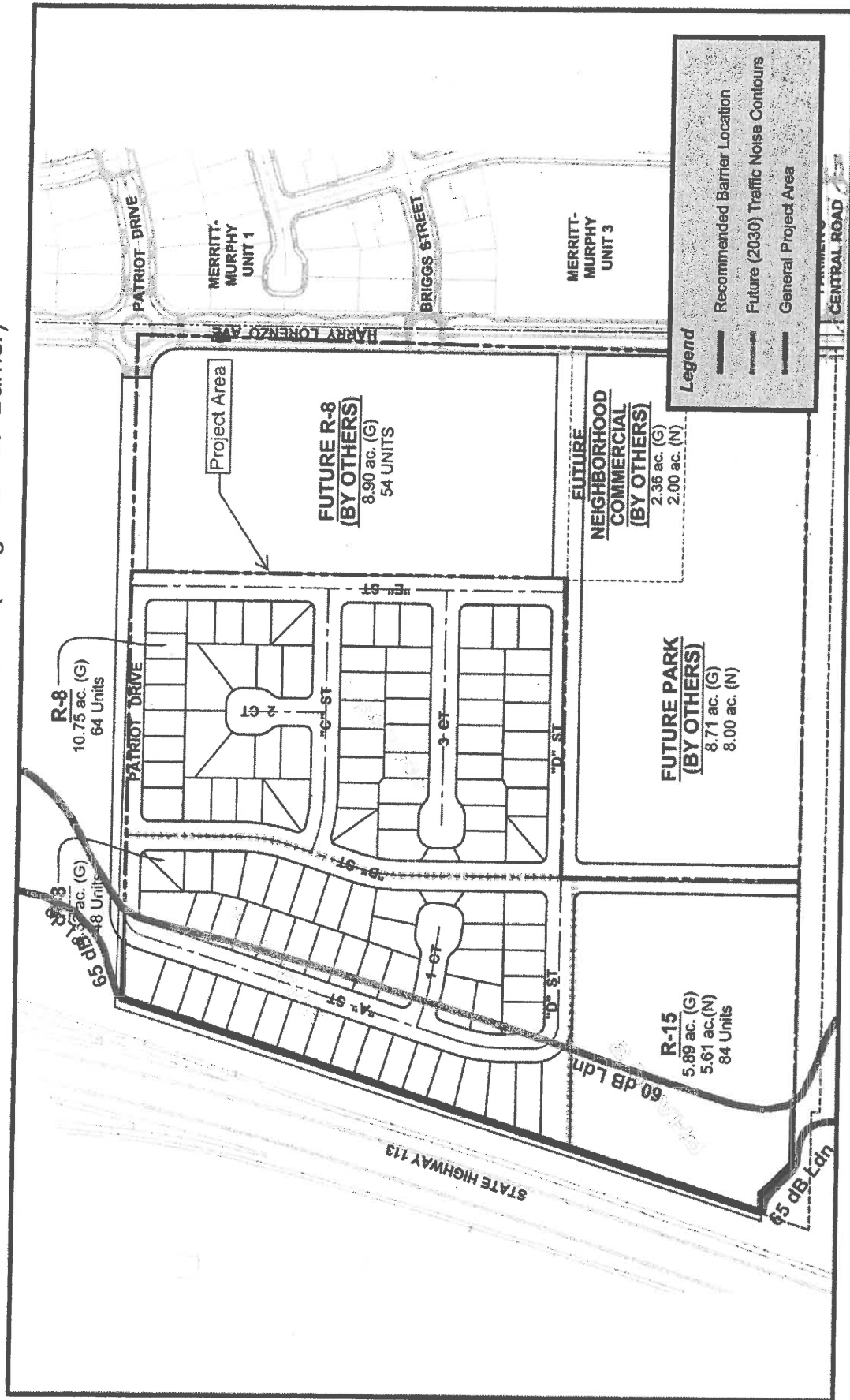
**Table 3**  
**Predicted Future Traffic Noise Levels**  
**CalWest Residential Development – Woodland, California**

| Roadway     | Traffic Noise Level |                             | Traffic Noise Level <sup>2</sup><br>With Barrier, dB L <sub>dn</sub> |
|-------------|---------------------|-----------------------------|----------------------------------------------------------------------|
|             | Without Barrier     | Barrier Height <sup>1</sup> |                                                                      |
| Highway 113 | 74 dB               | 6                           | 69                                                                   |
|             |                     | 7                           | 68                                                                   |
|             |                     | 8                           | 67                                                                   |
|             |                     | 9                           | 66                                                                   |
|             |                     | 10                          | 65                                                                   |
|             |                     | 16                          | 60                                                                   |

Source: FHWA-RD-77-108 with inputs from Caltrans & Bollard Acoustical Consultants, Inc. file data.

As shown in Table 3, a barrier measuring 16 feet in height would be required to reduce future traffic noise levels to achieve compliance with the City of Woodland exterior noise level standard of 60 dB L<sub>dn</sub> at the nearest proposed residences. Such a barrier height may be considered infeasible, in which case a barrier height of 10 feet would satisfy a conditionally acceptable noise level standard of 65 dB L<sub>dn</sub>. The barrier heights required to satisfy a 65 dB L<sub>dn</sub> exterior noise standard are shown in Table 3 and, the barrier location is depicted in Figure 3. All barrier heights are relative to building pad elevations. Figure 3 illustrates the future contour locations after construction of a 10-foot tall barrier adjacent to the project site.

**Figure 3**  
 CalWest Residential Development - Woodland, California  
 Future (2030) Traffic Noise Contours (Mitigated - 10' Barrier)



**Legend**

- Recommended Barrier Location
- Future (2030) Traffic Noise Contours
- General Project Area



Barriers should be constructed of concrete or masonry block, precast concrete, earthen berm, or a combination of earth berms with barriers on top. Wood is not recommended due to eventual warping and shrinking of materials which results in openings and cracks which compromise the barrier longevity. Other prefabricated barriers may be used. However, alternative materials should be reviewed by an acoustical consultant.

### **Interior Traffic Noise Exposure**

Exterior traffic noise levels at the first row of residences adjacent to Highway 113 are predicted to be approximately 74 dB  $L_{dn}$  at the nearest residences. After accounting for shielding provided by barriers, traffic noise levels at the first floor facades of these residences are predicted to be approximately 65 dB  $L_{dn}$  or less. Generally, second floor facades will be exposed to traffic noise levels of approximately 2-3 dB higher than first floor facades due to reduced ground attenuation. In addition, second floor facades do not benefit from shielding provided by barriers. Therefore, unmitigated Highway 113 traffic noise levels of up to 77 dB  $L_{dn}$  can be expected at the second-floor building facades proposed nearest to Highway 113. If the residences proposed adjacent to Highway 113 were limited to one-story units, the potential for exceedance of the City's noise standards within these nearest residences would be greatly diminished.

Standard residential construction (wood siding or one-coat stucco siding, STC-26 windows, door weather-stripping, exterior wall insulation, composition plywood roof, etc.), results in an exterior to interior noise reduction of approximately 25 dB with windows closed, and approximately 15 dB with windows open.

Based upon a 25 dB building facade noise reduction provided by standard residential construction, interior traffic noise levels at first floor facades located nearest to Highway 113 are predicted to satisfy the City of Woodland interior noise level standard of 45 dB  $L_{dn}$ . However, in order to reduce Highway 113 traffic noise levels to compliance with the City of Woodland interior noise level standard at the nearest second floor building facades (if two-story units are constructed adjacent to the Highway), an exterior to interior building facade noise level reduction of approximately 32 dB would be required (based on an exterior second floor exposure of 77 dB  $L_{dn}$ ). Therefore additional mitigation measures would be required at these locations.

As a means of complying with the interior noise level requirement of 45 dB  $L_{dn}$  at the second floor facades of residences nearest to Highway 113, the construction techniques described below are required.

1. Air conditioning or mechanical ventilation systems are installed so that windows and doors may remain closed.
2. Exterior doors are solid core with perimeter weather-stripping and threshold seals.
3. Exterior walls consist of stucco or brick veneer.
4. Glass in both windows and doors should not exceed 20% of the floor area in a room.
6. Windows from which Highway 113 is visible should have a Sound Transmission Classification (STC) rating of at least 35.
7. Roof or attic vents facing the noise source of concern should be boxed.

## CONCLUSIONS AND RECOMMENDATIONS

Future noise levels at the proposed CalWest Residential project site are expected to exceed the applicable City of Woodland noise level standards. As a means of achieving compliance with these standards, the following mitigation measures are recommended:

1. A minimum 10-foot tall noise barrier should be constructed along the western property line of the project site, as shown in Figure 3. The barrier heights shown are those required to reduce future Highway 113 traffic noise levels to 65 dB  $L_{dn}$  or less. Barriers should be constructed of masonry block, concrete or earth berms. A combination of berms and walls is acceptable provided the combined height is sufficient to achieve satisfaction with City noise standards.
2. In order to reduce interior noise levels generated by future traffic on Highway 113 to compliance with the City of Woodland interior noise level standard, the construction practices presented earlier in the report should be implemented in the construction of all second floor building facades located adjacent to this roadway.
3. Disclosure statements should be provided to all prospective residences notifying them of the elevated projected future Highway 113 noise environment and informing them that satisfaction with the City of Woodland 45 dB  $L_{dn}$  interior noise standards may only be achieved with windows in the closed positions.

Barriers should be constructed of concrete or masonry block, or precast concrete. Wood is not recommended due to eventual warping and shrinking of materials which results in openings and cracks which compromise the barrier longevity. Other prefabricated barriers may be used. However, they should be reviewed by an acoustical consultant.

These conclusions are based on the traffic data provided by Caltrans, noise reduction data for standard residential dwellings, and typical STC rated window data. Bollard Acoustical Consultants, Inc. is not responsible for degradation in acoustic performance of the residential construction due to poor construction practices, failure to comply with applicable building code requirements, or for failure to adhere to the minimum building practices cited in this report.

## Appendix A Acoustical Terminology

|                             |                                                                                                                                                                                                                                                                     |
|-----------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Acoustics</b>            | The science of sound.                                                                                                                                                                                                                                               |
| <b>Ambient Noise</b>        | The distinctive acoustical characteristics of a given space consisting of all noise sources audible at that location. In many cases, the term ambient is used to describe an existing or pre-project condition such as the setting in an environmental noise study. |
| <b>Attenuation</b>          | The reduction of an acoustic signal.                                                                                                                                                                                                                                |
| <b>A-Weighting</b>          | A frequency-response adjustment of a sound level meter that conditions the output signal to approximate human response.                                                                                                                                             |
| <b>Decibel or dB</b>        | Fundamental unit of sound, A Bell is defined as the logarithm of the ratio of the sound pressure squared over the reference pressure squared. A Decibel is one-tenth of a Bell.                                                                                     |
| <b>CNEL</b>                 | Community Noise Equivalent Level. Defined as the 24-hour average noise level with noise occurring during evening hours (7 - 10 p.m.) weighted by a factor of three and nighttime hours weighted by a factor of 10 prior to averaging.                               |
| <b>Frequency</b>            | The measure of the rapidity of alterations of a periodic signal, expressed in cycles per second or hertz.                                                                                                                                                           |
| <b>L<sub>dn</sub></b>       | Day/Night Average Sound Level. Similar to CNEL but with no evening weighting.                                                                                                                                                                                       |
| <b>L<sub>eq</sub></b>       | Equivalent or energy-averaged sound level.                                                                                                                                                                                                                          |
| <b>L<sub>max</sub></b>      | The highest root-mean-square (RMS) sound level measured over a given period of time.                                                                                                                                                                                |
| <b>Loudness</b>             | A subjective term for the sensation of the magnitude of sound.                                                                                                                                                                                                      |
| <b>Masking</b>              | The amount (or the process) by which the threshold of audibility is for one sound is raised by the presence of another (masking) sound.                                                                                                                             |
| <b>Noise</b>                | Unwanted sound.                                                                                                                                                                                                                                                     |
| <b>Peak Noise</b>           | The level corresponding to the highest (not RMS) sound pressure measured over a given period of time. This term is often confused with the "Maximum" level, which is the highest RMS level.                                                                         |
| <b>RT<sub>60</sub></b>      | The time it takes reverberant sound to decay by 60 dB once the source has been removed.                                                                                                                                                                             |
| <b>Sabin</b>                | The unit of sound absorption. One square foot of material absorbing 100% of incident sound has an absorption of 1 sabin.                                                                                                                                            |
| <b>SEL</b>                  | A rating, in decibels, of a discrete event, such as an aircraft flyover or train passby, that compresses the total sound energy of the event into a 1-s time period.                                                                                                |
| <b>Threshold of Hearing</b> | The lowest sound that can be perceived by the human auditory system, generally considered to be 0 dB for persons with perfect hearing.                                                                                                                              |
| <b>Threshold of Pain</b>    | Approximately 120 dB above the threshold of hearing.                                                                                                                                                                                                                |



Appendix B-1  
**CalWest Residential Development**  
**24hr Continuous Noise Monitoring at Site 1**  
**Tuesday, March 29, 2011**

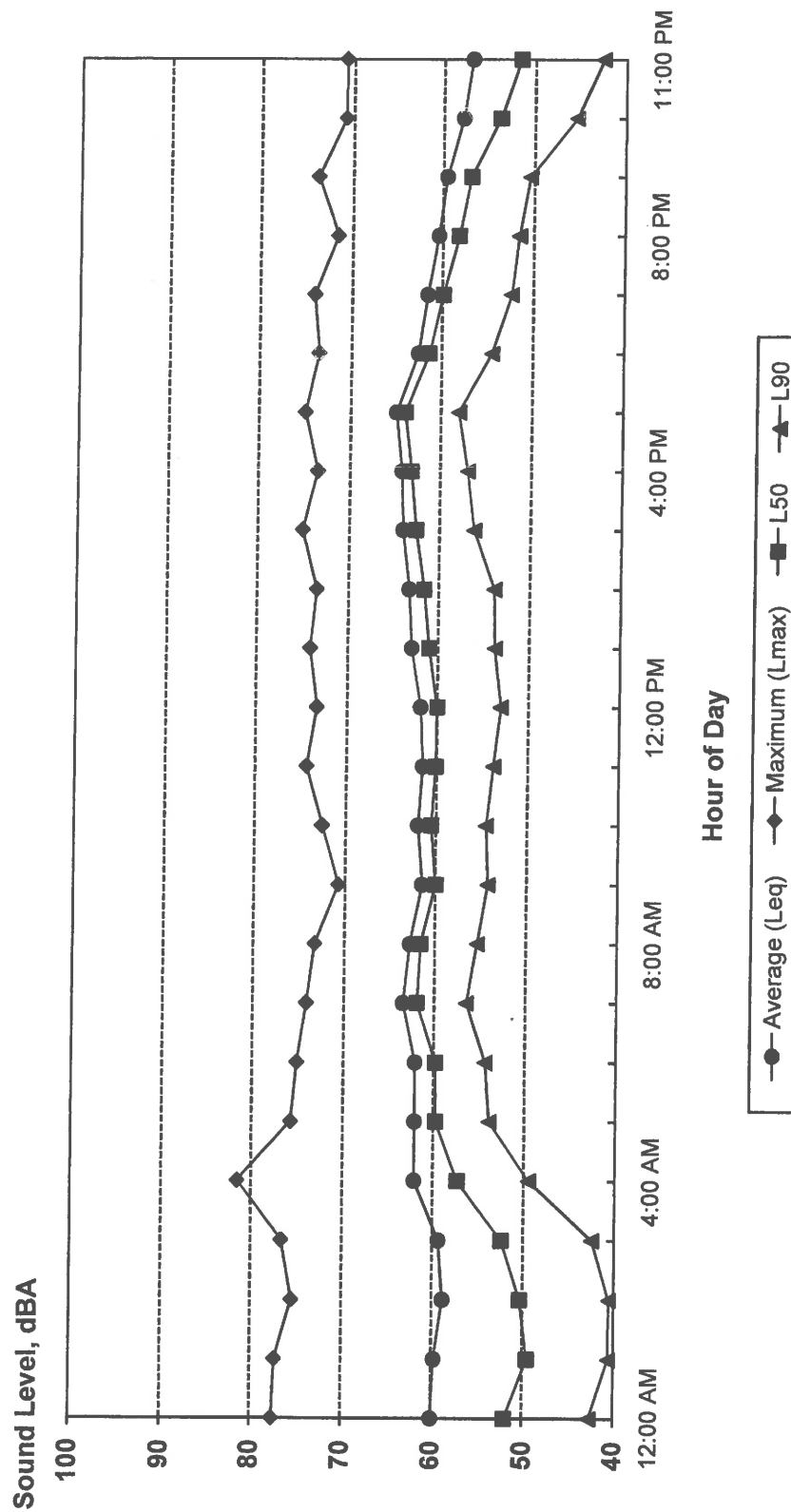
| Hour  | Leq | Lmax | L50 | L90 |
|-------|-----|------|-----|-----|
| 0:00  | 60  | 78   | 52  | 43  |
| 1:00  | 60  | 77   | 50  | 41  |
| 2:00  | 59  | 75   | 50  | 41  |
| 3:00  | 59  | 77   | 52  | 42  |
| 4:00  | 62  | 82   | 57  | 50  |
| 5:00  | 62  | 76   | 60  | 54  |
| 6:00  | 62  | 75   | 60  | 54  |
| 7:00  | 63  | 74   | 62  | 56  |
| 8:00  | 63  | 73   | 62  | 55  |
| 9:00  | 61  | 71   | 60  | 54  |
| 10:00 | 62  | 73   | 61  | 55  |
| 11:00 | 62  | 74   | 60  | 54  |
| 12:00 | 62  | 73   | 60  | 53  |
| 13:00 | 63  | 74   | 61  | 54  |
| 14:00 | 63  | 73   | 62  | 54  |
| 15:00 | 64  | 75   | 63  | 56  |
| 16:00 | 64  | 74   | 63  | 57  |
| 17:00 | 65  | 75   | 64  | 58  |
| 18:00 | 63  | 74   | 61  | 54  |
| 19:00 | 62  | 74   | 60  | 52  |
| 20:00 | 60  | 72   | 58  | 52  |
| 21:00 | 60  | 74   | 57  | 50  |
| 22:00 | 58  | 71   | 54  | 45  |
| 23:00 | 57  | 71   | 52  | 43  |

|                  | Statistical Summary        |      |                              |      |      |
|------------------|----------------------------|------|------------------------------|------|------|
|                  | Daytime (7 a.m. - 10 p.m.) |      | Nighttime (10 p.m. - 7 a.m.) |      |      |
| Leq (Average)    | High                       | Low  | Average                      | High | Low  |
| Lmax (Maximum)   | 64.9                       | 59.6 | 62.7                         | 62.1 | 56.8 |
| L50 (Median)     | 75.1                       | 70.7 | 73.5                         | 81.5 | 70.8 |
| L90 (Background) | 63.9                       | 56.9 | 60.9                         | 59.8 | 49.5 |
|                  | 58.0                       | 50.5 | 54.3                         | 54.4 | 40.6 |
|                  |                            |      |                              |      | 45.8 |

|                    |      |
|--------------------|------|
| Computed Ldn, dB   | 67.1 |
| % Daytime Energy   | 74%  |
| % Nighttime Energy | 26%  |



# Appendix B-2 CalWest Residential Development 24hr Continuous Noise Monitoring at Site 1 Tuesday, March 29, 2011



Ldn: 67 dB

Appendix C

**FHWA Traffic Noise Prediction Model (FHWA-RD-77-108)**

**Calibration Worksheet**

**Project Information:**

Job Number: 2011-003  
Project Name: CalWest Residential Development  
Roadway Tested: Highway 113  
Test Location: On project site  
Test Date: March 28, 2011

**Weather Conditions:**

Temperature (Fahrenheit): 59  
Relative Humidity: Moderate  
Wind Speed and Direction: NNE 10 MPH  
Cloud Cover: Clear

**Sound Level Meter:**

Sound Level Meter: LDL Model 820  
Calibrator: LDL Model CAL200  
Meter Calibrated: Immediately before  
Meter Settings: A-weighted, slow response

**Microphone:**

Microphone Location: On project site  
Distance to Centerline (feet): 150  
Microphone Height: 5 feet above ground  
Intervening Ground (Hard or Soft): **Soft**  
Elevation Relative to Road (feet): -5

**Roadway Condition:**

Pavement Type Asphalt  
Pavement Condition: Good  
Number of Lanes: 4  
Posted Maximum Speed (mph): 65

**Test Parameters:**

Test Time: 1:54 PM  
Test Duration (minutes): 15  
Observed Number Automobiles: 273  
Observed Number Medium Trucks: 5  
Observed Number Heavy Trucks: 14  
Observed Average Speed (mph): 65

**Model Calibration:**

Measured Average Level ( $L_{eq}$ ): 66.7  
Level Predicted by FHWA Model: 65.9

***Difference: -0.8 dB***

**Conclusions:**



**Appendix D**  
**FHWA Traffic Noise Prediction Model (FHWA-RD-77-108)**  
**Noise Prediction Worksheet**

**Project Information:**

Job Number: 2011-003  
 Project Name: CalWest Residential Development  
 Roadway Name: Highway 113

**Traffic Data:**

Year: 2030  
 Average Daily Traffic Volume: 45,000  
 Percent Daytime Traffic: 74  
 Percent Nighttime Traffic: 26  
 Percent Medium Trucks (2 axle): 4  
 Percent Heavy Trucks (3+ axle): 9  
 Assumed Vehicle Speed (mph): 65  
 Intervening Ground Type (hard/soft): **Soft**

**Traffic Noise Levels:**

| Location: | Description                   | Distance | Offset (dB) | -----L <sub>dn</sub> , dB----- |               |              | Total |
|-----------|-------------------------------|----------|-------------|--------------------------------|---------------|--------------|-------|
|           |                               |          |             | Autos                          | Medium Trucks | Heavy Trucks |       |
| 1         | Nearest Outdoor Activity Area | 150      | 0           | 71                             | 64            | 71           | 74    |

**Traffic Noise Contours (No Calibration Offset):**

| L <sub>dn</sub> Contour, dB | Distance from Centerline, (ft) |
|-----------------------------|--------------------------------|
| 75                          | 135                            |
| 70                          | 291                            |
| 65                          | 627                            |
| 60                          | 1352                           |

**Notes:** A -5 dB offset was applied at the common outdoor areas due to the intervening structures.

# Appendix E

## FHWA Traffic Noise Prediction Model (FHWA-RD-77-108)

### Noise Barrier Effectiveness Prediction Worksheet

#### Project Information:

Job Number: 2011-003  
 Project Name: CalWest Residential Development  
 Roadway Name: Highway 113  
 Location(s): 1

#### Noise Level Data:

Year: 2030  
 Auto  $L_{dn}$ , dB: 71  
 Medium Truck  $L_{dn}$ , dB: 64  
 Heavy Truck  $L_{dn}$ , dB: 71

#### Site Geometry:

Receiver Description: Nearest Outdoor Activity Area  
 Centerline to Barrier Distance ( $C_1$ ): 135  
 Barrier to Receiver Distance ( $C_2$ ): 15  
 Automobile Elevation: 4  
 Medium Truck Elevation: 6  
 Heavy Truck Elevation: 12  
 Pad/Ground Elevation at Receiver: 0  
 Receiver Elevation<sup>1</sup>: 5  
 Base of Barrier Elevation: 0  
 Starting Barrier Height 8

#### Barrier Effectiveness:

| Top of<br>Barrier<br>Elevation (ft) | Barrier<br>Height <sup>2</sup> (ft) | ----- $L_{dn}$ , dB ----- |                  |                 |       | Barrier Breaks Line of Sight to... |                   |                  |
|-------------------------------------|-------------------------------------|---------------------------|------------------|-----------------|-------|------------------------------------|-------------------|------------------|
|                                     |                                     | Autos                     | Medium<br>Trucks | Heavy<br>Trucks | Total | Autos?                             | Medium<br>Trucks? | Heavy<br>Trucks? |
| 8                                   | 8                                   | 63                        | 56               | 64              | 67    | Yes                                | Yes               | Yes              |
| 9                                   | 9                                   | 62                        | 55               | 63              | 66    | Yes                                | Yes               | Yes              |
| 10                                  | 10                                  | 61                        | 54               | 62              | 65    | Yes                                | Yes               | Yes              |
| 11                                  | 11                                  | 60                        | 53               | 61              | 64    | Yes                                | Yes               | Yes              |
| 12                                  | 12                                  | 59                        | 52               | 60              | 63    | Yes                                | Yes               | Yes              |
| 13                                  | 13                                  | 58                        | 51               | 59              | 62    | Yes                                | Yes               | Yes              |
| 14                                  | 14                                  | 58                        | 51               | 58              | 61    | Yes                                | Yes               | Yes              |
| 15                                  | 15                                  | 57                        | 50               | 57              | 61    | Yes                                | Yes               | Yes              |
| 16                                  | 16                                  | 56                        | 49               | 57              | 60    | Yes                                | Yes               | Yes              |

**Notes:** 1. Standard receiver elevation is five feet above grade/pad elevations at the receiver location(s)

# ATTACHMENT F



Recorded at request of: )  
City Clerk )  
City of Woodland )  
 )  
When recorded return to: )  
City of Woodland )  
300 First Street )  
Woodland, CA 95695 )  
Attention: City Clerk )  
 )

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Exempt from filing fees pursuant to Government Code §6103

**AN AMENDED AND RESTATED DEVELOPMENT AGREEMENT BETWEEN**

**CITY OF WOODLAND,**

**A DEVELOPMENT AGREEMENT BETWEEN**

**CITY OF WOODLAND**

**and**

**CAL WEST INVESTORS LLC AND OPTIMISTIC PARTNERS LLC**  
**7.12.13 w/CA edits**

## DEVELOPMENT AGREEMENT NO. [\_\_\_\_]

This Development Agreement (hereinafter "Agreement") is entered into as of this \_\_\_\_ day of \_\_\_\_\_, 2013 by and between the City of Woodland, California ("CITY"), and Cal/West Investors LLC and Optimistic Partners, LLC, California corporations (collectively "OWNER"):

### RECITALS

WHEREAS, CITY is authorized to enter into binding development agreements with persons having legal or equitable interests in real property for the development of such property, pursuant to Section 65864, et seq. of the Government Code; and

WHEREAS, CITY has approved the Spring Lake Specific Plan ("Plan") which encompasses OWNER's property, more fully described on Exhibit "A" and shown on Exhibit "B" to this Agreement (Property), and which requires owners of property within the Plan area to enter into development agreements as a precondition of development; and

WHEREAS, this Agreement includes the ten acre park and neighborhood commercial site shown on Exhibit B, and Owner agrees to submit an application for its development prior to acceptance of the first final map; and

WHEREAS, CITY and Cal/West Seeds entered into a development agreement relative to the development known as the Cal/West Seeds Inc. 20 acres, which development agreement was recorded in the Official Records of Yolo County on November 4, 2011, as Instrument No. 2011-0030468-00, and on or around October 9, 2012, City approved a lot line adjustment whereby a portion of the Cal/West Seeds property would be owned by Cal West Investors, LLC and subject to the Cal/West Seeds development agreement; and

WHEREAS, Cal/West Seeds subsequently sold its 20-acre property to Optimistic Partners, LLC, which currently owns the 20 acres formerly owned by Cal/West Seeds; and

WHEREAS, CITY and Cal West Investors, LLC entered into a certain development agreement relative to the development known as the Cal West Investors LLC 25 acres, which development agreement was recorded in the Official Records of Yolo County on July 20, 2012 as Instrument No. 2012-0023092-00, and on or around October 9, 2012, City approved a lot line adjustment whereby a portion of the Cal West Investors property would be owned by Cal/West Seeds and subject to the Cal West Investors, LLC development agreement; and

WHEREAS, OWNER(s) and CITY now wish to enter into an Amended and Restated Development Agreement, which shall replace both the Cal West Investors, LLC and Cal/West Seeds Development Agreements as they pertain to the Property allowing for the construction of a project as described herein ("Project"); and



WHEREAS, OWNER has applied to CITY for certain entitlements for development of its Property, including this Agreement, and proceedings have been taken in accordance with the rules and regulations of CITY; and

WHEREAS, the terms and conditions of this Agreement have undergone extensive review by CITY and OWNER and have been found to be fair, just and reasonable; and

WHEREAS, the best interests of the citizens of the City of Woodland and the public health, safety and welfare will be served by entering into this Agreement; and

WHEREAS, the City Council hereby finds and determines that this development agreement is of major significance because it will enable the City to fund much needed capital improvements and provide much needed public services and will therefore also have a major, beneficial economic impact on the City; and

WHEREAS, all of the procedures of the California Environmental Quality Act have been met with respect to the Project and the Agreement, with the Woodland City Council's certification of the Environmental Impact Report for the Spring Lake Specific Plan (Turn of the Century EIR, SCH #99022069, August 15, 2000) and adoption of addenda to the Turn of the Century EIR; and

WHEREAS, this Agreement and the Project are consistent with the Woodland General Plan and the Spring Lake Specific Plan; and

WHEREAS, all actions taken and approvals given by CITY have been duly taken or approved in accordance with all applicable legal requirements for notice, public hearings, findings, votes, and other procedural matters; and

WHEREAS, development of the Project in accordance with this Agreement will provide substantial benefits to CITY and will further important policies and goals of CITY; and

WHEREAS, this Agreement will eliminate uncertainty in planning and provide for the orderly development of OWNER's property, ensure progressive installation of necessary improvements, provide for public services appropriate to the development of the Project, and generally serve the purposes for which development agreements under Section 65864, et seq. of the Government Code are intended.

### **COVENANTS**

NOW, THEREFORE, in consideration of the above recitals and of the mutual covenants hereinafter contained and for other good and valuable consideration, the receipt and adequacy of which are hereby acknowledged, the parties agree as follows:

1. DEFINITIONS AND EXHIBITS.

1.1 Definitions. The following terms when used in this Agreement shall be defined as follows:

1.1.1 “Agreement” means this Development Agreement.

1.1.2 “CITY” means the City of Woodland, a California municipal corporation.

1.1.3 “City Council” means the duly elected city council of the City of Woodland.

1.1.4 “Commencement Date” means the date the Term of this Agreement commences.

1.1.5 “Development” means the improvement of the Property (as defined herein) for the purposes of completing the structures, improvements and facilities comprising the Project including, but not limited to: grading; the construction of infrastructure and public facilities related to the Project whether located within or outside the Property; the construction of buildings and structures; and the installation of landscaping. “Development” does not include the maintenance, repair, reconstruction or redevelopment of any building, structure, improvement or facility after the construction and completion thereof.

1.1.6 “Development Approvals” means all permits and other entitlements for use subject to approval or issuance by CITY in connection with development of the Property including, but not limited to:

- (a) specific plans and specific plan amendments;
- (b) tentative and final subdivision and parcel maps;
- (c) conditional use permits, public use permits and plot plans;
- (d) zoning;
- (e) grading and building permits.

1.1.7 “Development Exaction” means any requirement of CITY in connection with or pursuant to any Land Use Regulation or Development Approval for the dedication of land, the construction of improvements or public facilities, or the payment of fees in order to lessen, offset, mitigate or compensate for the impacts of development on the environment or other public interests.

1.1.8 “Development Impact Fee” means a monetary exaction other than a tax or special assessment, whether established for a broad class of projects by legislation of general applicability or imposed on a specific project on an ad hoc basis, that is charged by a local agency to

the applicant in connection with approval of a development project for the purpose of defraying all or a portion of the cost of public facilities related to the development project, and which may be increased or updated from time to time, but does not include fees for processing applications for governmental regulatory actions or approvals, fees collected under development agreements adopted pursuant to Article 2.5 of the Government Code (commencing with Section 65864) of Chapter 4, or fees collected pursuant to agreements with redevelopment agencies which provide for the redevelopment of property in furtherance or for the benefit of a redevelopment project for which a redevelopment plan has been adopted pursuant to the Community Redevelopment Law (Part 1 (commencing with Section 33000) of Division 24 of the Health and Safety Code).

1.1.9 “Development Plan” means the plan for development of the Property as set forth in Exhibit “C”.

1.1.10 “Effective Date” means the date the ordinance approving and authorizing this Agreement becomes effective.

1.1.11 “Land Use Regulations” means all ordinances, resolutions, codes, rules, regulations and official policies of CITY governing the development and use of land, including, without limitation, the permitted use of land, the density or intensity of use, subdivision requirements, the maximum height and size of proposed buildings, the provisions for reservation or dedication of land for public purposes, and the design, improvement, and construction standards and specifications applicable to the development of the Property. “Land Use Regulations” does not include any CITY ordinance, resolution, code, rule, regulation or official policy, governing:

- (a) the conduct of businesses, professions, and occupations;
- (b) taxes (special or general) and assessments;
- (c) the control and abatement of nuisances;
- (d) the granting of encroachment permits and the conveyance of rights and interests that provide for the use of or the entry upon public property;
- (e) the exercise of the power of eminent domain.

1.1.12 “Mortgagee” means a mortgagee of a mortgage, a beneficiary under a deed of trust or any other security-device lender, and their successors and assigns.

1.1.13 “OWNER” means the persons and entities listed as OWNER on page 1 of this Agreement and their successors in interest to all or any part of the Property.

1.1.14 “Project” means the development of the Property contemplated by the Development Plan as such Plan may be further defined, enhanced or modified pursuant to the provisions of this Agreement.

1.1.15 “Property” means the real property described on Exhibit “A” and shown on Exhibit “B” to this Agreement.

1.1.16 “Reservation of Rights” means the rights and authority excepted from the assurances and rights provided to OWNER under this Agreement and reserved to CITY under Section 3.3 of this Agreement.

1.2 Exhibits. The following documents are attached to, and by this reference made a part of, this Agreement:

Exhibit “A” – Legal Description of the Property

Exhibit “B” – Map showing Property and its location

Exhibit “C” – Development Plan and Conditions of Approval

Exhibit “D” – Development Impact Fees

## 2. GENERAL PROVISIONS.

2.1 Binding Effect of Agreement. The Property is hereby made subject to this Agreement. Development of the Property is hereby authorized and shall be carried out in accordance with the terms of the Development Plan and this Agreement.

2.2 Ownership of Property. OWNER represents and covenants that it is the owner of the fee simple title to, or has an equitable interest in, the Property or a portion thereof.

2.3 Term. The term of this Agreement shall commence on the date (the “Commencement Date”) that is the Effective Date, and shall continue for a period of 20 years thereafter, unless this term is modified or extended pursuant to the provisions of this Agreement. Thereafter, the OWNER shall have no vested right under this Agreement, regardless of whether or not OWNER has paid any Development Impact Fee. Any tentative map approved by CITY for the Property shall have a duration co-extensive with the duration of this Agreement.

### 2.4 Assignment.

2.4.1 Right to Assign. OWNER shall have the right to sell, transfer or assign the Property in whole or in part (provided that no such partial transfer shall violate the Subdivision Map

Act, Government Code Section 66410, et seq.) to any person, partnership, joint venture, firm or corporation at any time during the Term of this Agreement; provided, however, that any such sale, transfer or assignment shall include the assignment and assumption of the rights, duties and obligations arising under or from this Agreement and be made in strict compliance with the following conditions precedent:

(a) No sale, transfer or assignment of any right or interest under this Agreement shall be made unless made together with the sale, transfer or assignment of all or a part of the Property.

(b) Concurrent with any such sale, transfer or assignment, OWNER shall notify CITY, in writing, of such sale, transfer or assignment and shall provide CITY with an executed agreement ("Assignment and Assumption Agreement"), in a form reasonably acceptable to CITY, by the purchaser, transferee or assignee and providing therein that the purchaser, transferee or assignee expressly and unconditionally assumes all the duties, obligations, agreements, covenants, and waivers of OWNER under this Agreement, including, without limitation, the covenants not to sue and waivers contained in Sections 7.2 and 8.4 hereof.

Any sale, transfer or assignment not made in strict compliance with the foregoing conditions shall constitute a default by Owner under this Agreement. Notwithstanding the failure of any purchaser, transferee or assignee to execute the agreement required by Paragraph (b) of this Subsection 2.4.1, the burdens of this Agreement shall be binding upon such purchaser, transferee or assignee, but the benefits of this Agreement shall not inure to such purchaser, transferee or assignee until and unless such agreement is executed.

2.4.2 Release of Transferring Owner. Notwithstanding any sale, transfer or assignment, a transferring OWNER shall continue to be obligated under this Agreement with respect to the transferred Property or any transferred portion thereof, unless such transferring OWNER is given a release in writing by CITY (which written confirmation may be in the form of execution and recordation of the Assignment and Assumption Agreement), which release shall be provided by CITY upon the full satisfaction by such transferring OWNER of the following conditions:

(a) OWNER no longer has a legal or equitable interest in all or any part of the Property subject to the transfer.

(b) OWNER is not then in default under this Agreement.

(c) OWNER has provided CITY with the notice and executed agreement required under Paragraph (b) of Subsection 2.4.1 above.

(d) The purchaser, transferee or assignee provides CITY with security equivalent to any security previously provided by OWNER to secure performance of its obligations

hereunder.

2.4.3 Subsequent Assignment. Any subsequent sale, transfer or assignment after an initial sale, transfer or assignment shall be made only in accordance with and subject to the terms and conditions of this Section.

2.4.4 Utilities. The Project shall be connected to all utilities necessary to provide adequate water, sewer, gas, electric, and other utility service to the Project, prior to the issuance of a certificate of occupancy for any portion of the Project.

2.4.5 Sale to Public and Completion of Construction. The provisions of Subsection 2.4.1 shall not apply to the sale or lease (for a period longer than one year) of any lot that has been finally subdivided and is individually (and not in "bulk") sold or leased to a member of the public or other ultimate user. This Agreement shall terminate with respect to any lot, and such lot shall be released and no longer be subject to this Agreement without the execution or recordation of any further document upon satisfaction of both of the following conditions:

(a) The lot has been finally subdivided and individually (and not in "bulk") sold or leased (for a period longer than one year) to a member of the public or other ultimate user; and

(b) A certificate of occupancy has been issued for a building on the lot, and the fees for such lot set forth in this Agreement have been paid.

2.5 Amendment or Cancellation of Agreement. This Agreement may be amended or canceled in whole or in part only by written consent of all parties in the manner provided for in Government Code Section 65868. This provision shall not limit any remedy of CITY or OWNER as provided by this Agreement.

2.6 Termination. This Agreement shall be deemed terminated and of no further effect upon the occurrence of any of the following events:

(a) Expiration of the stated Term of this Agreement as set forth in Section 2.3.

(b) Entry of a final judgment setting aside, voiding or annulling the adoption of the ordinance approving this Agreement.

(c) The adoption of a referendum measure overriding or repealing the ordinance approving this Agreement.

(d) Completion of the Project in accordance with the terms of this Agreement including issuance of all required occupancy permits and acceptance by CITY or applicable public agency of all required dedications.

Termination of this Agreement shall not constitute termination of any other land use entitlements approved for the Property. Upon the termination of this Agreement, no party shall have any further right or obligation hereunder except with respect to any obligation to have been performed prior to such termination or with respect to any default in the performance of the provisions of this Agreement that has occurred prior to such termination or with respect to any obligations that are specifically set forth as surviving this Agreement. Upon such termination, any Development Impact Fees paid by OWNER to CITY for residential units on which construction has not yet begun shall be refunded to OWNER by CITY.

2.7 Notices.

(a) As used in this Agreement, "notice" includes, but is not limited to, the communication of notice, request, demand, approval, statement, report, acceptance, consent, waiver, appointment or other communication required or permitted hereunder.

(b) All notices shall be in writing and shall be considered given either: (i) when delivered in person to the recipient named below; or (ii) on the date of delivery shown on the return receipt, after deposit in the United States mail in a sealed envelope as either registered or certified mail with return receipt requested, and postage and postal charges prepaid, and addressed to the recipient named below; or (iii) on the date of delivery shown in the records of the telegraph company after transmission by telegraph to the recipient named below. All notices shall be addressed as follows:

If to CITY:

City of Woodland  
300 First Street  
Woodland, CA 95695  
Attn: City Manager  
Telephone: (530) 661-5800  
Facsimile: (530) 661-5848

Copy to:

Best, Best & Krieger, LLP  
5400 Capitol Mall, Suite 1700  
Sacramento, CA 95814  
Attn: Woodland City Attorney  
Telephone: (916) 325-4000  
Facsimile: (916) 325-4010

If to OWNER:

Cal West Investors, LLC  
Attn: Melanie Mathews  
173 Court Street, Suite D  
Woodland, Ca 95695

Optimistic Partners  
Attn: Bill Streng  
1949 Fifth Street, Suite 108  
Davis Ca 95616

(c) Either party may, by notice given at any time, require subsequent notices to be given to another person or entity, whether a party or an officer or representative of a party, or to a different address, or both. Notices given before actual receipt of notice of change shall not be invalidated by the change.

### 3. DEVELOPMENT OF THE PROPERTY.

#### 3.1 Rights to Develop.

3.1.1 Subject to the terms of this Agreement including the Reservation of Rights, OWNER shall have a vested right to develop the Property in accordance with, and to the extent of, this Agreement. Except as expressly provided otherwise herein, the Project shall remain subject to all Land Use Regulations and Development Approvals, whether in effect on the Effective Date or subsequently adopted or amended, that are required to complete the Project as contemplated by the Development Plan. Except as otherwise provided in this Agreement, and notwithstanding the authority of the CITY to further revising the Land Use Regulations pursuant to Government Code section 65866, the permitted uses of the Property, the density and intensity of use, the maximum height and size of proposed buildings, and provisions for reservation and dedication of land for public purposes shall be those set forth in the Land Use Regulations and Development Approvals, whether in effect on the Effective Date or subsequently adopted or amended. OWNER shall comply with all mitigation measures required to be undertaken pursuant to any document prepared in compliance with the California Environmental Quality Act with respect to the Project.

3.1.2 CITY and OWNER acknowledge that this Agreement has been prepared and executed in order to comply with the requirement in the Spring Lake Specific Plan that a development agreement be entered into in connection with any rezoning of land or tentative map approval within the Specific Plan area. This Agreement is for Tentative Subdivision Map # 4991, and the 10 acre park and neighborhood commercial parcel, which is the subject of this Agreement,



which result in 176 R-8 units, and a remainder parcel that is zoned for a possible 84 units on the multi-family site.

The Specific Plan indicates that the 2-acre commercial sites shall be floating designations with the precise location determined at the time of the land division that creates the park and surrounding residential lots. Prior to acceptance of the first final map the applicant shall either submit an application for a Spring Lake Plan Amendment or provide funding toward a future Plan Amendment for the relocation of the park west of its existing location. Determination for the location of the remaining 2 acres shall be provided at that time.

3.2 Effect of Agreement on Land Use Regulations. Except as otherwise provided under the terms of this Agreement including the Reservation of Rights, the rules, regulations and official policies governing permitted uses of the Property, the density and intensity of use of the Property, the maximum height and size of proposed buildings, and the design, improvement and construction standards and specifications applicable to development of the Property shall be the Land Use Regulations and Development Approvals, whether in effect on the Effective Date or subsequently adopted. In connection with any subsequently imposed Development Approvals and except as specifically provided otherwise herein, CITY may exercise its discretion in accordance with the Land Use Regulations then in effect, as provided by this Agreement, including, but not limited to, the Reservation of Rights. CITY shall accept for processing, review and action all applications for subsequent development approvals, and such applications shall be processed in the same manner and the CITY shall exercise its discretion, when required or authorized to do so, to the same extent it would otherwise be entitled in the absence of this Agreement.

3.3 Reservation of Rights.

3.3.1 Limitations, Reservations and Exceptions. Notwithstanding any other provision of this Agreement, the following regulations shall apply to the development of the Property:

(a) Processing fees and charges of every kind and nature imposed by CITY to cover the estimated actual costs to CITY of processing applications for Development Approvals or for monitoring compliance with any Development Approvals granted or issued.

(b) Procedural regulations relating to hearing bodies, petitions, applications, notices, findings, records, hearings, reports, recommendations, appeals and any other matter of procedure.

(c) Regulations, adopted policies and rules governing engineering and construction standards and specifications applicable to public and private improvements, including, without limitation, all uniform codes adopted by the City and any local amendments to those codes adopted by the CITY, including, without limitation, the CITY's Building Code, Plumbing Code, Mechanical Code, Electrical Code, and Grading Ordinance.

(d) Regulations imposing Development Exactions; provided, however, that no such subsequently adopted Development Exaction shall be applicable to development of the Property unless such Development Exaction is applied uniformly to development, either throughout the CITY or within a defined area of benefit which includes the Property. No such subsequently adopted Development Exaction shall apply if its application to the Property would physically prevent development of the Property for the uses and to the density or intensity of development set forth in the Development Plan. In the event any such subsequently adopted Development Exaction fulfills the same purposes, in whole or in part, as the fees set forth in Section 4 of this Agreement, CITY shall allow a credit against such subsequently adopted Development Exaction for the fees paid under Section 4 of this Agreement to the extent such fees fulfill the same purposes.

(e) Regulations that may be in material conflict with this Agreement but that are reasonably necessary to protect the residents of the project or the immediate community from a condition perilous to their health or safety. To the extent possible, any such regulations shall be applied and construed so as to provide OWNER with the rights and assurances provided under this Agreement.

(f) Regulations that are not in material conflict with this Agreement or the Development Plan. Any regulation, whether adopted by initiative or otherwise, limiting the rate or timing of development of the Property shall be deemed to materially conflict with the Development Plan and shall therefore not be applicable to the development of the Property.

(g) Regulations that are in material conflict with the Development Plan; provided OWNER has given written consent to the application of such regulations to development of that Property in which the OWNER has a legal or equitable interest.

(h) Regulations that impose, levy, alter or amend fees, charges, or Land Use Regulations relating to consumers or end users, including, without limitation, trash can placement, service charges and limitations on vehicle parking.

(i) Regulations of other public agencies, including Development Impact Fees adopted or imposed by such other public agencies, although collected by CITY.

3.3.2 Subsequent Development Approvals. This Agreement shall not prevent CITY, in acting on subsequent development approvals and to the same extent it would otherwise be authorized to do so absent this Agreement, from applying subsequently adopted or amended Land Use Regulations that do not materially conflict with this Agreement.

3.3.3 Modification or Suspension by State or Federal Law. In the event that State, County or Federal laws or regulations, enacted after the Effective Date of this Agreement, prevent or preclude compliance with one or more of the provisions of this Agreement, such provisions of this

Agreement shall be modified or suspended as may be necessary to comply with such State or Federal laws or regulations; provided, however, that this Agreement shall remain in full force and effect to the extent it is not inconsistent with such laws or regulations and to the extent such laws or regulations do not render such remaining provisions impractical to enforce.

3.3.4 Intent. The parties acknowledge and agree that CITY is restricted in its authority to limit certain aspects of its police power by contract and that the foregoing limitations, reservations and exceptions are intended to reserve to CITY all of its police power that cannot be or are not expressly so limited. This Agreement shall be construed, contrary to its stated terms if necessary, to reserve to CITY all such power and authority that cannot be or is not by this Agreement's express terms so restricted.

3.4 Regulation by Other Public Agencies. It is acknowledged by the parties that other public agencies not within the control of CITY may possess authority to regulate aspects of the development of the Property separately from or jointly with CITY, and this Agreement does not limit the authority of such other public agencies.

3.5 Timing of Development. The parties acknowledge that OWNER cannot at this time predict when or the rate at which phases of the Property will be developed. Such decisions depend upon numerous factors which are not within the control of OWNER, such as market orientation and demand, interest rates, absorption, completion and other similar factors. Since the California Supreme Court held in Pardee Construction Co. v. City of Camarillo (1984) 37 Ca1.3d 465, that the failure of the parties therein to provide for the timing of development resulted in a later adopted initiative restricting the timing of development to prevail over such parties' agreement, it is the parties' intent to cure that deficiency by acknowledging and providing that OWNER shall have the right to develop the Property in such order and at such rate and at such times as OWNER deems appropriate within the exercise of its subjective business judgment, subject only to any timing or phasing requirements set forth in the Development Plan.

3.6 Public Works. If OWNER is required by this Agreement to construct any public works facilities which will be dedicated to CITY or any other public agency upon completion, and if required by applicable laws to do so, OWNER shall perform such work in the same manner and subject to the same requirements as would be applicable to CITY or such other public agency should it have undertaken such construction.

3.7 Acquisition of Property for Construction of Improvements Off-Site. OWNER shall, in a timely manner as determined by CITY and consistent with the requirements of the Specific Plan, acquire the property rights necessary to construct or otherwise provide the public improvements contemplated by the Specific Plan.

3.8 Acquisition of Real Property Interests. In any instance where OWNER is required to construct any public improvement on land not owned by OWNER, OWNER shall at its sole cost and expense provide or cause to be provided, the real property interests necessary for the construction of

such public improvements. If and to the extent this section 3.8 conflicts with Section 66462.5 of the Subdivision Map Act, this section will control.

3.9 Credits and/or Reimbursement for Dedication of Property or Construction of Infrastructure. To the extent OWNER dedicates land, funds or constructs public facilities that exceed the size or capacity required to serve the Property for the benefit of other properties, or if such dedication or improvements benefit other properties regardless of its size or capacity, CITY shall enter into an agreement to reimburse OWNER to the extent of such benefit as determined by CITY. Such reimbursement may take the form of fee credits and/or benefit assessments, special taxes, or other fees or assessments collected from benefiting properties, as the CITY may determine. Notwithstanding the foregoing, the CITY shall not reimburse the OWNER for costs of interim temporary improvements, nor shall City require OWNER to pay for interim temporary improvements installed by others on OWNER's property.

3.10 Water Supply Planning. To the extent the Development Plan includes one or more tentative maps totaling more than 500 dwelling units, and to the extent the Project, or any part thereof, is not exempt under Government Code Section 66473.7(i), each such tentative map shall comply with the provisions of Government Code Section 66473.7.

#### 4. PUBLIC BENEFITS.

4.1 Intent. The parties acknowledge and agree that development of the Property will result in substantial public needs that will not be fully met by the Development Plan and further acknowledge and agree that this Agreement confers substantial private benefits on OWNER that should be balanced by commensurate public benefits. Accordingly, the parties intend to provide consideration to the public to balance the private benefits conferred on OWNER by providing more fully for the satisfaction of the public needs resulting from the Project.

#### 4.2 Development Impact Fees.

4.2.1 Amount of Fee. The Development Impact Fees set forth in Exhibit "D" shall be charged to the Project.

4.2.2 Time of Payment. The fees required pursuant to Subsection 4.2.1 shall be paid to CITY prior to the issuance of building permits for each residential unit. No fees shall be payable for building permits issued prior to the Effective Date of this Agreement, but the fees required pursuant to Subsection 4.2.1 shall be paid prior to the re-issuance or extension of any building permit for a residential unit for which such fees have not previously been paid.

4.2.3 Fee Credits and Reimbursements. OWNER shall be entitled to credit or reimbursement against the fees required pursuant to Subsection 4.2.1 for the dedication of land, the construction of improvements or the payment of fees as specifically set forth in an agreement entered into between CITY and OWNER pursuant to Section 3.9.

4.2.4 Future Development Impact Fees; Increases. The Parties hereby agree that, in addition to the Development Impact Fees included in Exhibit "D", the Project shall be subject to the imposition of any Development Impact Fee that becomes effective after the Effective Date. In addition, the Project shall be subject to any increase, decrease, amendment or alteration of any Development Impact Fee that becomes effective after the Effective Date.

4.2.5 Prepayment. In no event shall the prepayment of any Development Impact Fees required hereunder establish a vested right on the part of OWNER or any other owner of the Property or any person or entity with an interest therein to develop the Project or the Property following the expiration, cancellation or termination of the Term of this Agreement. Following the expiration, cancellation or termination of this Agreement, all Development Impact Fees then in effect shall be applicable to the Project and Property notwithstanding any provision of this Agreement and notwithstanding the prepayment of the Development Impact Fees set forth in Exhibit "D", any increase or amendment of any Development Impact Fee, or any combination thereof. Nothing contained in this Subsection 4.2.5 shall be construed as limiting the right of OWNER to a credit against any Development Impact Fees as set forth in Section 4.2.3 hereof.

4.3 Agricultural Conservation Easements. CITY has established specific criteria for agricultural conservation easements, as provided in CITY's Agricultural Mitigation Program. Prior to submittal of the first final map and improvement plan package to CITY, OWNER shall provide to CITY executed agricultural conservation easements as required by the Agricultural Mitigation Program, in recordable form for recording with the Yolo County Recorder. Any such easement shall be dedicated to the Yolo Land Trust or another suitable entity selected by CITY. Under the terms of any such easement, CITY shall have no responsibility for the payment of any portion of the required endowment fee. OWNER is responsible for all escrow costs in association with establishment of easements, including but not limited to title insurance.

4.4 Swainson's Hawk Mitigation. In addition to the requirements of Section 4.3 above, OWNER shall, prior to submittal of the first final map and improvement plan package to CITY, provide evidence of the approval of the Department of Fish & Game of a plan for the purpose of Swainson's Hawk habitat mitigation.

4.5 Dedication of On-Site Easements and Rights of Way. OWNER shall dedicate to CITY all on-site rights of way and easements deemed necessary for public improvements, in CITY's sole discretion, within 15 days of receipt of written demand from CITY.

4.6 Timing of Construction of Off-Site Infrastructure. Approval of any building permits on the Property shall be conditioned upon CITY's determination, in its sole discretion, that sufficient progress is being made on construction of off-site infrastructure serving development of OWNER's Property.

4.7 Assigned Building Unit Allocations. OWNER agrees that CITY shall not approve any final subdivision map unless each lot to be subdivided thereby has a building unit allocation assigned to it pursuant to CITY's building unit allocation ordinance.

4.8 Inclusionary Housing Agreement. Prior to submittal of any final map and improvement plan package to CITY, OWNER and CITY shall enter into an Inclusionary Housing Agreement consistent with the Spring Lake Specific Plan Affordable Housing Plan.

4.9 Deferred Administrative Costs. OWNER shall pay any unpaid CITY staff and Technical Advisory Committee costs deferred pursuant to paragraph 3.g of the Agreement for Advance of Costs dated October 18, 1998, including accrued interest, prior to approval of a final subdivision map on the Property.

4.10 Financing Plan Cost Estimates. Notwithstanding any fee amounts listed in Exhibit "D," OWNER acknowledges and agrees that the cost estimates contained in the Spring Lake Specific Plan Financing Plan and Capital Improvement Plan (CIP) are estimates only, and that OWNER shall pay its share of the costs of improvements and amenities identified in the Financing Plan in amounts to be determined by CITY, which may be more or less than the estimates contained in the Financing Plan.

4.11 Infrastructure and Improvements. Prior to receiving a building permit for the Project, OWNER shall either have: (i) applied for and received a subdivision map for the Property, and have entered into a new development agreement with CITY or an amendment to this Agreement, or (ii) submitted plans for infrastructure and improvements necessary to serve the Project in accordance with CITY standards, and received approval of such plans by the City Engineer.

5. FINANCING OF PUBLIC IMPROVEMENTS. OWNER may propose, and if requested by CITY shall cooperate in, the formation of any special assessment district, community facilities district or alternate financing mechanism to pay for the construction and/or maintenance and operation of public infrastructure facilities required as part of the Development Plan. To the extent any such district or other financing entity is formed and sells bonds in order to finance such reimbursements, OWNER may be reimbursed to the extent that OWNER spends funds or dedicates land for the establishment of public facilities. Notwithstanding the foregoing, it is acknowledged and agreed by the parties that nothing contained in this Agreement shall be construed as requiring CITY or the City Council to form any such district or to issue and sell bonds.

## 6. REVIEW FOR COMPLIANCE.

6.1 Periodic Review. The CITY shall review this Agreement annually, on or before the anniversary of the Effective Date, in order to ascertain the compliance by OWNER with the terms of the Agreement. OWNER shall submit an Annual Monitoring Report, in a form acceptable to the City Manager, within thirty (30) days after written notice from the City Manager. The Annual Monitoring Report shall be accompanied by an annual review and administration fee sufficient to

defray the estimated costs of review and administration of the Agreement during the succeeding year. The amount of the annual review and administration fee shall be set annually by resolution of the City Council.

6.2 Special Review. The City Council may order a special review of compliance with this Agreement at any time. The Community Development Director, or his or her designee, shall conduct such special reviews.

6.3 Procedure.

(a) During either a periodic review or a special review, OWNER shall be required to demonstrate good faith compliance with the terms of the Agreement. The burden of proof on this issue shall be on OWNER.

(b) Upon completion of a periodic review or a special review, the Community Development Director, or his or her designee, shall submit a report to the Planning Commission setting forth the evidence concerning good faith compliance by OWNER with the terms of this Agreement and his or her recommended finding on that issue.

(c) If the Planning Commission finds and determines on the basis of substantial evidence that OWNER has complied in good faith with the terms and conditions of this Agreement, the review shall be concluded.

(d) If the Planning Commission finds and determines on the basis of substantial evidence that OWNER has not complied in good faith with the terms and conditions of this Agreement, the Commission may recommend to the City Council modification or termination of this Agreement. OWNER may appeal a Planning Commission determination pursuant to this Section 6.3(d) pursuant to CITY's rules for consideration of appeals in zoning matters then in effect. Notice of default as provided under Section 7.3 of this Agreement shall be given to OWNER prior to or concurrent with proceedings under Section 6.4 and Section 6.5.

6.4 Proceedings Upon Modification or Termination. If, upon a finding under Section 6.3, CITY determines to proceed with modification or termination of this Agreement, CITY shall give written notice to OWNER of its intention so to do. The notice shall be given at least ten (10) calendar days prior to the scheduled hearing and shall contain:

- (a) The time and place of the hearing;
- (b) A statement as to whether or not CITY proposes to terminate or to modify the Agreement; and,
- (c) Such other information that the CITY considers necessary to inform OWNER of the nature of the proceeding.

6.5 Hearing on Modification or Termination. At the time and place set for the hearing on modification or termination, OWNER shall be given an opportunity to be heard. OWNER shall be required to demonstrate good faith compliance with the terms and conditions of this Agreement. The burden of proof on this issue shall be on OWNER. If the City Council finds, based upon substantial evidence, that OWNER has not complied in good faith with the terms or conditions of the Agreement, the City Council may terminate this Agreement or modify this Agreement and impose such conditions as are reasonably necessary to protect the interests of the CITY. The decision of the City Council shall be final.

6.6 Certificate of Agreement Compliance. If, at the conclusion of a Periodic or Special Review, OWNER is found to be in compliance with this Agreement, CITY shall, upon request by OWNER, issue a Certificate of Agreement Compliance ("Certificate") to OWNER stating that after the most recent Periodic or Special Review and based upon the information known or made known to the Community Development Director and City Council that: (1) this Agreement remains in effect; and (2) OWNER is not in default. The Certificate shall be in recordable form, shall contain information necessary to communicate constructive record notice of the finding of compliance, shall state whether the Certificate is issued after a Periodic or Special Review and shall state the anticipated date of commencement of the next Periodic Review. OWNER may record the Certificate with the County Recorder.

Whether or not the Certificate is relied upon by assignees or other transferees or OWNER, CITY shall not be bound by a Certificate if a default existed at the time of the Periodic or Special Review, but was concealed from or otherwise not known to the Community Development Director or City Council.

## 7. DEFAULT AND REMEDIES.

7.1 Remedies in General. It is acknowledged by the parties that CITY would not have entered into this Agreement if it were to be liable in damages under this Agreement, or with respect to this Agreement or the application thereof. In general, each of the parties hereto may pursue any remedy at law or equity available for the breach of any provision of this Agreement, except that CITY shall not be liable in damages to OWNER, or to any successor in interest of OWNER, or to any other person, and OWNER covenants not to sue for damages or claim any damages:

(a) For any breach of this Agreement or for any cause of action that arises out of this Agreement; or

(b) For the taking, impairment or restriction of any right or interest conveyed or provided under or pursuant to this Agreement; or

(c) Arising out of or connected with any dispute, controversy or issue regarding the application or interpretation or effect of the provisions of this Agreement.



7.2 Release. Except for non-monetary remedies, OWNER, for itself, its successors and assignees, hereby releases CITY, its officers, agents and employees from any and all claims, demands, actions, or suits of any kind or nature arising out of any liability, known or unknown, present or future, including, but not limited to, any claim or liability, based or asserted, pursuant to Article I, Section 19 of the California Constitution, the Fifth and Fourteenth Amendments to the United States Constitution, or any other law or ordinance which seeks to impose any other liability or damage, whatsoever, upon CITY because it entered into this Agreement or because of the terms of this Agreement. OWNER hereby acknowledges that it has read and is familiar with the provisions of California Civil Code Section 1542, which is set forth below:

"A GENERAL RELEASE DOES NOT EXTEND TO CLAIMS WHICH THE CREDITOR DOES NOT KNOW OR SUSPECT TO EXIST IN HIS OR HER FAVOR AT THE TIME OF EXECUTING THE RELEASE, WHICH IF KNOWN BY HIM OR HER MUST HAVE MATERIALLY AFFECTED HIS OR HER SETTLEMENT WITH THE DEBTOR."

By initialing below, OWNER hereby waives the provisions of Section 1542 in connection with the matters that are the subject of the foregoing waivers and releases.

\_\_\_\_\_  
Owner's Initials

7.3 Termination or Modification of Agreement for Default of OWNER. CITY may terminate or modify this Agreement for any failure of OWNER to perform any material duty or obligation of OWNER under this Agreement, or to comply in good faith with the terms of this Agreement (hereinafter referred to as "default"); provided, however, CITY may terminate or modify this Agreement pursuant to this Section only after providing written notice to OWNER of default setting forth the nature of the default and the actions, if any, required by OWNER to cure such default and, where the default can be cured, OWNER has failed to take such actions and cure such default within sixty (60) days after the effective date of such notice or, in the event that such default cannot be cured within such sixty (60) day period but can be cured within a longer time, has failed to commence the actions necessary to cure such default within such sixty (60) day period and to diligently proceed to complete such actions and cure such default.

## 8. LITIGATION.

8.1 General Plan Litigation. CITY has determined that this Agreement is consistent with its General Plan, and that the General Plan meets all requirements of law. OWNER has reviewed the General Plan and concurs with CITY's determination. CITY shall have no liability in damages under

this Agreement for any failure of CITY to perform under this Agreement or the inability of OWNER to develop the Property as contemplated by the Development Plan of this Agreement as the result of a judicial determination that on the Effective Date, or at any time thereafter, the General Plan, or portions thereof, are invalid or inadequate or not in compliance with law.

8.2 Third Party Litigation Concerning Agreement. OWNER shall defend, at its expense, including attorneys' fees, indemnify, and hold harmless CITY, its agents, officers and employees from any claim, action or proceeding against CITY, its agents, officers, or employees to attack, set aside, void, or annul the approval of this Agreement, or the approval of any permit granted pursuant to this Agreement. CITY shall promptly notify OWNER of any claim, action, proceeding or determination included within this Section 8.2, and CITY shall cooperate in the defense. CITY may in its discretion participate in the defense of any such claim, action, proceeding or determination.

8.3 Environmental Assurances. OWNER shall indemnify and hold CITY, its officers, agents, and employees free and harmless from any liability, based or asserted, upon any act or omission of OWNER, its officers, agents, employees, subcontractors, predecessors in interest, successors, assigns and independent contractors for any violation of any federal, state or local law, ordinance or regulation relating to industrial hygiene or to environmental conditions on, under or about the Property, including, but not limited to, soil and groundwater conditions, and OWNER shall defend, at its expense, including attorneys' fees, CITY, its officers, agents and employees in any action based or asserted upon any such alleged act or omission. CITY may in its discretion participate in the defense of any such action.

8.4 Indemnity. In addition to the provisions of sections 8.1, 8.2, and 8.3 above, OWNER shall indemnify and hold CITY, its officers, agents, employees and independent contractors free and harmless from any liability whatsoever, based or asserted upon any act or omission of OWNER, its officers, agents, employees, subcontractors and independent contractors, for property damage, bodily injury, or death (OWNER's employees included) or any other element of damage of any kind or nature, relating to or in any way connected with or arising from the activities contemplated hereunder, including, but not limited to, the study, design, engineering, construction, completion, failure and conveyance of the public improvements, save and except claims for damages arising through the sole active negligence or sole willful misconduct of CITY. OWNER shall defend, at its expense, including attorneys' fees, CITY, its officers, agents, employees and independent contractors in any legal action based upon such alleged acts or omissions. CITY may in its discretion participate in the defense of any such legal action.

8.5 Reservation of Rights. With respect to Sections 8.1, 8.2, 8.3, and 8.4 herein, CITY reserves, the right to either (1) approve the attorney(s) that the indemnifying party selects, hires or otherwise engages to defend the indemnified party hereunder, which approval shall not be unreasonably withheld, or (2) conduct its own defense; provided, however, that the indemnifying party shall reimburse the indemnified party forthwith for any and all reasonable expenses incurred for such defense, including attorneys' fees, upon billing and accounting therefor.

8.6 Challenge to Existing Land Use Approvals. By accepting the benefits of this Agreement, OWNER, on behalf of itself and its successors in interest, hereby expressly agrees and covenants not to sue or otherwise challenge any land use approval affecting the Property and in effect as of the Effective Date. Such agreement and covenant includes, without limitation, the covenant against any direct suit by OWNER or its successor in interest, or any participation, encouragement or involvement whatsoever that is adverse to CITY by OWNER or its successor in interest, other than as part of a required response to lawful orders of a court or other body of competent jurisdiction. OWNER hereby expressly waives, on behalf of itself and its successors in interest, any claim or challenge to any land use approval affecting the Property and in effect as of the Effective Date. In the event of any breach of the covenant or waiver contained herein, CITY shall, in addition to any other remedies provided for at law or in equity, be entitled to:

- (a) impose and recover (at any time, including after sale to a member of the public or other ultimate user) from the party breaching such covenant or waiver, the full amount of Development Impact Fees that the breaching party would have been required to pay in the absence of this Development Agreement; and
- (b) impose any subsequently adopted land use regulation on those land use approvals for which the breaching party had not, as of the time of such breach, obtained a building permit.

OWNER hereby acknowledges that it has read and is familiar with the provisions of California Civil Code Section 1542, which is set forth below:

"A GENERAL RELEASE DOES NOT EXTEND TO CLAIMS WHICH THE CREDITOR DOES NOT KNOW OR SUSPECT TO EXIST IN HIS OR HER FAVOR AT THE TIME OF EXECUTING THE RELEASE, WHICH IF KNOWN BY HIM OR HER MUST HAVE MATERIALLY AFFECTED HIS OR HER SETTLEMENT WITH THE DEBTOR."

By initialing below, OWNER hereby waives the provisions of Section 1542 in connection with the matters that are the subject of the foregoing waivers and releases.

\_\_\_\_\_  
Owner's Initials

8.7 Survival. The provisions of this Section 8 shall survive the termination of this Agreement.

9. MORTGAGEE PROTECTION.

The parties hereto agree that this Agreement shall not prevent or limit OWNER, in any

manner, at OWNER's sole discretion, from encumbering the Property or any portion thereof or any improvement thereon by any mortgage, deed of trust or other security device securing financing with respect to the Property. CITY acknowledges that the lenders providing such financing may require certain Agreement interpretations and modifications and agrees upon request, from time to time, to meet with OWNER and representatives of such lenders to negotiate in good faith any such request for interpretation or modification. CITY will not unreasonably withhold its consent to any such requested interpretation or modification provided such interpretation or modification is consistent with the intent and purposes of this Agreement. Any Mortgagee of the Property shall be entitled to the following rights and privileges:

(a) Neither entering into this Agreement nor a breach of this Agreement shall defeat, render invalid, diminish or impair the lien of any mortgage on the Property made in good faith and for value, unless otherwise required by law.

(b) The Mortgagee of any mortgage or deed of trust encumbering the Property, or any part thereof, which Mortgagee, has submitted a request in writing to the CITY in the manner specified herein for giving notices, shall be entitled to receive written notification from CITY of any default by OWNER in the performance of OWNER's obligations under this Agreement.

(c) If CITY timely receives a request from a mortgagee requesting a copy of any notice of default given to OWNER under the terms of this Agreement, CITY shall provide a copy of that notice to the Mortgagee within ten (10) days of sending the notice of default to OWNER. The Mortgagee shall have the right, but not the obligation, to cure the default during the remaining cure period allowed such party under this Agreement.

(d) Any Mortgagee who comes into possession of the Property, or any part thereof, pursuant to foreclosure of the mortgage or deed of trust, or deed in lieu of such foreclosure, shall take the Property, or part thereof, subject to the terms of this Agreement. Notwithstanding any other provision of this Agreement to the contrary, no Mortgagee shall have an obligation or duty under this Agreement to perform any of OWNER's obligations or other affirmative covenants of OWNER hereunder, or to guarantee such performance; provided, however, that to the extent that any covenant to be performed by OWNER is a condition precedent to the performance of a covenant by CITY, the performance thereof shall continue to be a condition precedent to CITY's performance hereunder, and further provided that any sale, transfer or assignment by any Mortgagee in possession shall be subject to the provisions of Section 2.4 of this Agreement.

## 10. MISCELLANEOUS PROVISIONS.

10.1 Recordation of Agreement. This Agreement and any amendment or cancellation thereof shall be recorded with the Yolo County Recorder by the Clerk of the City Council within ten (10) days after the City enters into the Agreement, in accordance with Section 65868.5 of the Government Code. If the parties to this Agreement or their successors in interest amend or cancel

this Agreement, or if the CITY terminates or modifies this Agreement as provided herein for failure of the OWNER to comply in good faith with the terms and conditions of this Agreement, the City Clerk may have notice of such action recorded with the Yolo County Recorder.

10.2 Entire Agreement. This Agreement sets forth and contains the entire understanding and agreement of the parties, and there are no oral or written representations, understandings or ancillary covenants, undertakings or agreements that are not contained or expressly referred to herein. No testimony or evidence of any such representations, understandings or covenants shall be admissible in any proceeding of any kind or nature to interpret or determine the terms or conditions of this Agreement.

10.3 Severability. If any term, provision, covenant or condition of this Agreement shall be determined invalid, void or unenforceable, the remainder of this Agreement shall not be affected thereby to the extent such remaining provisions are not rendered impractical to perform taking into consideration the purposes of this Agreement. Notwithstanding the foregoing, the provision of the Public Benefits set forth in Section 4 of this Agreement and Exhibit "D" to this Agreement, including the payment of the Development Impact Fees set forth therein, are essential elements of this Agreement and CITY would not have entered into this Agreement but for such provisions, and therefore in the event such provisions are determined to be invalid, void or unenforceable, this entire Agreement shall be null and void and of no force and effect whatsoever.

10.4 Interpretation and Governing Law. This Agreement and any dispute arising hereunder shall be governed and interpreted in accordance with the laws of the State of California. This Agreement shall be construed as a whole according to its fair language and common meaning to achieve the objectives and purposes of the parties hereto, and the rule of construction to the effect that ambiguities are to be resolved against the drafting party shall not be employed in interpreting this Agreement, all parties having been represented by counsel in the negotiation and preparation hereof.

10.5 Section Headings. All section headings and subheadings are inserted for convenience only and shall not affect any construction or interpretation of this Agreement.

10.6 Singular and Plural. As used herein, the singular of any word includes the plural.

10.7 **[reserved]**

10.8 Time of Essence. Time is of the essence in the performance of the provisions of this Agreement as to which time is an element.

10.9 Waiver. Failure by a party to insist upon the strict performance of any of the provisions of this Agreement by the other party, or the failure by a party to exercise its rights upon the default of the other party, shall not constitute a waiver of such party's right to insist and demand strict compliance by the other party with the terms of this Agreement thereafter.

10.10 No Third Party Beneficiaries. This Agreement is made and entered into for the sole protection and benefit of the parties and their successors and assigns. No other person shall have any right of action based upon any provision of this Agreement.

10.11 Force Majeure. Neither party shall be deemed to be in default where failure or delay in performance of any of its obligations under this Agreement is caused by floods, earthquakes, other Acts of God, fires, wars, riots or similar hostilities, strikes and other labor difficulties beyond the party's control, (including the party's employment force), government regulations, court actions (such as restraining orders or injunctions), or other causes beyond the party's control. If any such events shall occur, the Term of this Agreement and the time for performance by either party of any of its obligations hereunder may be extended by the written agreement of the parties for the period of time that such events prevented such performance, provided that the Term of this Agreement shall not be extended under any circumstances for more than five (5) years.

10.12 Mutual Covenants. The covenants contained herein are mutual covenants and also constitute conditions to the concurrent or subsequent performance by the party benefited thereby of the covenants to be performed hereunder by such benefited party.

10.13 Successors in Interest. The burdens of this Agreement shall be binding upon, and the benefits of this Agreement shall inure to, all successors in interest to the parties to this Agreement. All provisions of this Agreement shall be enforceable as equitable servitudes and constitute covenants running with the land. Each covenant to do or refrain from doing some act hereunder with regard to development of the Property: (a) is for the benefit of and is a burden upon every portion of the Property; (b) runs with the Property and each portion thereof; and (c) is binding upon each party and each successor in interest (including assignees) during ownership of the Property or any portion thereof.

10.14 Counterparts. This Agreement may be executed by the parties in counterparts, which counterparts shall be construed together and have the same effect as if all of the parties had executed the same instrument.

10.15 Jurisdiction and Venue. Any action at law or in equity arising under this Agreement or brought by a party hereto for the purpose of enforcing, construing or determining the validity of any provision of this Agreement shall be filed and tried in the Superior Court of the County of Yolo, State of California, and the parties hereto waive all provisions of law providing for the filing, removal or change of venue to any other court.

10.16 Project as a Private Undertaking. It is specifically understood and agreed by and between the parties hereto that the development of the Project is a private development, that neither party is acting as the agent of the other in any respect hereunder, and that each party is an independent contracting entity with respect to the terms, covenants and conditions contained in this Agreement. No partnership, joint venture or other association of any kind is formed by this

Agreement. The only relationship between CITY and OWNER is that of a government entity regulating the development of private property and the owner of such property.

10.17 Further Actions and Instruments. Each of the parties shall cooperate with and provide reasonable assistance to the other to the extent contemplated hereunder in the performance of all obligations under this Agreement and the satisfaction of the conditions of this Agreement. Upon the request of either party at any time, the other party shall promptly execute, with acknowledgment or affidavit if reasonably required, and file or record such required instruments and writings and take any actions as may be reasonably necessary under the terms of this Agreement to carry out the intent and to fulfill the provisions of this Agreement or to evidence or consummate the transactions contemplated by this Agreement.

10.18 Eminent Domain. No provision of this Agreement shall be construed to limit or restrict the exercise by CITY of its power of eminent domain.

10.19 Agent for Service of Process. In the event OWNER is not a resident of the State of California or it is an association, partnership or joint venture without a member, partner or joint venturer resident of the State of California, or it is a foreign corporation, then in any such event, OWNER shall file with the Community Development Director, upon its execution of this Agreement, a designation of a natural person residing in the State of California, giving his or her name, residence and business addresses, as its agent for the purpose of service of process in any court action arising out of or based upon this Agreement, and the delivery to such agent of a copy of any process in any such action shall constitute valid service upon OWNER. If for any reason service of such process upon such agent is not feasible, then in such event OWNER may be personally served with such process out of this County and such service shall constitute valid service upon OWNER. OWNER is amenable to the process so served, submits to the jurisdiction of the Court so obtained and waives any and all objections and protests thereto.

10.20 Authority to Execute. The person or persons executing this Agreement on behalf of OWNER warrants and represents that he or she/they have the authority to execute this Agreement on behalf of his or her/their corporation, partnership or business entity and warrants and represents that he or she/they has/have the authority to bind OWNER to the performance of its obligations hereunder.

10.21 Obligations Joint and Several. The obligations of OWNER under this Agreement shall be joint and several with respect to the entities which, collectively, comprise OWNER. Further, the obligations of OWNER under this Agreement shall apply with respect to the entire Property, as it may be subdivided, sold, transferred, or otherwise conveyed, and run with the land.

IN WITNESS WHEREOF, the parties hereto have executed this Development Agreement on the last day and year set forth below.

**OWNER**

**Cal West Investors, LLC**

By: \_\_\_\_\_

Its: \_\_\_\_\_

Dated: \_\_\_\_\_

**Optimistic Partners, LLC**

By: \_\_\_\_\_

Its: \_\_\_\_\_

Dated: \_\_\_\_\_

**CITY**

**CITY OF WOODLAND, a California  
Municipal Corporation**

By: \_\_\_\_\_

Marlin, 'Skip' Davies  
Mayor

Dated: \_\_\_\_\_

**ATTEST:**

By: \_\_\_\_\_

Ana Gonzalez  
City Clerk



APPROVED AS TO LEGAL FORM:

BEST BEST & KRIEGER LLP

---

City Attorney

STATE OF CALIFORNIA                    )  
                                                  )  
COUNTY OF \_\_\_\_\_ )           ss.

On \_\_\_\_\_, 2013 before me, \_\_\_\_\_, Notary Public,  
personally appeared \_\_\_\_\_, proved to me on the basis of  
satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument  
and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies),  
and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of  
which the person(s) acted, executed the instrument.

I certify UNDER PENALTY OF PERJURY under the laws of the State of California that the  
foregoing paragraph is true and correct.

WITNESS my hand and official seal.

\_\_\_\_\_  
Notary Public

STATE OF CALIFORNIA                    )  
                                                  )  
COUNTY OF \_\_\_\_\_ )           ss.

On \_\_\_\_\_, 2013 before me, \_\_\_\_\_, Notary Public,  
personally appeared \_\_\_\_\_, proved to me on the basis of  
satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument  
and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies),  
and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of  
which the person(s) acted, executed the instrument.

I certify UNDER PENALTY OF PERJURY under the laws of the State of California that the  
foregoing paragraph is true and correct.

WITNESS my hand and official seal.

\_\_\_\_\_  
Notary Public

STATE OF CALIFORNIA                    )  
                                                  )  
COUNTY OF \_\_\_\_\_ )           ss.

On \_\_\_\_\_, 2013 before me, \_\_\_\_\_, Notary Public,  
personally appeared \_\_\_\_\_, proved to me on the basis of  
satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument  
and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies),  
and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of  
which the person(s) acted, executed the instrument.

I certify UNDER PENALTY OF PERJURY under the laws of the State of California that the  
foregoing paragraph is true and correct.

WITNESS my hand and official seal.

\_\_\_\_\_  
Notary Public

**EXHIBIT "A"**

(Legal Description of the Property)

Exhibit A

### **LEGAL DESCRIPTION**

Real property in the City of Woodland, County of Yolo, State of California, described as follows:

BEING A PORTION OF PARCEL 1 AND PARCEL 2 OF THAT CERTAIN LOT LINE ADJUSTMENT, DOCUMENT NO. 2007-0023630-00, YOLO COUNTY RECORDS, YOLO COUNTY, CALIFORNIA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF PARCEL 2 OF SAID LOT LINE ADJUSTMENT, THENCE THE FOLLOWING 6 (SIX) COURSES:

- 1) SOUTH 01° 13' 09" WEST, 1320.02 FEET;
- 2) THENCE NORTH 89° 42' 13" WEST, 1023.28 FEET;
- 3) THENCE NORTH 00° 16' 55" EAST, 469.58 FEET;
- 4) THENCE SOUTH 89° 43' 05" EAST, 581.98 FEET;
- 5) THENCE NORTH 00° 16' 55" EAST, 850.00 FEET;
- 6) THENCE SOUTH 89° 43' 05" EAST, 462.88 FEET TO THE POINT OF BEGINNING; AND DESCRIBED IN THAT CERTAIN "CERTIFICATE OF COMPLIANCE FOR LOT LINE ADJUSTMENT," RECORDED AUGUST 8, 2012 AS INSTRUMENT NOS. 2012-0025469-00 AND 2012-0025470-00, RECORDS OF YOLO COUNTY, CALIFORNIA.

EXCEPTING THEREFROM ALL OIL, OIL RIGHTS, MINERALS, MINERAL RIGHTS, NATURAL GAS, NATURAL GAS RIGHTS, AND OTHER HYDROCARBONS BY WHATSOEVER NAME KNOWN THAT MAY BE WITHIN OR UNDER THE HEREIN ABOVE DESCRIBED PROPERTY, AS CONTAINED IN THE DEED FROM NORINE ROTH NELSON, A MARRIED WOMAN, AS HER SOLE AND SEPARATE PROPERTY, TO THE STATE OF CALIFORNIA, DATED NOVEMBER 21, 1967, RECORDED JANUARY 3, 1968, IN BOOK 871 OF OFFICIAL RECORDS, AT PAGE 416.

APN: 041-070-052-000 (New, Not Yet Assessed)

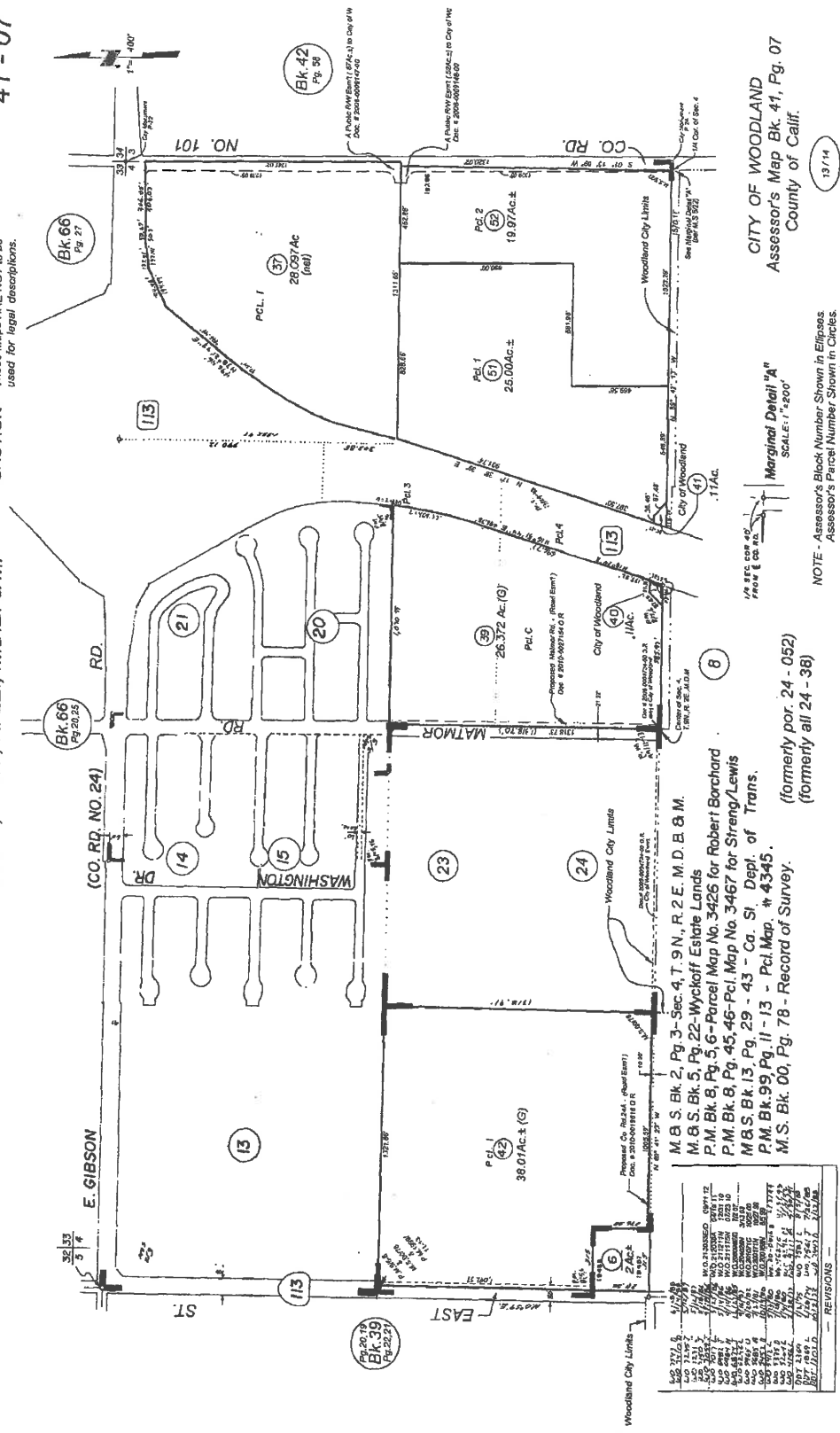
APN: 041-070-044-000 (Underlying, Portion Of)

APN: 041-070-046-000 (Underlying, Portion Of)

41 - 07

CAUTION- These Maps ARE NOT to be used for legal descriptions.

N. 1/2 SEC. 4, T. 9N., R. 2E., M.D.B. & M.



CITY OF WOODLAND  
Assessor's Map Bk. 41, Pg. 07  
County of Calif.

NOTE - Assessor's Block Number Shown in Ellipses  
Assessor's Parcel Number Shown in Circles.

(formerly por. 24 - 052)  
(formerly all 24 - 38)

| REVISIONS |        |
|-----------|--------|
| NO. 1     | 1/1/12 |
| NO. 2     | 1/1/12 |
| NO. 3     | 1/1/12 |
| NO. 4     | 1/1/12 |
| NO. 5     | 1/1/12 |
| NO. 6     | 1/1/12 |
| NO. 7     | 1/1/12 |
| NO. 8     | 1/1/12 |
| NO. 9     | 1/1/12 |
| NO. 10    | 1/1/12 |
| NO. 11    | 1/1/12 |
| NO. 12    | 1/1/12 |
| NO. 13    | 1/1/12 |
| NO. 14    | 1/1/12 |
| NO. 15    | 1/1/12 |
| NO. 16    | 1/1/12 |
| NO. 17    | 1/1/12 |
| NO. 18    | 1/1/12 |
| NO. 19    | 1/1/12 |
| NO. 20    | 1/1/12 |
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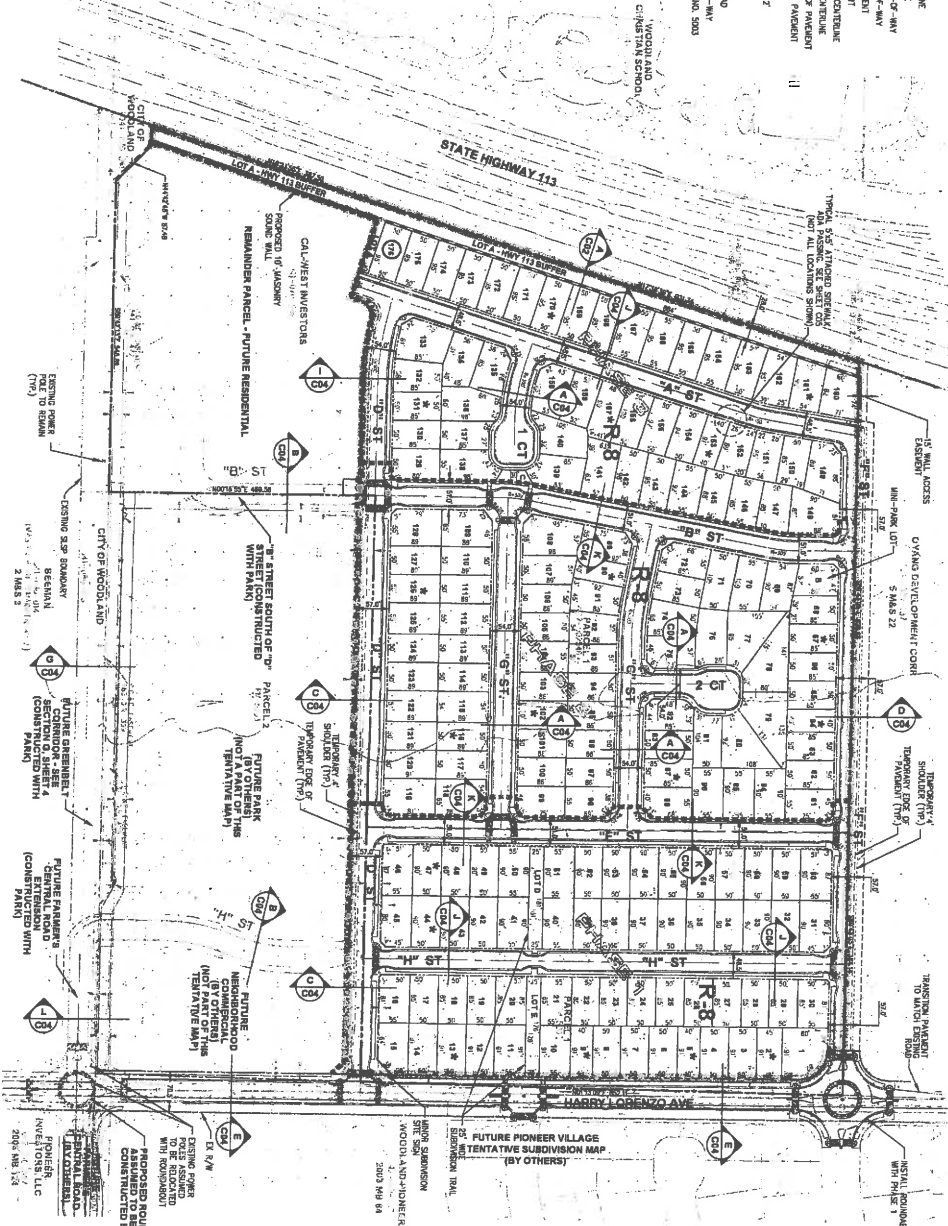
**EXHIBIT “B”**

(Map of the Property)

Exhibit B



PROPERTY LINE  
END OF LOT  
PROPOSED RIGHT-OF-WAY  
EXISTING RIGHT-OF-WAY  
EXISTING EASEMENT  
PROPOSED ROAD CENTERLINE  
EXISTING ROAD CENTERLINE  
EXISTING EDGE OF PAVEMENT  
EXISTING FENCE  
CONTRAIL LINE = X  
PAVEMENT LINE  
SITE BOUNDARY  
EXISTING TRAIL ROAD  
TRAIL RIGHT-OF-WAY  
SURVEYING MAP NO. 5003  
(5003)



THE SUBDIVISION WILL BE FINAL, MAPPED IN PHASES AS CONCEPTUALLY SHOWN HEREIN OR SUBJECTS THEREOF AS DETERMINED TO BE SUBSTANTIALLY SIMILAR BY THE COMMUNITY DEVELOPMENT DIRECTOR AND THE CITY ENGINEER.

10% (10 UNITS) OF THE R-8 SINGLE FAMILY LOTS SHALL BE ALLOWED TO HAVE SECOND UNITS BY RIGHT ON A FIRST-COME, FIRST-SERVED BASIS, WITH SITE PLAN / DESIGN REVIEW. SUBSEQUENT LOTS WILL REQUIRE A USE PERMIT FOR SECOND UNIT INCLUSION.

THE SINGLE FAMILY RESIDENTIAL LOTS HAVE BEEN SHOWN TO BE OF VARYING WIDTHS PER THE SPRING LAKE SPECIFIC PLAN. THE BUILDER RESERVES THE RIGHT OF LOT WIDTH MODIFICATION, SUBJECT TO THE APPROVAL OF THE COMMUNITY DEVELOPMENT DEPARTMENT, AT THE FINAL MAP STAGE, BASED UPON SELECTION OF FLOOR PLANS AND MARKET DEMAND.

B-8 AREA - AFFORDABLE HOUSING REQUIRED FOR THIS MAP IS 10% OF THE R-8 UNITS. 176 UNITS (PHASES 1, 2 & 3) x 10% = 18 UNITS.

| USE               | AREA<br>(ACRES) | AREA<br>(ACRES) | DENSITY<br>(PLANTS/ACRE) | THYRATIVES<br>(PLANTS/ACRE) | PROCESSED<br>BUSHES/ACRE |
|-------------------|-----------------|-----------------|--------------------------|-----------------------------|--------------------------|
| R-1 (PRAIRIE 1-2) | 62.57 AC.       | 62.57 AC.       | 1779                     | 1779                        | 1779                     |
| R-2 (PRAIRIE 3)   | 5.31 AC.        | 5.31 AC.        | 864                      | 864                         | 864                      |
| R-3 (PRAIRIE 4)   | 7.29 AC.        | 7.29 AC.        | 864                      | 864                         | 864                      |
| R-4 (PRAIRIE 5)   | 2.93 AC.        | 2.93 AC.        | 864                      | 864                         | 864                      |
| R-5 (PRAIRIE 6)   | 4.88 AC.        | 4.88 AC.        | 864                      | 864                         | 864                      |
| R-6 (PRAIRIE 7)   | 1.97 AC.        | 1.97 AC.        | 864                      | 864                         | 864                      |
| LOI 1             | 34.6 AC.        | 34.6 AC.        | 1779                     | 1779                        | 1779                     |
| LOI 2             | 34.6 AC.        | 34.6 AC.        | 1779                     | 1779                        | 1779                     |
| TOTALS:           | 200.00 AC.      | 200.00 AC.      | 1779                     | 1779                        | 1779                     |

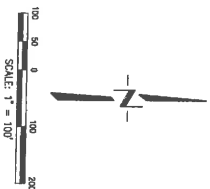
20000 SQUARE METERS PER HECTARE. DECIMALS POINT. UNITS ARE METERS OF AREA.

LAND USE COMPARISON CHART

| PLAINS           | USE     | NET AREA  | PLAINS | DENSITY<br>(PLANTS/ACRE) | THYRATIVES<br>(PLANTS/ACRE) | PROCESSED<br>BUSHES/ACRE |
|------------------|---------|-----------|--------|--------------------------|-----------------------------|--------------------------|
| PLAINS 102       | R-1     | 62.57 AC. | 1779   | 1779                     | 1779                        |                          |
| LOI 1 (MOUNTAIN) | R-2     | 5.31 AC.  | 864    | 864                      | 864                         |                          |
| LOI 2 (MOUNTAIN) | R-3     | 7.29 AC.  | 864    | 864                      | 864                         |                          |
| TOTALS:          | R-4     | 2.93 AC.  | 864    | 864                      | 864                         |                          |
|                  | R-5     | 4.88 AC.  | 864    | 864                      | 864                         |                          |
|                  | R-6     | 1.97 AC.  | 864    | 864                      | 864                         |                          |
|                  | TOTALS: | 140       | 140    | 140                      | 140                         |                          |

| INTERSECTION CURB RADI TABLE |                                |
|------------------------------|--------------------------------|
| INTERSECTION TYPE            | MINIMUM RADIUS<br>FACE OF CURB |
| LOCAL TO LOCAL               |                                |
| LOCAL TO COLLECTOR           |                                |
| COLLECTOR TO COLLECTOR       |                                |
| COLLECTOR TO ARTERIAL        |                                |
| ARTERIAL TO ARTERIAL         |                                |
| SHEET INDEX                  |                                |
| STREET & LOTTING PLAN        | C                              |
| GRADING AND DRAINAGE PLAN    | C                              |
| WATER & SEWER PLAN           | C                              |
| SECTION                      | C                              |
| DETAILS                      | C                              |

LOT A LOT TO BE DEDICATED TO CITY  
LOT B BUFFER AND WALLTREE MAIN  
LOT C-E MULTI-PARK  
SUBDIVISION TRAIL CORRIDOR



**OWNER / DEVELOPER:**  
C&L WEST INVESTORS  
173 COURT STREET, SUITE D  
MOULANA, CA 95093  
(530) 898-4056

**OP/TIMISTIC PARTNERS**  
1040 17TH STREET, SUITE 100  
DAYS, CA 95018  
(530) 753-2629

CUNNINGHAM ENGINEERING  
2840 SPALFORD STREET  
DAVIS, CALIFORNIA 95618  
(530) 758-2026

FUTURE RESIDENTIAL SOUTH OF PHASE 3:  
APN: 041-070-051  
PARCEL 1 OF PM 5003  
APN: 041-070-052

**EXISTING ZONING:**  
SLSP-PZ-SF, SLSP-PZ-WF

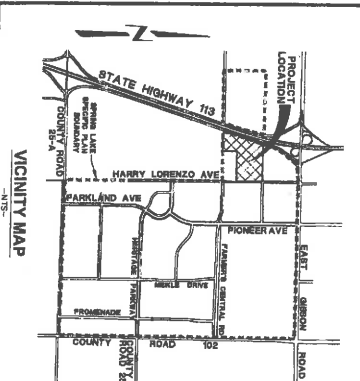
**EXISTING LAND USE**  
MEDIUM-LOW DENSITY RESIDENTIAL.

**FLOOD ZONE DESIGNATION:**  
ZONE "X"

**ELECTRICITY & GAS:**

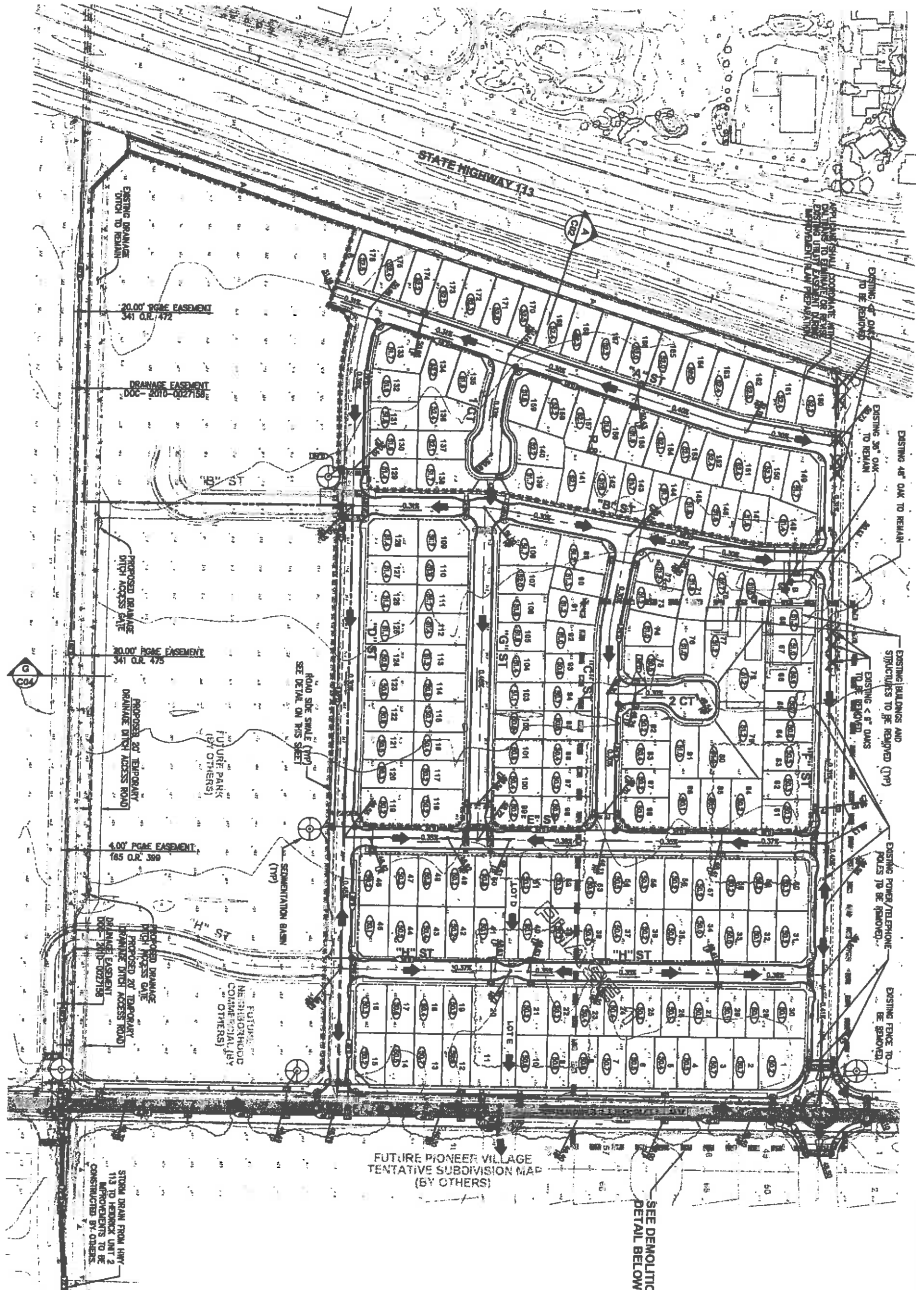
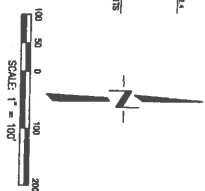
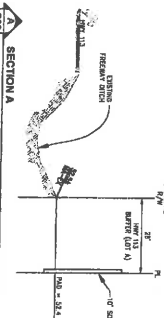
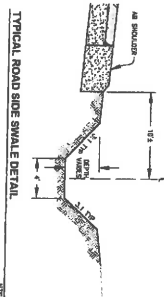
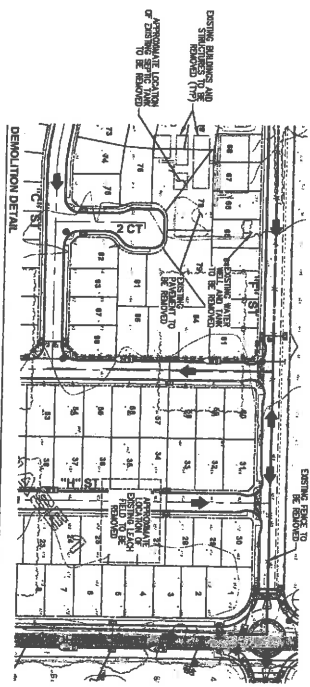
## CHAPTER COMMUNICATIONS

DESIGNATION ARE FOR PLANNING PURPOSES ONLY. ACTUAL STREET NAMES TO BE APPROVED BY THE CITY OF WOODLAND. STREET NAMES NOT DESIGNATED WITH A LETTER ARE EXTENSIONS OF STREETS WITH APPROVED NAMES FROM ADJACENT TOWN MAPPED PROJECTS



| NO. | DATE | REVISIONS | BY | APPD. | DESIGNED BY <u>SG/AB</u> |
|-----|------|-----------|----|-------|--------------------------|
|     |      |           |    |       | DRAWN BY <u>LE/AB</u>    |
|     |      |           |    |       | CHECKED BY <u>SG</u>     |
|     |      |           |    |       | SCALE                    |
|     |      |           |    |       | AS SHOWN                 |

## CITY OF WOODLAND



**LEGEND**

- ORIGINAL GRADE
- PAD GRADE
- LOT NUMBER
- PROPOSED STREET GRADE AND DIRECTION
- PROPOSED STREET ELEVATION
- EXISTING STORM DRAIN INLET
- EXISTING STORM DRAIN MANHOLE
- PROPOSED STORM DRAIN INLET
- PROPOSED STORM DRAIN JUNCTION BOX
- PROPOSED STORM DRAIN MANHOLE
- EXISTING STORM DRAIN PIPE, SIZE AND FLOW DIRECTION
- PROPOSED STORM DRAIN PIPE, SIZE AND FLOW DIRECTION
- DIRECTION OF DRAINAGE
- ORPHANED RELEASE
- EXISTING TREE TO BE REMOVED

**ABBREVIATIONS:**

|     |          |
|-----|----------|
| 1.  | EXISTING |
| 2.  | PROPOSED |
| 3.  | EXISTING |
| 4.  | PROPOSED |
| 5.  | EXISTING |
| 6.  | PROPOSED |
| 7.  | EXISTING |
| 8.  | PROPOSED |
| 9.  | EXISTING |
| 10. | PROPOSED |

- NOTES:**
1. EXISTING GRADE AND DRAINAGE PLAN WAS PROVIDED BY THE CITY OF WOODLAND. THE ENGINEER HAS REVIEWED THE PLAN AND FOUND IT TO BE IN ACCORDANCE WITH THE CITY OF WOODLAND STANDARDS. THE ENGINEER HAS NOT REVIEWED THE PLAN FOR THE DESIGN PROCESS. THE ENGINEER HAS NOT REVIEWED THE PLAN FOR THE DESIGN PROCESS. THE ENGINEER HAS NOT REVIEWED THE PLAN FOR THE DESIGN PROCESS.
  2. PIPE SIZES SHOWN ARE ESTIMATES ONLY. SIZES AND LOCATIONS MAY CHANGE DURING FINAL DESIGN.
  3. ALL DRAIN PIPES ARE 18" DIAMETER UNLESS NOTED OTHERWISE.

**SPRING LAKE SPECIFIC PLAN  
CAL WEST  
TENTATIVE SUBDIVISION MAP #4991  
GRADING AND DRAINAGE PLAN**

CITY OF WOODLAND CALIFORNIA



CECWEST.CO.V  
Project Planning • Civil Engineering • Landscape Architecture  
Sacramento Office •  
2120 26th Street, Suite 200  
Sacramento, CA 95811  
(916) 455-0026  
Davis Office •  
2840 Spotted Tail Street, Suite 200  
Davis, CA 95618  
(530) 758-0086

| DATE | REVISION | BY | APPV. | CHECKED BY | SCALE    |
|------|----------|----|-------|------------|----------|
|      |          |    |       |            | AS SHOWN |

**C02**  
**5**  
DATE: 07/29/13  
JOB NO. 800.40







## **EXHIBIT "C"**

(Development Plan and Conditions of Approval)

In addition to the Conditions of Approval set forth in the body of the Agreement, the Conditions of Approval included in the staff report for the Cal West Tentative Map #4991 – Cal West Investors, LLC and Optimistic Partners, LLC item on the \_\_\_\_, 2013 City Council agenda are incorporated herein by reference and made a part of this Agreement.

Exhibit C

## **EXHIBIT “D”**

### **(Development Impact Fees)**

CITY may, in its sole discretion, collect any of the following fees either prior to the issuance of a building permit for the Project or concurrently with the approval of a final subdivision map for the Property. The fees set forth herein do not include fees imposed by other agencies, such as the County of Yolo or Woodland Joint Unified School District.

Development Impact Fees for the following categories and amounts are shown as of June 30, 2013, but actual fee amounts owed by OWNER will be the then-current amounts of such fees at the time they are paid by OWNER.

| <b>Development Impact Fee</b>                                                          | <b>SFD</b> | <b>MF</b>     |
|----------------------------------------------------------------------------------------|------------|---------------|
| General City                                                                           | \$794      | \$662         |
| Fire                                                                                   | \$1,224    | \$917         |
| Library                                                                                | \$49       | \$41          |
| Police                                                                                 | \$1047     | \$873         |
| Wastewater                                                                             | \$5,744    | \$4,788       |
| Water                                                                                  | \$527      | \$323         |
| Parks--Springlake                                                                      | \$3,627    | \$3,022       |
| Surface Water (a future fee for the development of surface water treatment facilities) | \$2,742    | By meter size |
| Admin                                                                                  | \$160      | \$130         |
| Surface Water Administration                                                           | \$21       | By meter size |

Other fees include all fees identified in this Agreement or conditions of approval which are linked to final map approval or issuance of a building permit. These fees include, but are not limited to, the following:

- SLIF fees for SFD \$39,377 and MF \$25,988; for the fair share of backbone infrastructure to the Spring Lake Specific Plan area
- Spring Lake Fire Department Operation and Maintenance Funding Fee of \$771.00/DUE;
- Public transit capital fee of \$208.00/DUE (more on some maps) for the construction of transit capital improvements
- Public transit operations fee of \$35.00
- If a multi-family project does not require a final map (rental apartments), the project shall pay prior to building permit a per unit fee of \$146 for transit capital and \$25 for transit operation.
- Spring Lake Offsite Affordable Housing fee of \$1,100 per market rate single family lot.
- Fiscal Deficit mitigation fees of \$1500 for SFD, and \$1050 for MFD
- The Project's prorated share of the Habitat Monitoring and Farming Education Fees; amount to be determined at final map estimated @\$56 per SFD, and \$40 per MF unit
- \$794 per house for 25A, construction and reimbursement, the fee is due at building permit.
- \$150 per lot at final map for the advance planning study for the SR 113 bike overcrossing.





## Legislation Details (With Text)

File #: 13-209 Version: 1 Name:  
Type: Report of the City Manager Status: Agenda Ready  
File created: 8/29/2013 In control: City Council  
On agenda: 9/3/2013 Final action:  
Title: SUBJECT: State Theater Building Condition Assessment and Rehabilitation Report

## Recommendation for Action

Staff recommends that the City Council receive the State Theatre Building Condition Assessment and Conceptual Cost Estimates Report and provide direction to staff regarding preferred course of re-use and rehabilitation.

## Staff Contact

Ken Hiatt, Community Development Director - (530)681-0591,  
ken.hiatt@cityofwoodland.org

Sponsors:

Indexes:

Code sections:

Attachments: [State Theatre Report Master - FINAL](#)  
[Letter to Paul Navazio](#)

| Date | Ver. | Action By | Action | Result |
|------|------|-----------|--------|--------|
|------|------|-----------|--------|--------|



City of Woodland

STAFF REPORT

TO: THE HONORABLE MAYOR AND CITY COUNCIL

DATE: September 3, 2013

SUBJECT: State Theater Building Condition Assessment and Rehabilitation Report

Recommendation for Action

Staff recommends that the City Council receive the State Theatre Building Condition Assessment and Conceptual Cost Estimates Report and provide direction to staff regarding preferred course of re-use and rehabilitation.

Staff Contact

Ken Hiatt, Community Development Director - (530)681-0591,  
ken.hiatt@cityofwoodland.org

### Fiscal Impact

The City purchased the State Theatre for \$275,000 with Measure E revenue in 2012. The city has expended roughly \$30,000 since acquiring the building on minor building maintenance and preparation of hazardous materials and building condition assessment analysis. The FY 2013/14 budget includes \$100,000 for anticipated costs associated with the city's ownership including needed repairs, maintenance, and utility expenses.

### Background

In March 2012, Council authorized staff to complete a purchase agreement for the State Theatre, which was finalized with close of escrow on July 10, 2012. On July 3, 2012 City Council formally approved re-use of the building as a Children's Performing Art and Event Center to be operated by the Woodland Opera House. Furthermore, the City Manager was authorized to execute agreements with the State Theatre of Woodland Management Group, for fund-raising and renovation efforts, and the Woodland Opera House for operation of the facility as a children's performing art center and event center when renovation is complete.

The State Theatre is recognized as a community landmark and an important component of downtown revitalization for the City of Woodland. The Theatre opened in 1937 as a 999-seat grand theater with Streamline Moderne architectural design elements and an iconic marquee. It originally had two store-fronts on either side of the entrance opening onto Main Street which operated independently of the theatre. The State Theatre operated as a cinema theater until 2010 when it closed for economic reasons. There has been considerable support towards preserving the State Theatre for the community.

On May 21, 2013, the City Council received an informational report on the State Theatre updating the Council on the status of fundraising efforts and agreements with the State Theatre Management Group and the Woodland Opera House. The completion of a comprehensive assessment of the building and cost estimate / funding strategy for the renovation of the Theatre was acknowledged as being necessary before further decisions could be made as to the feasibility of the project.

### Discussion

#### *Building Condition Assessment Report and preliminary cost estimates*

The city engaged McCandless and Associates Architects to conduct an assessment of the building and prepare a report summarizing the findings and detailing the projected costs associated with repair and renovation of the building. Additionally, the city hired ESS Environmental to perform an on-site asbestos and lead survey of the building. The findings of this report have been incorporated into the Building Condition Assessment report and costs associated with abating any hazardous materials are factored into the renovation costs estimates.

In summary, the assessment found the building to be structurally sound but the major building systems (plumbing, mechanical/HVAC, electrical, and roofing) to be antiquated and/or in need of substantial repair or replacement. Full replacement of each of these systems is recommended to provide safe, reliable, and efficient building systems that would adequately support the intended re-use, minimize potential for business interruption(s), and prevent damage to the building/renovation improvements. A detailed conceptual cost estimate for these improvements as well as the other costs associated with renovating the building for use by the Woodland Opera House as dance studios and a performing arts venue are outlined in the report (pages. 123-

131).

The total cost for the design and construction of a full renovation of the State Theatre to a performing arts venue and dance studios is estimated to be just under \$4,000,000. While this cost estimate was informed by real construction bids for similar projects it is based on preliminary design concepts best available knowledge of the building condition. A conservative contingency of 15% was built in to account for potential cost increases through final design and unanticipated construction costs common when rehabilitating older buildings. The cost estimate also assumes prevailing wage rates for construction (20% increase in construction cost) given the likely need for city participation through funding for the improvements and/or a below market lease.

To help evaluate options for renovation of the building and inform potential funding strategies, the improvements and associated costs were broken down into five (5) distinct scenarios. A description of these scenarios and the cost estimate for each are summarized as follows (detailed break down of the costs shown on page 129 -131 of report):

**SCENARIO 1:**

Stabilize the building's systems and envelope to preserve it in its present condition. Perform minimal toxic materials abatement and work necessary to secure the building's envelope and maintain the building's interior in a "moth-balled" condition.

**Estimated Cost : \$186,714**

**SCENARIO 2:**

Rehabilitate the front entry and two small existing theatres to allow occupancy and re-use as dance studios or other retail use with associated work in the lobby and restrooms. The remainder of the building would remain in a "moth-balled" condition.

**Estimated Cost : \$582,912**

**SCENARIO 3:**

Rehabilitate the remainder of the building's interior, including the main auditorium, original lobby rest rooms and second floor offices.

**Estimated Cost : \$1,769,101**

**SCENARIO 4:**

Rehabilitate the building's exterior front façade and reconstruction of the original theater marquee

**Estimated Cost : \$544,658**

**SCENARIO 5:**

Construction interior tenant related improvement for Woodland Opera House Performing Arts Venue & Dance Studios

**Estimated Cost: \$894,406**

**TOTAL PROJECT COST SUMMARY:**

Completion of SCENARIOS 1 - 5

**Estimated Cost : \$3,977,791**

*State Theatre Management Group*

Over the last several months staff has met with representatives of the State Theatre Management Group (STMG) to discuss implementation and funding strategies for completing the project. Based on the projected

costs for the project, the STMG has concerns for their ability to raise sufficient funding for the full scope of the project. Options were explored to transfer ownership to the non-profit and have them manage the renovation work as a means to reduce the project costs. The group has indicated that they do not have the resources to take on this role, particularly given the magnitude of improvements needed. Furthermore, since the city would likely need to provide financial assistance to make the project financially viable, the costs associated with prevailing wage rates would not be avoidable. The STMG was formed with the understanding that the Woodland Opera House would operate the improved State Theatre and they would not have any operational responsibility for the facility.

### *Woodland Opera House Operating Agreement*

Council directed staff to work with the Woodland Opera House to outline a lease and operating agreement for their use of the building as a Children's Performing Art and Events Center. Preliminary terms have been developed and if Council elects to proceed with the renovation and re-use the agreement with WOH would be very similar to the existing agreement at the Opera House, and would include:

1. Phase 1 - (Scenario 1 and 2): City and/or STMG perform and pay for all renovation costs to convert the front portion of the building into classroom dance studio and education space. City would pay for the general building maintenance and overhead (primarily all utilities). WOH would cover any utilities directly related to their use of the leased portion of the building only.
2. Phase 2 - (Scenarios 1-5 - Full renovation): The main auditorium would be converted to a "black box" with green rooms and used for a variety of from a venue for weddings, parties, and receptions, a live theater, a place to show movies, etc. It would have a screen and a food prep area and have full concessions but would not be a traditional movie theater or stage theater and would not have a kitchen. City and/or STMG perform and pay for all renovation costs.
3. Routine maintenance: After full renovation completion, WOH would be responsible for routine maintenance only for the first 10 years. If the building needs major repairs, such as a new roof, HVAC, or plumbing, those repairs would be the City's responsibility.
4. Designs and construction plans for interior work would be developed in consultation with the WOH and require approval by their Board.
5. City contributes \$5,000 to WOH annually.
6. Insurance on the State Theatre property would be through City via YCPARMIA. Other insurance would be paid for by WOH.
7. Termination upon one year's notice by either party.

These terms are very preliminary and would be finalized and brought back to the City Council as part of a formal agreement for approval and execution prior to commencing any additional renovation work or fundraising. Ultimately, the agreement with the Woodland Opera House would be contingent on successful execution of the agreement with the STMG and completion the renovation work to the building.

### *Proposal for Renovation and Expansion as multiplex Cinema*

On July 15, 2013, the City received an unsolicited proposal from local developer Ron Caceres requesting consideration of rescinding its prior decision of December 14, 2010 to suspend the RFP multiplex selection process (Attachment 2). Mr. Caceres proposes to modify his prior proposal due to changed market conditions and property assembly opportunities. The letter requests the property be transferred to him and an additional \$2.7 million in city/RDA funding be allocated to the project.

Subsequent conversations with Mr. Caceres also suggest that clarification as to the City's intentions for considering an alternative or additional cinema project would be required in order to advance the project due to concern expressed by cinema operator's regarding the ability of the Woodland market to support more than one multiplex.

Staff feels that action by the City Council as suggested in Mr. Caceres's letter would be premature without further information and details regarding his project concept, financing, cinema operator interest, and site acquisition potential. If the City Council was inclined to explore a project with Mr. Caceres, staff would recommend the city enter into a short-term (45-60 day) Exclusive Negotiation Agreement (ENA) with him. This agreement would give Mr. Caceres assurance that the city would not pursue alternative discussions for use or development of the State Theatre with other interested parties during this period. Furthermore, it would outline the necessary information and assurances that both parties would need to provide in order to determine the feasibility of a project prior to considering entering into a Disposition and Development Agreement (DDA).

#### Options for Council Consideration

With this information, staff has prepared several options for Council consideration to assist in their deliberations for how to proceed with future re-use and/or renovation.

Option A: Proceed with improvements under Scenario 1 to stabilize the building and work with STMG and WOH to evaluate the feasibility and develop a funding strategy for renovation of the building. This option would result in the city spending approximately \$200,000 to repair the front roof, remove the existing marque, abate the interior asbestos, and stabilize the building to prevent further deterioration and get it to a state where limited occupancy could occur. Concurrently with this work, staff would work with the STMG and WOH to re-evaluate the scope and feasibility of the project and determine if a viable funding strategy could be developed to fund the improvements. In the event that these efforts were unsuccessful the city could then make a determination of alternative courses of action without concern for continued deterioration of the building.

Option B: In response to a letter received from Ron Caceras on July 15, 2013, direct staff to negotiate and bring back a short-term (45-60 day) Exclusive Negotiating Agreement with Ron Caceras to explore the feasibility of the disposition, expansion, and renovation of the State Theatre as part of a mixed use cinema, performing arts and retail project. Under this option, the city could consider proceeding with the stabilization work or holding off pending outcome of the ENA period.

Option C: City determines the prospective costs for renovation and re-use by WOH as originally contemplated are insurmountable and the costs associated with city ownership of the building suggest that selling the property is the most financially prudent decision for the City. City would list the property with a commercial real estate broker to sell the property "as-is."

#### Conclusion

Staff recommends that the City Council receive the State Theatre Building Condition Assessment and Conceptual Cost Estimates Report and provide direction to staff regarding preferred course of re-use, rehabilitation and next steps.

Prepared by: Ken Hiatt, Community Development Director

Paul Navazio, City Manager

Attachments:

1. State Theatre Building Condition Assessment and Conceptual Cost Estimate Report
2. Letter from Ron Caceres (July 15, 2013)

**BUILDING CONDITION ASSESSMENT  
AND  
CONCEPTUAL COST ESTIMATES  
FOR THE**

**STATE THEATRE**

322 MAIN STREET  
WOODLAND, CALIFORNIA

August 28, 2013



PREPARED FOR:

**THE CITY OF WOODLAND**

BY:



**McCANDLESS & ASSOCIATES ARCHITECTS, INC.**  
428 ½ FIRST STREET, SUITE 204 ▲ WOODLAND ▲ CA 95695





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## 1) STUDY METHODOLOGY

The City of Woodland engaged McCandless & Associates Architects, Inc. to prepare an assessment of existing conditions, an outline of possible rehabilitation scenarios, and associated cost estimates for the renovation and reuse of the State Theatre. McCandless & Associates Architects, Inc. prepared this assessment with the assistance of the following:

P.C.C. Engineering, Structural Engineering  
Sigma Engineering, Mechanical & Plumbing Engineers  
Capitol City Design, Electrical Engineers  
Valley Roofing, Licensed Roofing Contractor

A systematic approach of on-site inspections, review of the original construction documents and consideration of the proposed rehabilitation scenarios was undertaken and the report that follows is the culmination of that process.



## 2) **PROPOSED PROJECT FOR BASIS OF ANALYSIS**

The proposed project for purpose of this analysis is the renovation of the State Theatre and re-use as a performing arts center to be operated by the Woodland Opera House. Improvements include basic building shell improvements, functional interior improvements necessary for operating a flexible performance theatre, and the interior and exterior restoration of the style defining elements of the original 1937 Moderne State Theatre. Shell improvements include work necessary to repair and/or replace damaged features, upgrade mechanical and electrical systems, provide fire sprinklers and protection systems, and selective structural upgrades. Functional upgrades necessary for Woodland Opera House needs include the construction of a theatre stage and rigging with equipment, greenroom and dressing rooms within the volume of the original auditorium. The loge of the original auditorium will remain and will now contain control rooms. The original retail spaces in the front of the theatre that were most recently used as small movie theatres will be remodeled into dance rehearsal spaces. A new accessible rest room will be installed in concealed space of the original floor plan design and existing restrooms will be remodeled. The functional improvement budget also includes fixtures and equipment such as theatrical lighting, lighting and sound controls, risers, chairs, etc. Although the project budget is conceived-of and presented as five scenarios, it is not necessarily being suggested as a method of project phasing. The components are interdependent and together represent the full scope. Although this project in some ways alters the original auditorium, it can be accomplished in such a manner as to allow new performance theatre-goers to experience a sense of the original movie theatre as most interior features will be restored and remain visible such as the proscenium arch, restored light fixtures, decorative painting, etc. The lobby will be fully restored to its original condition as will the exterior including reconstruction of the marquee.

For the purpose of this study, the overall project as described above has been divided into five project scenarios that would allow for the work being performed incrementally if so desired. These five scenarios are described in the REHABILITATION STUDY FORMAT and SCENARIO DESCRIPTION- ARCHITECTURAL IMPLICATIONS sections of this report and are further described in terms of cost in the COST ESTIMATES section.



### 3) BUILDING DESIGN

Built in 1937 in the streamline Moderne style, the State Theatre was Woodland's first movie theatre for many years. The 900 seat main auditorium operated continuously from its opening until 2011. In 1977, the original retail storefronts flanking either side of the Main Street lobby entry were converted to small movie theatres.

The exterior building walls are mostly painted poured-in-place reinforced concrete with the front of the building featuring a stepped facade with rounded elements typical of the Moderne style. The front façade walls are wood-framed with stucco finish. Originally, the building featured an elaborate state-of-the-art neon ships prow marquee which was removed decades ago in favor of a flat surface marquee installed over a metal siding parapet which hides most of the building's original front elevation.

The original glazed storefronts of the Main Street retail spaces were walled-in to create the small theatres in 1977. The original building featured a ticket booth located under the marquee canopy outside of the building which has since been removed. Although the original solid entry doors with distinctive porthole windows have since been replaced with glass storefront doors, much of the original lobby detailing is still intact. The foyer was designed and built without a snack bar, but one was added several years later in the location where one presently exists. At the south end of the foyer, a sunken lounge area accessed by stairs to either side acts as the entry to the rest rooms. From either side of the foyer, inclined passageways lead up to double doors opening onto the theatre's main cross aisle. To the north of the main cross aisle, steeply raked loge seating rises to the back of the house, while main floor seating slopes minimally down to the front of the house. Loge seating is accessed by four sets of stairs, while main floor seating is accessed by a center aisle and two side aisles, each of which terminate at exterior exits to the alley behind the theatre. Originally, several steps lead to a shallow stage under the proscenium where the screen is located. Below the platform are original mechanical rooms.

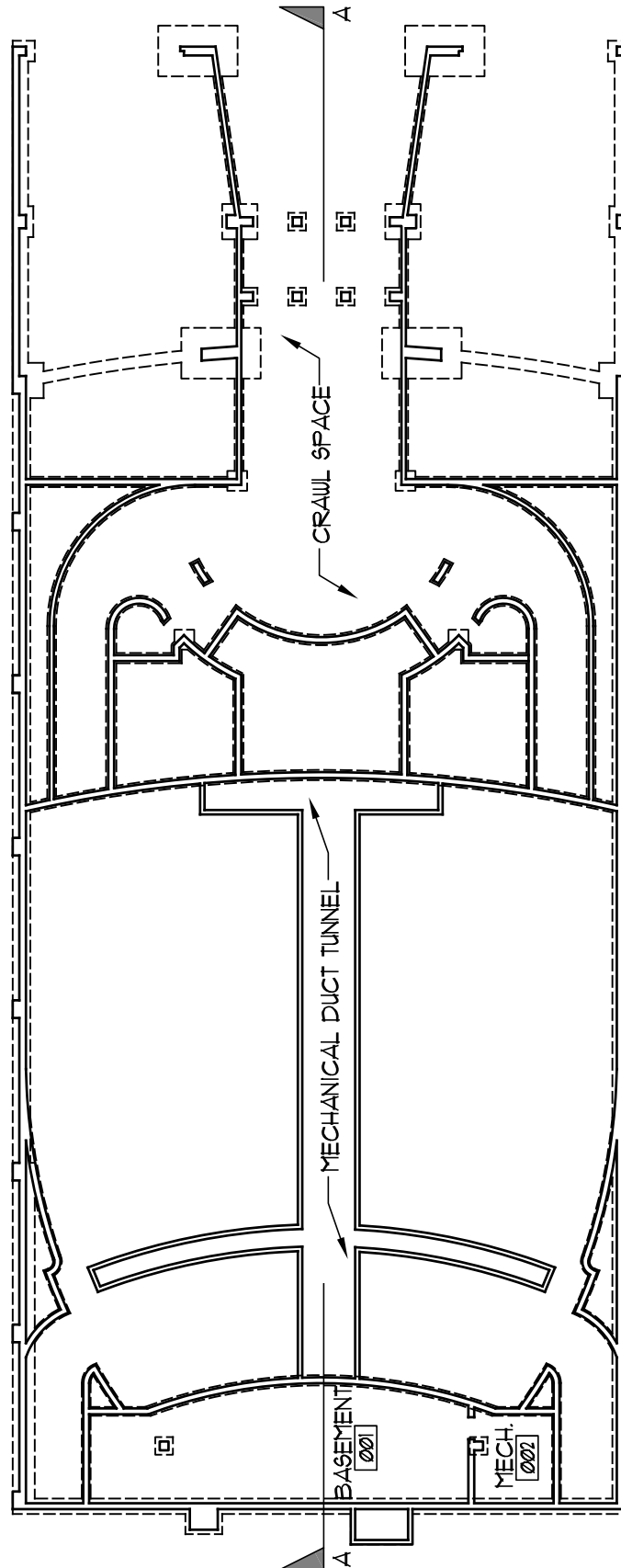
While the main auditorium occupies the entire height of the building, the north end of the building is actually three

levels. The lobby foyer is at street level, while office and storage spaces occupy a second level originally accessed by one set of stairs from the foyer and one set of stairs from each original retail space. Only the foyer stairs remain. Above the offices is a third level where the projection room is located. The projection room can only be accessed by two doors at the top of the loge seating. With the exception of the conversion of the retail spaces to small theatres and original marquee removal and replacement, most of the building's original configuration and detailing is intact.



#### **4) EXISTING BUILDING PLANS**





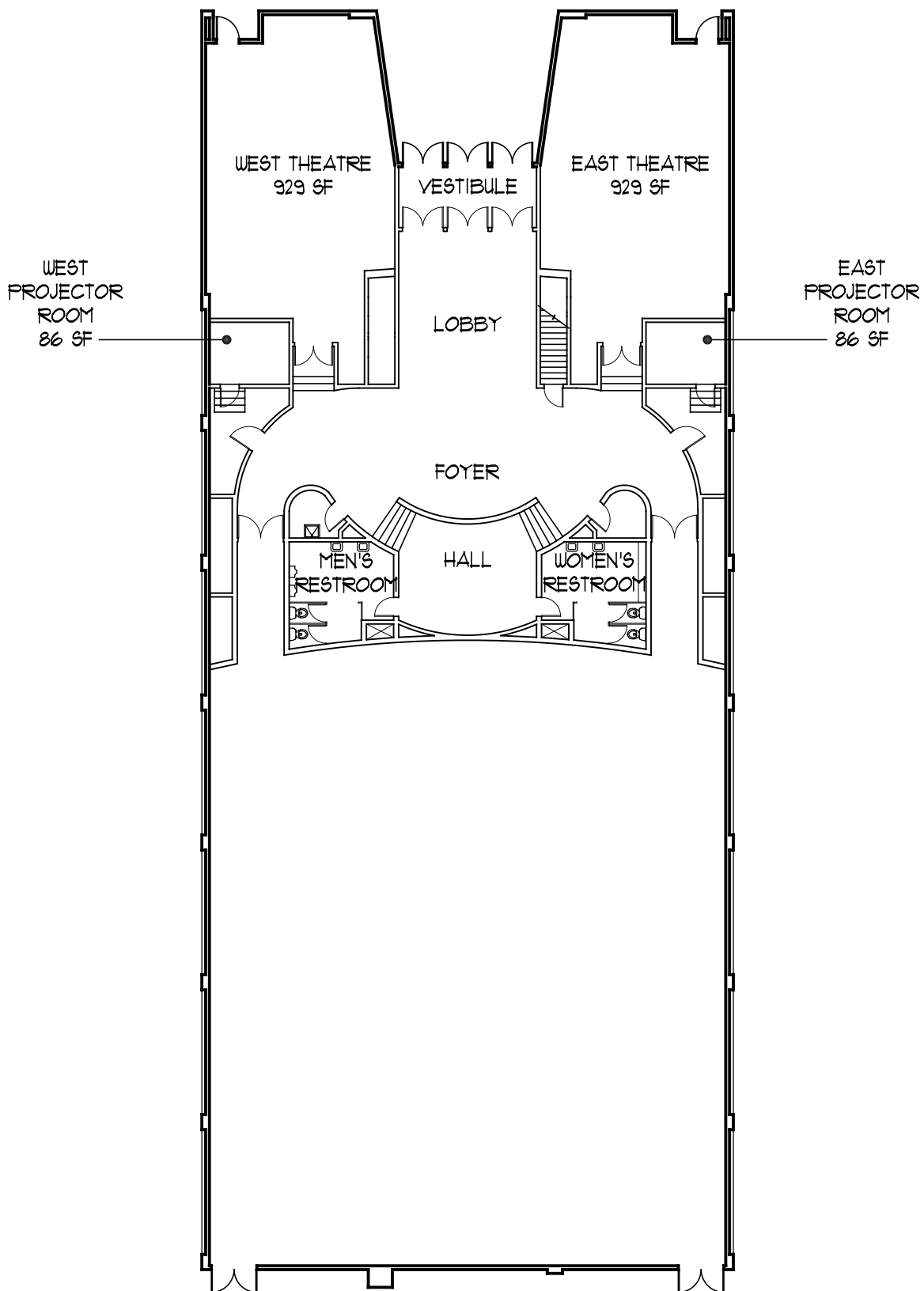
EXISTING FOUNDATION LEVEL FLOOR PLAN

SCALE: 1"=20'-0"



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THE STATE THEATRE  
 WOODLAND, CA



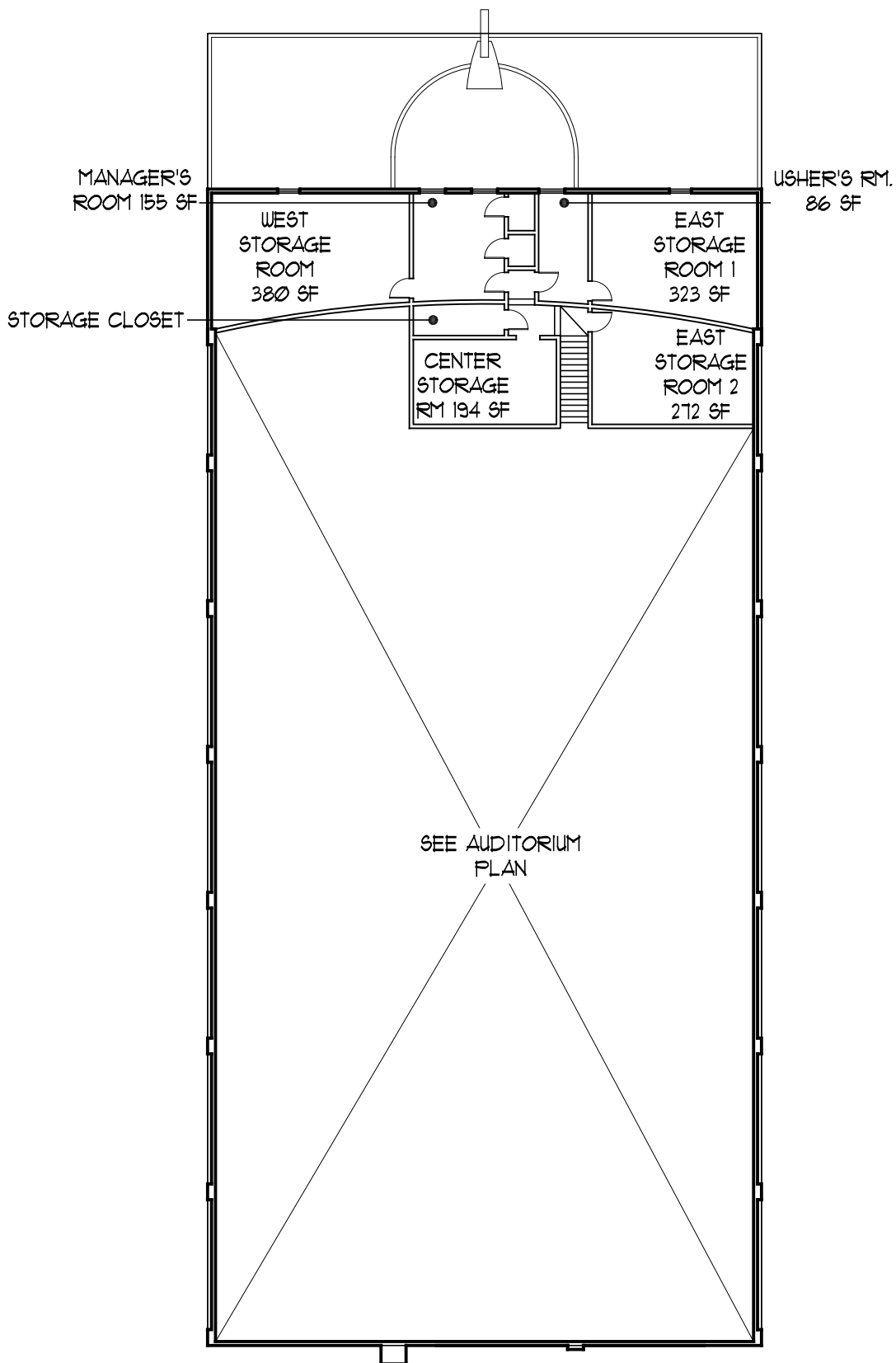
EXISTING MAIN LEVEL FLOOR PLAN

SCALE: 1"=20'-0"



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EXISTING MEZZANINE LEVEL FLOOR PLAN

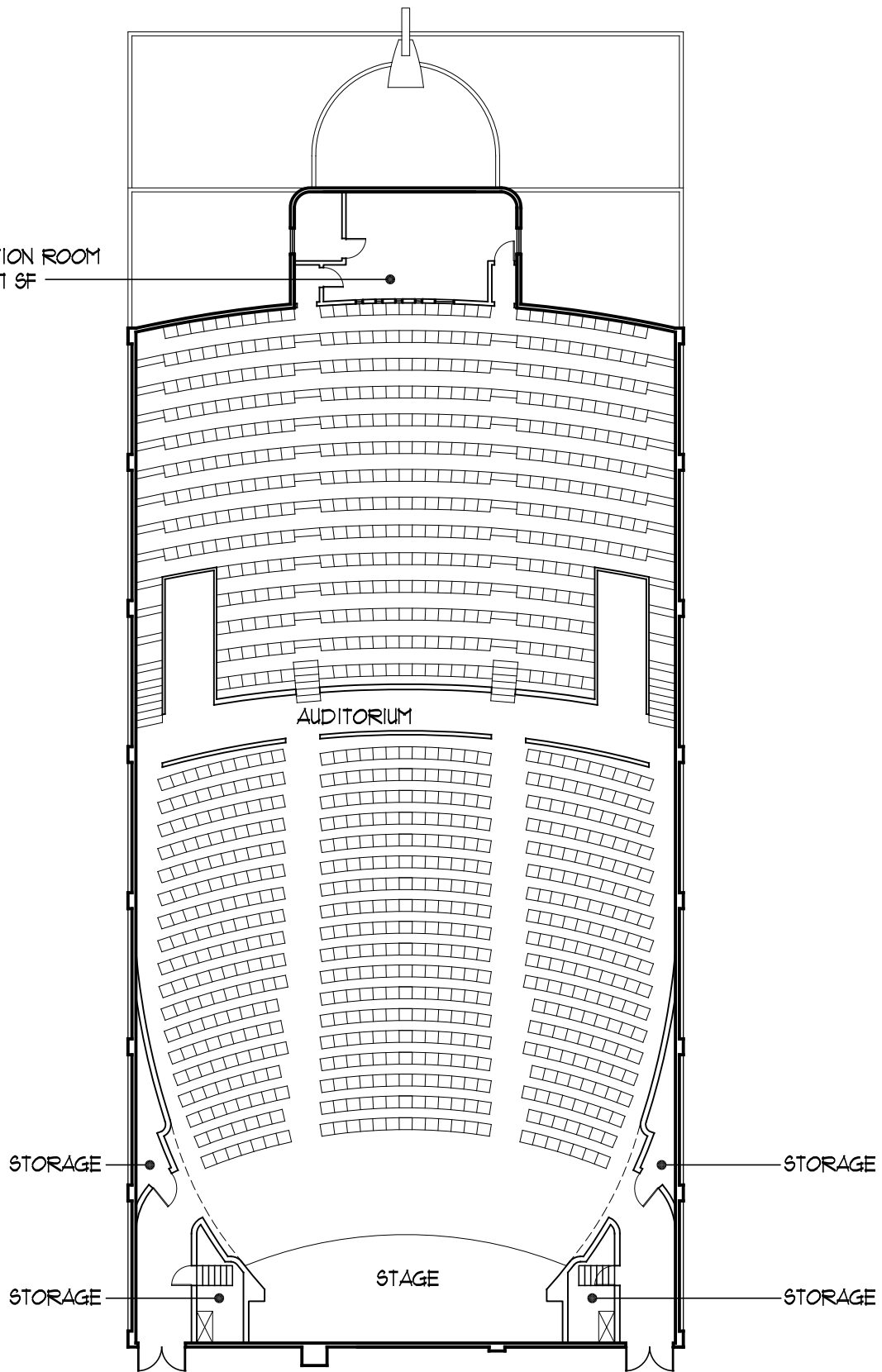
SCALE: 1"=20'-0"



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PROJECTION ROOM  
287 SF



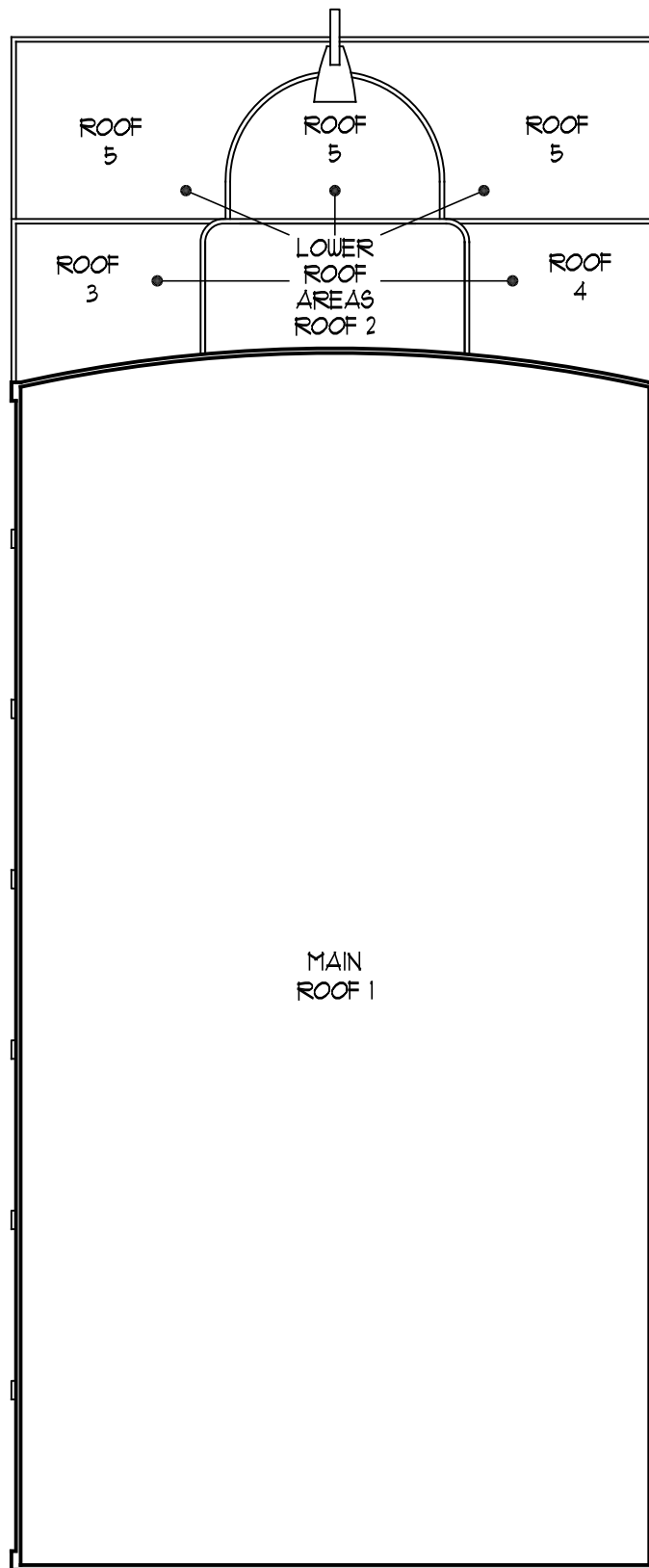
EXISTING AUDITORIUM LEVEL FLOOR PLAN

SCALE: 1"=20'-0"



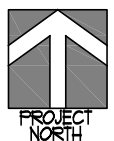
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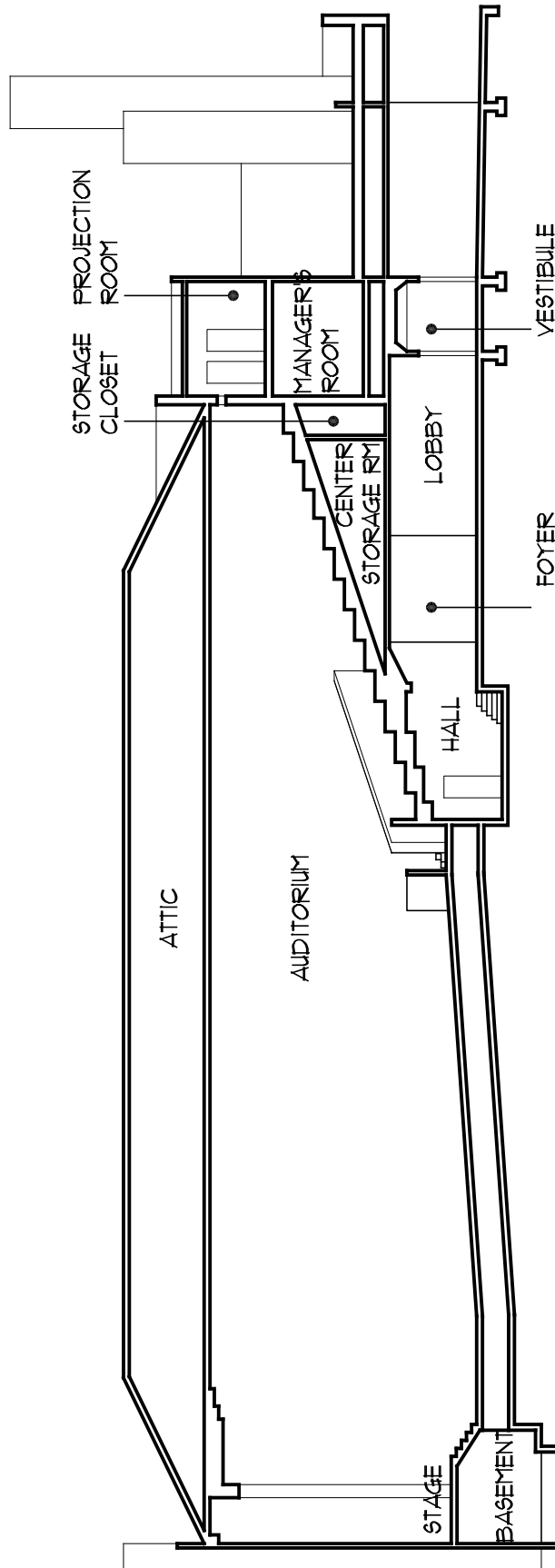
EXISTING ROOF LEVEL PLAN

SCALE: 1"=20'-0"



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SCALE: 1"=20'-0"

EXISTING AUDITORIUM BUILDING SECTION



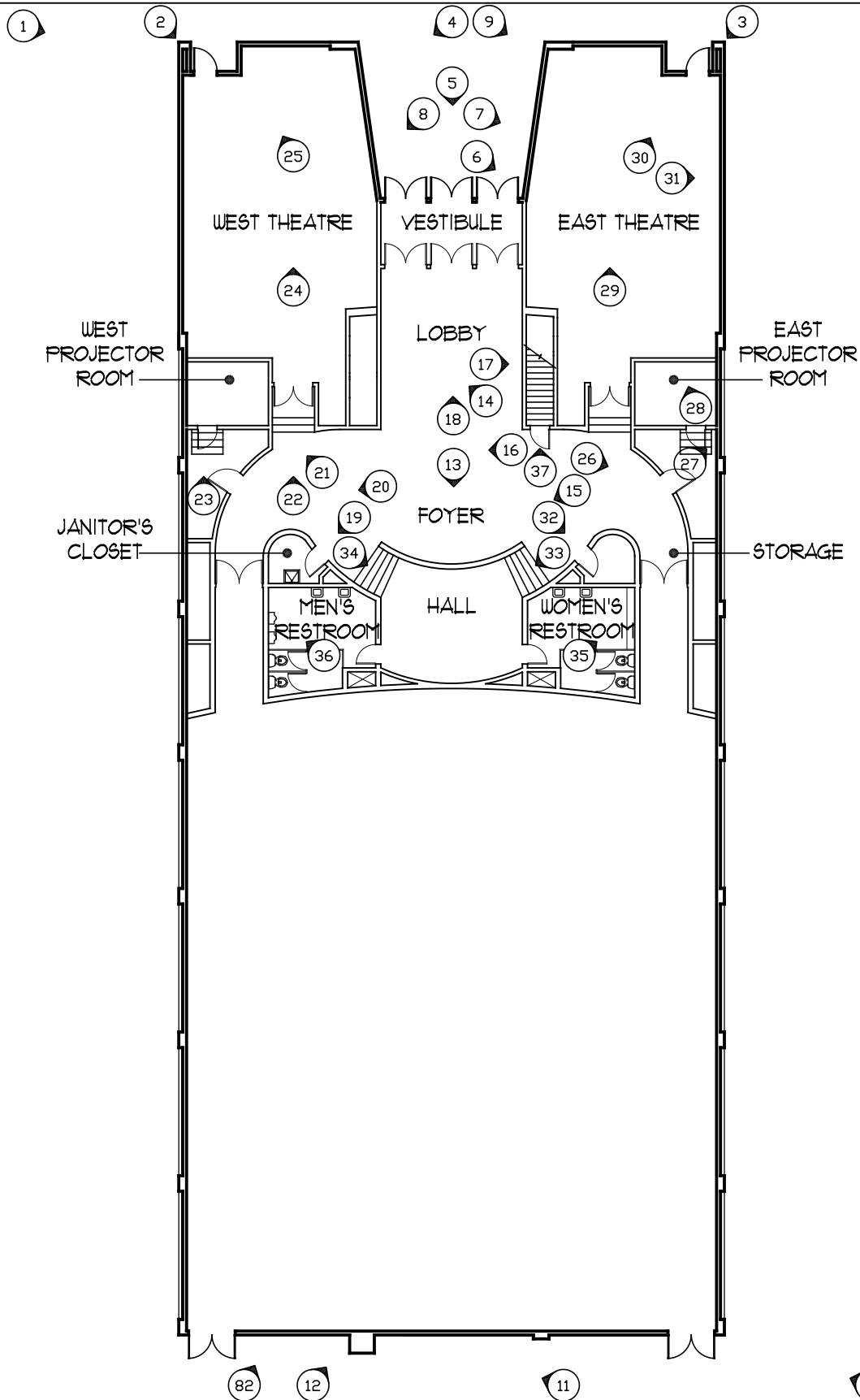
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## **5) PHOTOS OF EXISTING BUILDING**





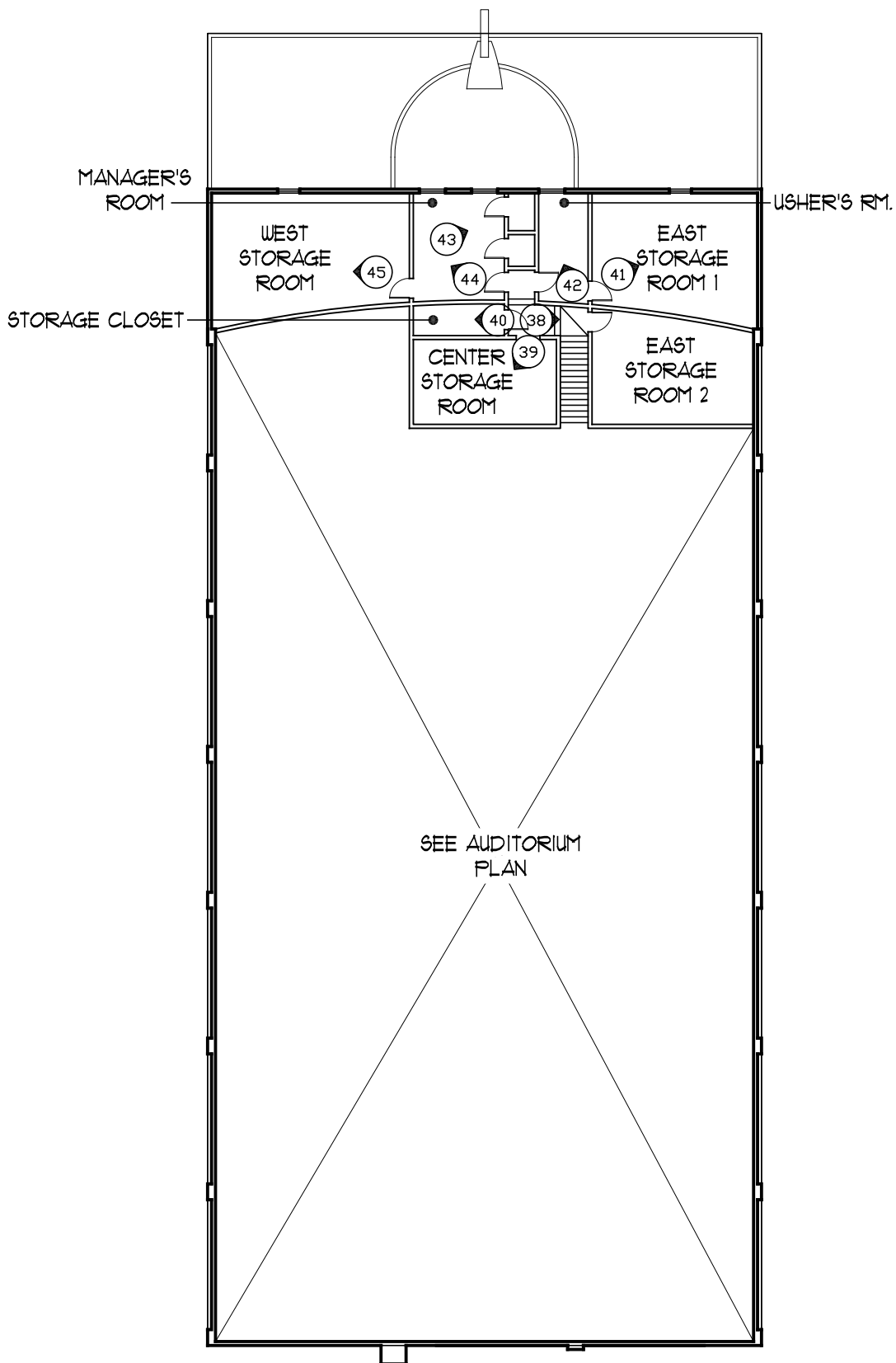
3. EXISTING ENTRY LEVEL FLOOR PLAN - PHOTO KEY

SCALE: 1"=20'-0"



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EXISTING MEZZANINE LEVEL FLOOR PLAN - PHOTO KEY

SCALE: 1"=20'-0"



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THE STATE THEATRE  
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PROJECTION ROOM

STORAGE

ELECTRICAL  
ROOM

AUDITORIUM

STAGE

STORAGE

STORAGE

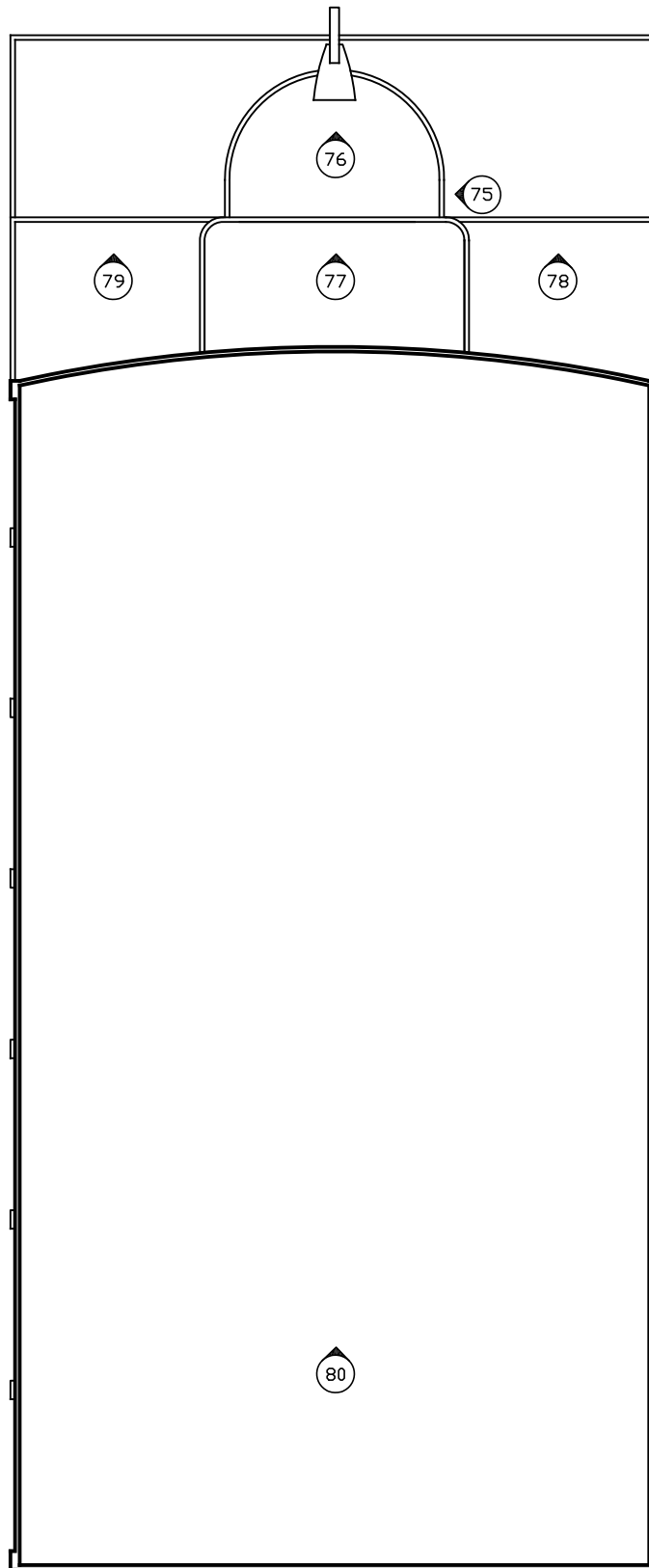
EXISTING AUDITORIUM LEVEL FLOOR PLAN - PHOTO KEY

SCALE: 1"=20'-0"



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EXISTING ROOF LEVEL FLOOR PLAN - PHOTO KEY

SCALE: 1"=20'-0"



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THE STATE THEATRE  
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**6) BUILDING PHOTOS - EXTERIOR**



1. North West Corner (Main Street)



2. North Façade (Main Street)



3. North East Corner (Main Street)



4. Entrance Displays





5 Storefront Entrance



6. Entrance Molding Detail



7. Entrance and Displays - East



8. Entrance and Displays - West



9. Entrance Displays (Main Street)

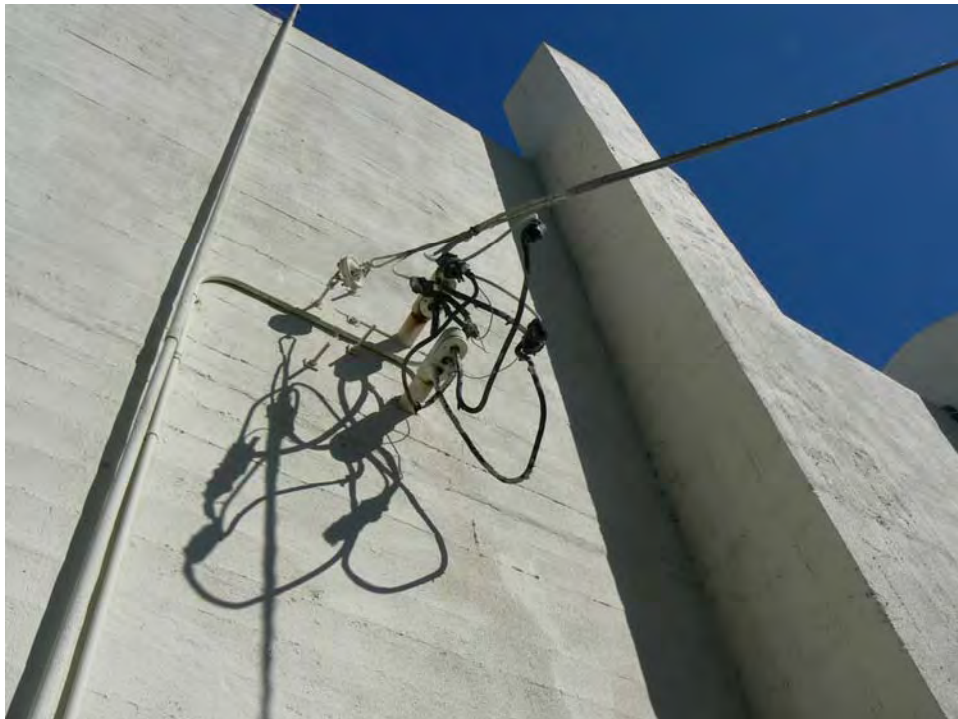


10. South East Corner (alley)





11. South Elevation (alley)



12. South Elevation Electrical

## INTERIOR OF THE THEATRE



13. Foyer



14. Lobby Displays - West



15. Foyer



16. Foyer





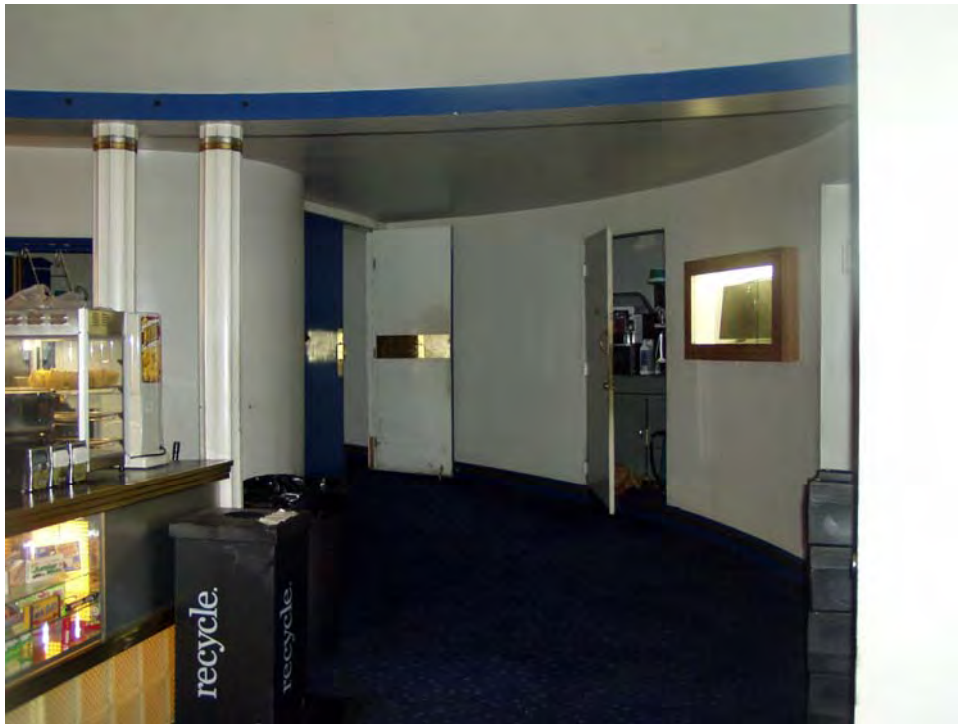
17. Decorative Relief



18. Decorative Ceiling Relief and Molding



19. Janitor's Closet



20. Foyer - West





21. West Theatre Entrance



22. West Theatre Entrance



23. West Projector Room



24. West Theatre



25. West Theatre - Beam and Ceiling Condition



26. Foyer - East





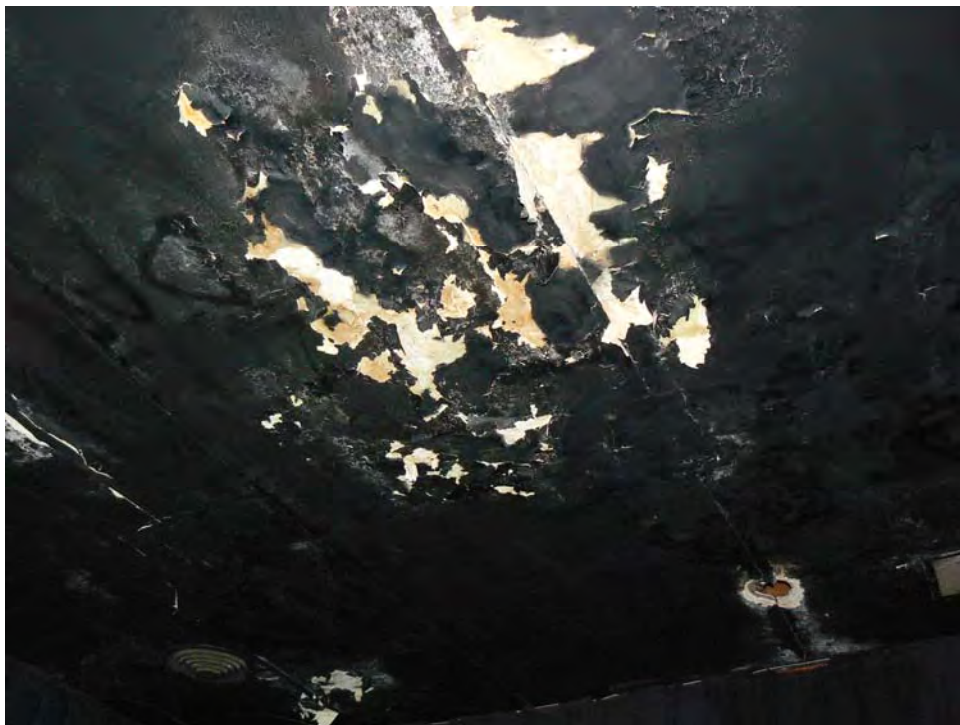
27. East Projector Room



28. East Projector Room



29. East Theatre



30. East Theatre - Ceiling Condition



### 31. East Theatre - Ceiling Condition at Mechanical Grille



### 32. Storage near Foyer





33. Hall to Rest Rooms



34. Hall to Rest Rooms



35. Women's Rest Room



36. Men's Rest Room





37. Stair to Mezzanine



38. Stair to Mezzanine Storage and Offices



39. Mezzanine Center Storage Room



40. Mezzanine Storage Closet



41. Mezzanine East Storage Room 1



42. Mezzanine - Usher's Room





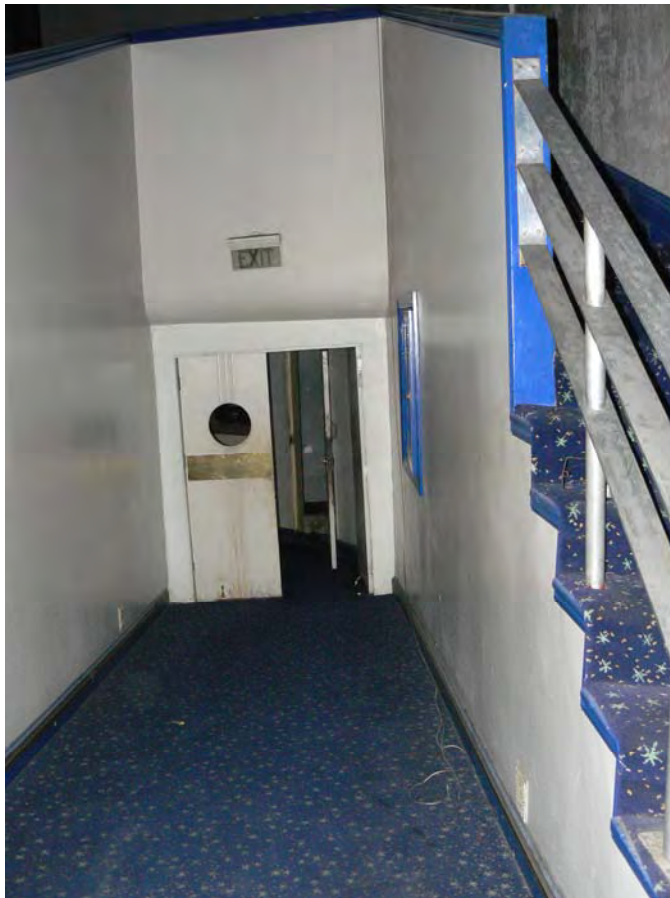
43. Mezzanine - Manager's Room



44. Mezzanine - Manager's Room



45. Mezzanine West Storage Room



46. Auditorium Exit - East Side



47. Stair to Loge Seating - West Side



48. Auditorium Seating and Stage





49. Auditorium Seats



50. Auditorium Seating



51. Auditorium - Decorative Light Fixture and Molding



52. Auditorium - Decorative Light Fixture





53. Auditorium - West Interior Elevation



54. Auditorium Stage Curtain



55. Auditorium - East



56. Auditorium - West



57. Auditorium - Floor Transition



58. Auditorium Loge Seating and Stair to Projection Room





59. Auditorium - East



60. Auditorium - North



61. Auditorium - South



62. Auditorium - Ceiling Detail and Molding



63. Auditorium - Floor Condition



64. Auditorium - Projection Room Stair





65. Projection Room - North and East



66. Projection Room - West Access



67. Projection Room - West



68. Projection Room - East





69. Projection Room - Wall Condition



70. Projection Room - Ceiling Condition



71. Projection Room Equipment

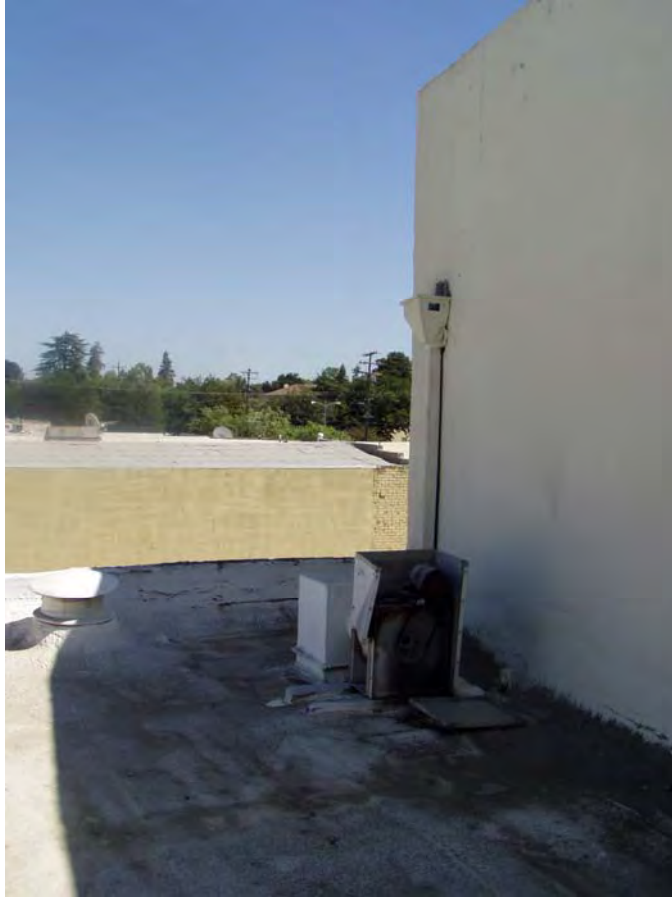
## ROOF PHOTOGRAPHS



72. Roof - Northeast Corner



73. Roof - Back of Marquee



74. Roof

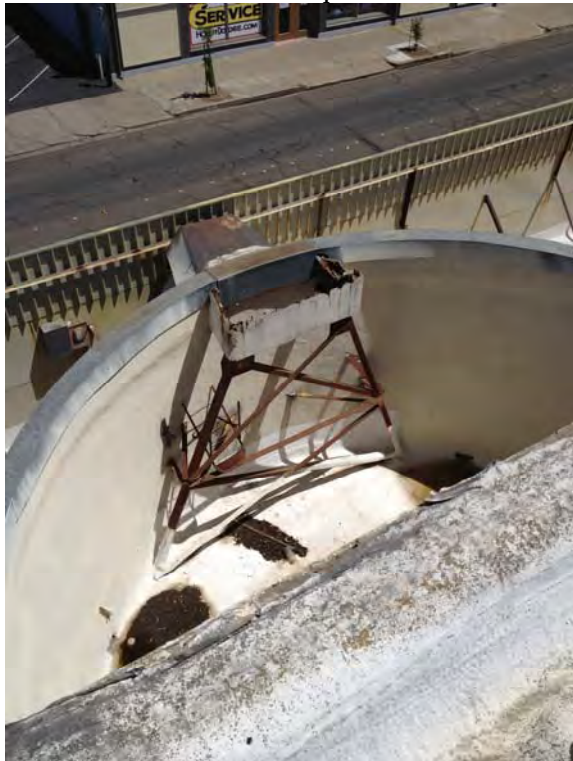


75. Roof - Parapet Opening





76. Roof - Back of Marquee



77. Roof - Remains of Original Marquee Structure



78. Roof - Existing HVAC Unit for East Theatre



79. Roof - Existing HVAC Unit for West Theatre



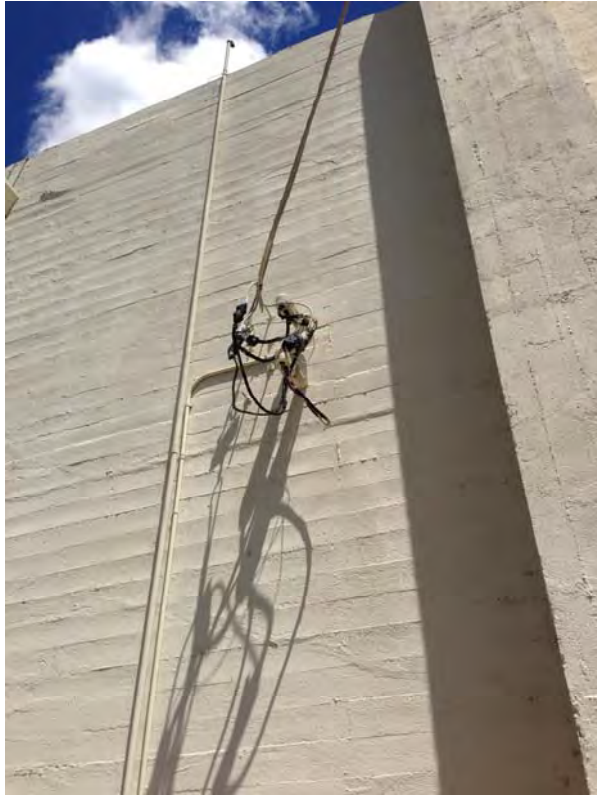
80. Roof - Main Auditorium Roof



81. Roof - Main Roof Parapet



## ELECTRICAL OBSERVATIONS PHOTOGRAPHS



82. Service Entrance at Alley



83. Main Service Feeding Main Auditorium





84. Main Service Feeding Small Theatres



85. Main Service



86. Projection Room



87. Projection Room



88. Panel in Projection Room



89. Existing Panel in Projection Room



## 6) BUILDING CONDITIONS

The building structure is mostly poured-in-place reinforced concrete. The main barrel roof structure is constructed of timber trusses covered with 1x6 sheathing, water proofing membrane and asphalt based rolled roofing. It is unknown if a plywood diaphragm exists under the main roofing and over the original sheathing. The lower roofs on the north side and most of the construction north of the concrete rear wall of the auditorium is wood stud walls and wood joist floor construction with the exception of the first floor exterior walls which are concrete. The upper loge seating structure over the foyer and rest rooms is also of wood construction.

The exterior building frontage is significantly different than the original although the original building form is still present behind the alteration. The most significant change to the Main Street exposure was the removal of the original marquee, canopy and sign tower. Archival photo images suggest that the current marquee is at least the third marquee in the building's existence. Other than the removal of original retail storefronts, the ground level facade still features original detailing. The original ticket booth has been removed and it appears that the existing floor in the exterior Lobby is not original. Wall configuration detail and window openings above the street level are original but are obscured by the current marquee structure.

The building interior is largely intact relative to its original design and construction. The original retail spaces to either side of the exterior entry lobby, however, were significantly altered with the 1977 conversion of those spaces to two small 120 seat theatres. A wood framed sloping floor was installed rising from the screen location on the north wall to the south wall of the former retail spaces where new doorways were cut to connect the small theatres to the main theatre lobby. As the floor at the rear of the new theatres was higher than the foyer floor because of the sloping floor construction, each doorway required three steps down to the foyer floor. A projection room with wood framed walls was also constructed in each theatre. Original stairways to second floor storage rooms above the original retail spaces were removed during the conversion. The interiors of the small theatres have been



compromised by water intrusion from the roofs above causing ceiling damage and subsequent mold growth.

The main theatre foyer retains its original configuration and detailing with the exception of the small theatre entries discussed previously and the snack bar and ticket counter which were not present in the original design.

The main theatre auditorium is intact relative to its original configuration. Some seats have been removed and many are not original. Original light fixtures remain, but most of the decorative painting that was original to the walls and ceiling have since been painted over. Most of the original woodwork detailing is intact as are the original hand railings.

The original second level office space is intact in its original configuration but is nonconforming in many ways to current code. The projection room at the rear of the upper loge seating is intact as to original configuration but has been compromised by water intrusion and lack of maintenance.

The original mechanical basement area under the stage area at the south end of the main auditorium houses the original equipment, some of which is still functional but inadequate for any sufficient rehabilitation project. Likewise, the original electrical equipment room contains functional original equipment, however due to its age is in need of replacement in a major rehabilitation scenario.

Most of the exterior is not significantly breached by water penetration with the exception of cracks in the wood-framed and stucco walls and lower roofs on the north side of the building which have caused significant damage inside the front portions of the building. The exterior east, south and west walls are in good condition. The lower roof areas are in need of asbestos abatement and re-roofing and the main upper roof, although not presently leaking, is at the end of its expected life and is in need of replacement. Windows on the second level which are not readily visible from the street are in poor condition and in some cases missing glass.

## 7) **HAZARDOUS MATERIALS**

In May of 2013, ESS Environmental prepared a report on hazardous materials present in the State Theatre building based upon results of on-site testing. The report identifies the presence of asbestos and lead-based paint in and on a variety of building components. What follows within this section are reprints of pages taken from the study which outlines in narrative form the results of the study and mitigation recommendations. Toxic materials abatement tasks and costs are included in the first three project phase scenarios and outlined in the SCENARIO DESCRIPTION - ARCHITECTURAL IMPLICATIONS and PROJECT COST ESTIMATES sections of this report.





# ESS Environmental

5714 Folsom Blvd.,/PMB #146 • Sacramento, CA 95819 • (916) 383-6642 • Fax (916) 383-6642

May 14, 2013

Liz Houck  
City of Woodland  
Community Development Department  
Utility Engineering  
300 First Street  
Woodland CA, 95695

Job #3286.13

Re: Asbestos Survey Report for the vacant State Theater Building located at 322 Main Street,  
Woodland CA.

Dear Ms. Houck:

Per your request ESS Environmental performed an on-site asbestos survey at the above location starting on Tuesday, April 23, 2013. I, Michael Horan personally performed this survey. The requested purpose for this survey was to ascertain the existence of and then to sample and have analyzed any suspect asbestos containing construction materials (ACCMs) containing trace or less than 1% asbestos in their composition or any asbestos containing materials (ACMs) containing greater than 1% asbestos in their composition. Any ACCMs and/or ACMs found could then if required be properly notified for, abated and disposed of as part of the building cleanup or stabilization process. In addition, it must be noted that the results of a previous asbestos survey performed by ESS Environmental for the front lobby and the two adjoining small theaters dated July 10, 2012 is also included in this report with relevant footages of those materials containing asbestos noted on the attached Table of ACMs.

## **Building Description:**

This is a large, vacant, multi-story commercial building that was built and utilized as a movie theater. This building houses the main theater, the lobby area, the two smaller theaters located on the North Side of the building, a mechanical area located in the basement under the main stage, the upper level seating area for the main theater, the main projection room and the mezzanine office area. The approximate square footage of this building is +/- 14,500. The buildings approximate date of construction is +/- 1937.

## **Building Construction:**

### **Roofs:**

There are a total of five separate roofs covering this building. The first of these roofs listed on the enclosed drawing as Roof 1 is the upper main roof covering the main theater area. This is a half barrel shaped roof in visibly good condition that is covered in asphalt based rolled roofing. Asbestos containing mastic was noted to be present around the perimeter of this roof on top of the parapet walls. The other four remaining roofs listed on the enclosed drawing as roofs 2 through 5 are located over the main projector room, the mezzanine area and the area consisting of the front lobby and the two small theaters. These four mostly flat roofs have all been sprayed over with a hard foam coating ranging from 1" to 3" inches in thickness. The underlying roofs for roof areas 2,3 and 5 appear to be asphalt based rolled roofing with asbestos containing felt layers and asbestos containing roofing mastic.

### **Exterior Walls:**

Exterior walls are mostly poured in place concrete. The street side front of the building also has areas of wood, stucco and glass.

**Interior Ceilings:**

Most ceiling surfaces are smooth coat plaster. In the main theater projection room there is a rough coat acoustical ceiling texture also present which contains trace amounts of asbestos. Some sheetrock was also noted in the mezzanine area.

**Interior Walls:**

Most of the walls are smooth coat plaster. There are a few areas of sheetrock. In the main theater there are also large decorative areas of asbestos containing acoustic treatment applied over a plaster coat. This material is present on large areas of the East, West and North Side walls of the main theater. There is also asbestos containing acoustic material located on the South side concrete wall behind the stage. In the main projector room there are also areas of the walls that contain the same rough coat acoustical texture as noted above under ceiling finishes.

**Floors:**

Most floors are concrete with areas of overlying carpet, linoleum and vinyl floor tile. The main projector rooms and the mezzanine floors are wood with areas of similar overlayments. Asbestos containing overlayments were noted to be present on the original floors within the two little theaters and adjacent storerooms (9" x 9" VT and Mastic) and on the floor in the lobby area under the snack bar area.

**HVAC Systems:**

The HVAC systems consist of multiple units both dual packs and split systems located on the roofs. In addition, the theater has its original gas fired furnace unit that is present in the basement space under the main theater stage. An up-flow gas fired furnace vented into an asbestos transite flue is also located in the West side storeroom of the mezzanine. Some suspect thermal systems insulation was found to be present on these systems and was thus sampled, analyzed and found to contain asbestos for this survey.

**Insulation:**

Loose blown-in attic insulation was found to be present in the attic space over the main theater.

**Asbestos Survey:**

For this survey all accessible areas on and within the building were visualized for the presence of suspect asbestos containing materials. Suspect ACMs noted and sampled consisted of roofing, roofing mastic, window glazing compound or putty, exterior stucco, textured exterior paint, wall and ceiling plasters, wallboard, wall texture compounds, acoustic wall coverings, sheetrock, sheetrock with joint compound, thermal systems insulation or TSI, fire brick, attic insulation, linoleum flooring, 9" x 9" vinyl floor tile, flooring mastic, wall base mastic, fiberglass panel mastic, ceramic tile grout, ceramic tile mortar and white dust. A total of sixty four bulk samples were taken of the suspect ACMs (Samples 1B-286 through 64B-286). In addition and as requested three vacuum dust samples were taken of the suspicious white dust found mainly throughout the main theater area (Samples 1VS-286 through 3VS-286). During the site survey whenever a sample was taken its approximate location was also noted on a drawing of the floor plan which is included with this report. All relevant sample information was also noted on the chain of custody form during the survey. At the completion of the survey all of the bulk samples taken along with the completed chain of custody forms were delivered to Precision Micro-Analysis Laboratory in Sacramento where they were signed in and dropped off to later be analyzed by Polarized Light Microscopy or PLM.

**Laboratory Analysis Results:**

The results of this survey showed asbestos present in twenty-two (22) of the sixty four (64) bulk samples and three vacuum dust samples taken for this survey. See attached Precision Micro-Analysis Reports

#130425006 Pages 1-6, #130427004 Pages 1-3, #130428001 Pages 1-2 and #130429001. In addition, one assumed asbestos containing transite flue pipe was also found and noted for this survey. For detailed information on the ACMs/ACCMs noted for this asbestos survey, see the attached Table of ACMs/ACCMs. To better understand the extent of the ACMs/ACCMs to be found at this location we have also included the findings from the previous asbestos Report #3146.12 dated July 10, 2012 performed for areas of the main lobby and the East and West side small theaters.

#### **Summary/Recommendations:**

The overall results of the two asbestos surveys performed on and within this building by ESS Environmental showed asbestos present in many building materials. These asbestos containing materials consisted of roofing, roofing mastic, window putty or glazing compound, exterior stucco, textured exterior paint, acoustical ceiling and wall plaster, acoustical wall texture, pipe fittings and coverings, HVAC Sealant Tape, vinyl floor tiles, floor tile mastics, wall base mastic, sheetrock/joint compound and transite flue pipe. Some of the above referenced asbestos containing construction materials contain less than 1% asbestos in their composition (acoustical ceiling and wall plaster and sheetrock/joint compound and some vinyl floor tile). These less than 1% asbestos containing materials are regulated for removal or disturbance by Cal-Oshas Asbestos in Construction Standard. Asbestos containing materials such as the roofing, roofing mastics, window putty, vinyl floor tiles, floor tile mastics and wall base mastics are classified as Cat. I, Non-Friable ACMs. The previously referenced asbestos containing transite furnace flue is classified as a Cat. II, Non-Friable ACM. The final asbestos containing materials noted and categorized as Friable "RACMs" consisted of acoustical wall textures, mechanical pipe fitting coverings or TSI and an HVAC paper tape material.

The condition of the ACMs and ACCMs noted in this report range from non-friable to friable. In general the non-friable materials pose little hazard until they are disturbed. The friable materials pose a greater hazard in that they can produce asbestos fiber releases by utilizing hand pressure and large fiber releases if they are aggressively disturbed. The main areas showing these friable hazards are the large South side wall of the stage and some areas of the upper side walls within the main theater area. The friable hazards on these walls are two types of different acoustical wall texture materials. Any abatement of these wall surfaces would require the use of scaffolding, full containments and negative air. The main non-friable ACMs that will probably need to be abated first to help stabilize the building and to provide some access would be the North side roof areas and the 9" x 9" vinyl floor tile with mastics that are located within the West and East side little theaters. Three of the North side roofs consist of older asbestos containing roofs that were then later oversprayed with a thick (approximately 1-3 inches) layer of hard foam. To replace these roofs will require that all of this overlying foam coating be removed along with the underlying concealed asbestos containing roofing and roofing mastics. As access to these roofs is very limited it will probably be necessary to also remove the metal paneled façade that was not original to the building but now limits access to the roofs. The removal of the 9" x 9" vinyl floor tile and floor tile mastics from the two small theaters will also require that the overlying sloped wooden floors and the seating will need to be removed to access the floors. As water damage is also present within these spaces and the smell of mold is in the air these spaces will have to be put under full containment and negative air for any work performed. The abatement within these theaters would start with the removal of the seating, side curtains and the sloped wooden floors. The water damaged areas of the plaster ceilings would then be removed with any areas of visible mold remediated. The final step would be the abatement of the vinyl floor tiles and mastics.

Many other areas of asbestos containing materials exist on and within this structure and at present do not require abatement. They could be placed on a schedule for later abatement as the need arises. They

Liz Houck  
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May 14, 2013

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should also be managed in place with an appropriate Operations and Maintenance Plan being utilized to oversee their condition and monitor for any condition changes or possible disturbance.

Any disturbance or removal of the asbestos containing materials (>1% asbestos in content) or asbestos containing construction materials (<1% asbestos in content) may only be done by properly asbestos licensed and DOSH registered contractors.

Prior to any work within the building this survey report should be reviewed to insure that any suspect building material to be disturbed, has in fact been sampled and analyzed for possible asbestos in its content. If not then that material must be sampled and analyzed prior to its disturbance.

If I can be of further assistance in reference to this report, please do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael L. Horan", with a stylized flourish at the end.

Michael L. Horan  
Cal-Osha Asbestos Cert #92-0107

# ESS Environmental

5714 Folsom Blvd.,/PMB #146 • Sacramento, CA 95819 • (916) 383-6642 • Fax (916) 383-6642

May 15, 2013

Liz Houck  
City of Woodland  
Community Development Department  
300 First Street  
Woodland CA, 95695

Job #3286.13

Re: Summary of findings and projected remediation cost for removal of some listed ACMs and cleanup of contaminated debris from some interior areas within the vacant State Theater building located at 322 Main Street, Woodland CA.

Dear Ms. Houck:

It is the intent of this summary document to give you a general understanding of our overall findings for this site. I have broken this summary down into relevant sections involving asbestos, lead, mold and pest. Where applicable and following the city's request for budget figures to provide remediation and cleanup, I have utilized projected abatement cost based on paying prevailing wages provided to me by a licensed abatement contractor. It must be noted though that due to multiple circumstances such as but not limited to access, available water and power, phasing of work, quantities to be removed etc., these costs could vary greatly from contractor to contractor at any given time. Following your review of this summary and the actual asbestos and lead paint report, if you have any questions please call.

## A. Asbestos

Asbestos was found on and within this building in multiple building materials. A complete list of these is included in the Asbestos Survey Report. As requested we will list here the projected abatement cost for the items that may need to be abated in the near future to help stabilize the building. These asbestos containing materials include the roofing over the two little theaters where they are leaking and causing damage below in the theaters. It also includes the 9" x 9" vinyl floor tiles and mastics found within these rooms. The last items include the friable asbestos containing acoustical wall treatments found on certain areas of all four main walls within the main theater. Walls showing the most immediate need for abatement due to their condition or their accessibility to further damage include the entire South side wall behind the stage and certain areas of the North, East and West walls within the main theater.

### Item I:

Removal and Disposal of overlying foam roofing underlying asbestos containing roofing and roofing mastics from roofs 2, 3, and 5.

Projected Abatement Cost: \$7.00 to \$9.00 Per Ft. x +/-2,808 Sq. Ft. = \$19,656.00 to \$25,272.00

### Item II:

Setup, removal of seating, curtains, wood flooring, ceiling plaster, and the abatement of mold, asbestos containing vinyl floor tile and mastics from each of the two little theaters including their projection rooms.

Projected Cost Per Theater: \$25,000.00

Total for Both Theaters: \$50,000.00

**Item III:**

Setup, abatement and disposal of asbestos containing acoustical wall treatments

Projected Cost per Ft. based on Remediation of Large Areas

\$10.00 to \$12.00 Per Ft. x +/- 3,626 Sq. Ft. =

\$36,360.00 to \$43,632.00

**Item IV:**

Setup, abatement and disposal of friable asbestos containing pipe fitting insulation and sealant tape.

Projected Cost per Pipe Fitting: \$50.00 x 2 fittings

\$100.00

Projected Cost per Ft. for HVAC Sealant Tape: \$10.00 x 18 Lin. Ft.

\$180.00

**B. Lead Paint**

Most of the painted surfaces noted, sampled and analyzed on and within the building contained lead. Many of these paints contained lead at or above 5,000ppm at which point they are categorized as a lead based paint. For this survey we have noted that paints containing 600ppm of lead are categorized as positive while those containing less than 600ppm are categorized as negative. It must be noted that a painted surface containing any detectable amount of lead is regulated for any disturbance by Cal-Oshas Lead In Construction Standard. The general condition of most exterior and interior painted surfaces was good at the time of this survey. There were however some areas of painted surfaces that were noted to be in poor condition. These areas or components consisted of some wood framed windows, a wood ladder, portions of both little theaters, the main projection room, portions of the mezzanine and other small areas within the building where damaged plaster was noted. The possible remediation of the four small N. Side roofs would allow for the inclusion of the removal of the wooden roof ladder and possibly the wood windows at a minimal additional cost to the roofing removal. The possible cleanup and remediation within the two little theaters, the mezzanine and the main projector room would remove any loose flaking or peeling paints in those areas. The remaining scattered areas could be remediated of any flaking or peeling paint either as an addition to one of the above referenced cleanups or as a separate project. Following the remediation of the visible areas of flaking or peeling paint, it will be necessary to provide ongoing monitoring of all painted surfaces. This is especially important until the building is sealed of any further water intrusion and is temperature controlled.

**C. Pests/General Cleanup**

During our time on-site and following our conversation it was noted that there is visible bird droppings or guano present within the main projection room and some areas within the mezzanine as well as rat or mouse droppings noted in the concession area. This was caused by birds entering the building through open windows which have now been sealed. The proposed cleanup/remediation of the main projection room and mezzanine spaces would involve the setup of the area and entry/exit points, the misting of all materials to be removed to keep down dust, the removal and disposal of all unwanted material and debris. It would also include the removal of any flaking or peeling painted surfaces, the removal of any animal droppings, the HEPA vacuuming and soap/water wipe down of the areas and a sprayed application of an approved disinfectant.

**Item I:**

Cleanup of Main Projection Room including remediation of flaking/peeling paint

\$6,000.00

**Item II:**

Cleanup of the Mezzanine Area and abatement of a transite flue pipe and some HVAC asbestos tape

\$13,000.00

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**Item III:**

Cleanup of the soda storage room by the concession area

\$1,500.00

It must be noted that there are other areas within the building where cleanup will at sometime have to be performed. These areas include but may not be limited to the main theater, main concession area and an HVAC concrete tunnel which runs from under the stage within the mechanical room and out into and under the main theater floor.

If I can be of further assistance in reference to this report, please do not hesitate to contact me.

Sincerely,



Michael L. Horan  
Cal-Osha Asbestos Cert #92-0107  
DHS Certified Lead Inspector/Assesor #779  
Hygienist





# ESS Environmental

5714 Folsom Blvd.,/PMB #146 • Sacramento, CA 95819 • (916) 383-6642 • Fax (916) 383-6642

May 17, 2013

Liz Houck  
City of Woodland  
Community Development Department  
Utility Engineering  
300 First Street  
Woodland CA, 95695

Job #3286.13

Re: Addendum to the asbestos report dated 5-14-13 for the State Theater located in Woodland CA.

Dear Ms. Houck:

Following my review of the above referenced asbestos survey report I feel that a change needs to be made in reference to the findings covering the smaller North side roofs. In the report asbestos was detected in roof core samples taken from roofs designated as 2, 3 and 5 while no asbestos was detected in the roof cores taken from roof 4. For this reason roofs 2, 3 and 5 were listed in the report and the summary with their square footages and projected abatement cost while roof 4 was not.

Noted in the report however, was asbestos containing roofing mastic listed as Sample 12B-286 and found on the top of the parapet wall around roof 4. We strongly feel that this roofing mastic would also be encountered during any tear off of this roof around multiple roof flashings and seams. As this roofing mastic would be covered over by the existing thick layer of hard foam roofing, it would not be discovered until removal of the roof had begun. For this reason we feel that its approximate square footage of +/- 455 and its projected abatement cost of \$7.00 to \$9.00 per square foot should be added into the findings of the report. This would mean an additional cost in the range of \$3,185.00 to 4,095.00 to remove the roofing from this roof.

If I can be of further assistance in reference to this addendum or the actual survey report, please do not hesitate to contact me.

Sincerely,



Michael L. Horan  
Cal-Osha Asbestos Cert #92-0107

**LEAD BASED PAINT TESTING REPORT FOR THE EXTERIOR AND INTERIOR  
(MINUS THE SMALL THEATERS AND FRONT LOBBY AREAS)  
OF THE STATE THEATER BUILDING LOCATED AT  
322 MAIN STREET, WOODLAND CA**

## **1.0 INTRODUCTION**

ESS Environmental (ESS) conducted testing for lead-based paint at the above referenced locations on Friday April 26, 2013. A total of forty four (44) paint chip samples and one (1) ceramic tile sample were taken. Mr. Michael Horan, a DHS Certified Inspector/ Assessor (#779) conducted the lead-based paint testing in accordance with EPA, HUD and DHS protocols as a general guideline. This lead-based paint testing was performed for and authorized by Ms. Liz Houck with the City of Woodland. This document was prepared for the sole use of Ms. Houck, and/or the City of Woodland. No other party shall rely on the information contained in this report without the written consent of the above referenced parties. The scope of services, inspection and sampling methodology and laboratory results are as listed in the following.

## **2.0 SCOPE OF WORK**

The goal of this paint testing was to identify lead containing or lead-based paint present on interior and exterior building components at this location. ESS performed this lead-based paint testing on components that could be accessed and may be scheduled for possible disturbance during the renovation at this location. The survey included the visual observation and identification of building components suspected of containing lead based paint or stain and a condition assessment of the suspect paint and chip samples collected. The condition assessment is conducted by visually assessing if a paint surface is in good or poor condition. A suspect painted surface noted to be cracking, peeling away from the substrate or damaged are considered to be in fair or poor condition. Suspect painted or stained surfaces not exhibiting these conditions are noted to be in good condition. For the lead-based paint testing at this location a total of forty Four (44) paint chip samples and one (1) ceramic wall tile sample were taken (samples #'s 1L-286 through 45L-286).

## **3.0 PROPERTY DESCRIPTION**

This building is a vacant two story commercial building originally and last utilized as a movie theater. This building is approximately  $\pm 70$  plus years of age. The exterior of the buildings consists of poured in place concrete walls. The interior walls and ceilings of the building consist mostly of plaster with some sheetrock. Floors are concrete and wood with overlying areas of carpet, sheet vinyl, vinyl floor tile and ceramic tile.

#### **4.0 QUALIFICATIONS**

Michael Horan of ESS performed the paint testing on and within this building. He is currently certified by the California Department of Health Services, Childhood Lead Poisoning Branch as an Inspector/Assessor (#779).

#### **5.0 METHODS OF TESTING**

Representative surfaces with suspect lead containing paints were sampled by utilizing a heat gun to first lift the paint layers and then to remove the paint chips for analysis. Each paint chip sample was placed into a labeled container, sealed and later delivered to EMSL Laboratory in San Leandro, CA for analysis by Flame Atomic Absorption Spectroscopy (SW8463050\*/7000B). The ceramic tile sample taken was placed into a labeled container and sent to EMSL.

#### **6.0 TESTING PROTOCOL**

Each representative component assumed to be disturbed was sampled using HUD guidelines as published in October, 1997. A minimum of one sample was taken of each component identified. In order to reduce cost, some deviation (fewer samples) was done from the HUD guidelines by performing a lead-based paint survey of the building's interior and exterior instead of a lead-based paint inspection. HUD and the EPA have not yet defined a lead-based paint survey. The objective of this survey was to determine the relative level of lead-based paint on the painted building components assumed to be disturbed in a planned renovation. HUD protocol for noting the locations of samples taken, call for assigning the room being sampled a room number or name. The interior room or exterior walls are designated by assigning the address street side of the room or building as the A side. You then proceed clockwise around the room or building to the B side, C side and then the D side. You then note the building component being sampled such as door, door frame, door casing, wall, baseboard, etc. This protocol was utilized for this survey and is seen on the enclosed Plot Plan and referenced on the Lead In Paint Sample Results Table.

#### **7.0 SITE SPECIFIC OBSERVATIONS**

The painted surfaces on and within this building were in generally good condition considering the amount of time the building has been vacant. Areas of damage or flaking/peeling paint were noted in the mezzanine, the projection room, the two little theaters, on some wood windows and in a few other locations within the building where small areas of damaged plaster was seen.

## 8.0 REGULATORY OVERVIEW FOR LEAD BASED PAINT

Lead-based paint (greater than 600 mg/kg lead) was discontinued for residential and public use by 1978. For this report the 600 mg/kg standard will be utilized for positive lead content in a paint or stain.

The U.S. EPA, HUD, and the California Department of Health Services (DHS) define LBPs as paints containing greater than 5,000 ppm, 0.5% lead by weight or 1.0 mg/cm<sup>2</sup> total lead. OSHA and Cal-OSHA regulations (Lead Construction Standard) do not provide a definition for “lead-based paint” but do refer to the EPA, HUD, and DHS numbers mentioned above. Cal-OSHA is primarily concerned with worker protection and therefore, regulates any amount of lead contained within painted building components. Cal-Osha has stated that disturbance of lead containing painted or stained surfaces containing 600 ppm or greater may pose a hazard.

In addition, Cal-OSHA does provide a Permissible Exposure Limit (PEL) for worker exposure to airborne lead particles of 50 micrograms per cubic meter of air (50 hg/m<sup>3</sup> for an 8-hour time-weighted average). The OSHA Lead Construction Standard also lists an Action Level of 30 hg/m<sup>3</sup> for an 8-hour time-weighted average. Therefore, renovation or demolition activities that include materials with lead in any concentration could, under certain circumstances, trigger the OSHA and Cal-OSHA regulations.

The concentrations of airborne lead generated by disturbing the paints at the site would vary based upon several factors, including the type of activity (including “trigger tasks”) and the severity of disturbance to the building materials. Determination of airborne lead concentrations would require air monitoring by a trained lead professional during building material disturbance. The results of the lead based paint survey should be provided to contractors and subcontractors performing work at the site that may disturb painted components.

## 9.0 LEAD-BASED PAINT SAMPLE RESULTS & SUMMARY

ESS collected a total of forty four (44) paint chip samples and one ceramic tile sample was taken for this testing. Based on the results of the subsequent Flame AA analysis of these samples, received on May 2, 2013, thirty nine (39) of the samples contained detectable amounts of lead in their composition in the ranges of 100 ppm up to 110,000 ppm. Thirty Four (34) of the samples contained elevated amounts of lead in their composition in amounts at or greater than 600 ppm. Eighteen (18) of these samples contained amounts of lead at or greater than 5,000 ppm in their composition. See attached EMSL Report Order #091306498. A complete summary of all forty five (45) samples and their analysis are attached as the Lead In Paint Sample Results Table.

## 10.0 RECOMMENDATIONS

The purpose of the paint testing was to determine relative lead-based paint levels on various components prior to any disturbance. This survey concludes that **eighteen (18)** of the **tested components contained lead-based paint**, as defined by the California Department of Health Services, under Title 17, California Code of Regulations, Division I, Chapter 8, section 35033. Thirty Four (34) of the samples contain lead at 600 ppm or greater and are thus defined as a LBP by the Consumer Products Safety Commission (CPSC). This limited testing cannot draw absolute conclusions for all components within the building.

The stated reason for this paint survey was to determine the level of risk from lead based paint that may be present at this location prior to any planned cleanup or renovation activity that may disturb it. Based on the level of lead present on painted building components shown to be present at this location, a lead hazard may exist for those activities that would disturb painted surfaces showing detectable levels of lead. It is recommended that prior to any activity proper abatement be performed on any surface noted to be in poor condition or that would be aggressively disturbed during the cleanup or renovation process.

The lead levels found during the testing could possibly cause lead hazards to develop if the painted surfaces are not properly handled, such as dry sanding, scraping, or disturbing without containment. **A clearance inspection is recommended upon completion of lead hazard control work.** A lead hazard control plan, prepared by a state-certified lead professional, can identify all steps involving abatement methods, proper techniques, and worker and occupant protection. It is required under DHS Title 17 to use State-certified lead workers and supervisors for any lead abatement work that is designed to last a minimum of twenty years (permanent abatement).

Types of interim controls available for the identified lead hazards include paint stabilization where the substrate is sound. Permanent solutions include removal of the component, paint removal, enclosure with a rigid barrier, such as plywood.

In addition to the above recommendation, additional information on managing lead-based paint can be obtained from the California Department of Health Services (DHS) webpage ([www.dhs.ca.gov/childlead](http://www.dhs.ca.gov/childlead)), U.S. Housing and Urban Development ([www.hud.gov/offices/lead](http://www.hud.gov/offices/lead)), and the U.S. Environmental Protection Agency webpage ([www.epa.gov/lead](http://www.epa.gov/lead)). Telephone information can be obtained from California DHS (800-597-LEAD), and the National Lead Information Council (800-424-LEAD).

## 11.0 INSPECTION LIMITATIONS

This testing was planned, developed, and implemented based on the experience in performing lead-based paint surveys and inspections by ESS Environmental. The work was conducted in accordance with HUD guidelines, where applicable. ESS

Environmental utilized state-of-the-art practices and techniques in accordance with regulatory standards while performing this inspection.

## **12.0 DISCLOSURE**

Lead-based paint (5,000 ppm or greater) was identified within this building. A copy of this report or a summary must be provided to new lessees (tenants) and purchasers of this property under Federal law (Title 24 Code of Federal Regulations Part 35 and Title 40 Code of Federal Regulation Part 745) before they become obligated under a lease or sales contract. The complete report must also be provided to new purchasers and it must be made available to new tenants. As required by the California Department of the Health Services (DHS) a Lead Hazard Evaluation Report utilizing form No. 8552 was filled out and sent to them referencing the findings of this report.

## 8) **REHABILITATION STUDY FORMAT**

The purpose of this study is to assess the costs associated with stabilizing the building in its current state so as to prevent further deterioration while allowing safe limited access to the building until funds are raised for a full rehabilitation for public use as well as to assess cost of re-use/renovation for use by Woodland Opera House as dance studio's and performing arts venue. The various levels of such stabilization are summarized as follows:

### **SCENARIO 1 - Stabilization**

Stabilize the building's systems and envelope to preserve it in its present condition. Perform minimal hazardous materials abatement limited to work necessary to secure the building's envelope and maintain the interior in a "moth-balled" condition.

### **SCENARIO 2 - Partial Rehab (Front)**

Rehabilitate the entry level to include the conversion of the two small existing theatres into dance studios with associated work in the lobby and rest rooms. The remainder of the building would remain in a "moth-balled" condition.

### **SCENARIO 3 - Full Rehab (Auditorium)**

Rehabilitate the remainder of the building's interior, including the main auditorium, original lobby rest rooms and second floor offices.

### **SCENARIO 4 - Exterior Rehab**

Rehabilitate the building's exterior, including the front facade and marquee.

### **SCENARIO 5 - Tenant Improvements**

Woodland Opera House Dance Studio's and Performing Arts venue and tenant improvements.

Construct tenant improvements specific to WOH's use for dance studio's in front theatres and performing arts venue in main auditorium.





## 9) **BUILDING RENOVATION ASSUMPTIONS**

Under all proposed Scenarios the following assumptions have been made:

1. The building will be occupied as allowed by the provisions of the California Building Code (CBC) and the California Historical Building Code (CHBC.)
2. In order to use the provisions of the CHBC, the building will need to be recognized on a local, state, and/or federal level as being historically significant or be included as a contribution to a locally recognized historic district. The building shall be renovated and/or remodeled to conform to current building codes, taking advantage of all reasonable latitudes granted under the CHBC.
3. The building is to be repaired, upgraded and adapted for reuse, acknowledging its original architectural characteristics. The building is not assumed to be fully restored to its original condition. The goal of the reuse of the interior spaces is to retain the original feel of much of the public areas while creating useable space to meet the projected end users' needs.



## **10) REHABILITATION APPROACH**

When a renovation project is undertaken, code review as interpreted by the building authority is fundamentally important to the project development process. The local building authority should be consulted early in the process for the interpretation and input vital to the design resolution. Certain elements and conditions of the building's original design that remain intact do not meet the current California Building Code (CBC) requirements. It is important when conducting rehabilitation of historic structures that historic features not be replaced to meet the current building code requirements. These features should be reviewed by the building authority for compliance under the California Historic Building Code (CHBC). The CHBC is a tool with which enforcing building authorities can deal with historic structures by permitting repairs, alterations, and additions necessary for the preservation, rehabilitation and continued use of qualified historic buildings without jeopardizing historic features or elements, or requiring strict contemporary code compliance.

In order for the CHBC to be used by the building authority, the structure under consideration must be designated as a qualified historic building or structure. Section 8-218 states, "Any building site, structure, district or collection of structures, and their associated sites, deemed of importance to the history, architecture or culture of an area by an appropriate local, state or federal government jurisdiction." Structures need not be conferred with Historic Landmark status. They must simply be recognized as historic by the local State or Federal government. This shall include designated structures on official existing or future national, state or local historical registers or official inventories such as the National Register of Historic Places, State Historical Landmarks, State Points of Historical Interest, and officially adopted city or county register's or inventories of historical or architecturally significant sites, places or landmarks. Any such recognition of the structure as historically significant enables the local building authority to use the CHBC to mitigate building code issues without destroying the historic fabric of the structure. In the case of the State Theatre, the easiest way to achieve recognition as being historic may be to have the building included as a

contributor to the existing historic district. It is recommended that the City pursue this designation for the reasons discussed above.

## **11) ARCHITECTURAL PROGRAM INTRODUCTION**

This study will present the costs of construction for five rehabilitation scenario phase options. Each scenario represents a possible stand alone phase resulting in four project phases, or scenarios may be combined to result in larger project phase scopes or combined into one project. The analysis prepared assumes the rehabilitation of the State Theatre into a performing arts theatre housed within the original auditorium space with the conversion of the east and west small theatre spaces into dance studios. However, the various scenarios were developed to assist in evaluating options for phasing improvements and indentifying costs that are specific to the potential use by the Woodland Opera House. The full build-out would include restoration of original interior finishes and features as well as new features and finishes including rest room remodel, mechanical and electrical systems would be replaced, and the exterior would be rehabilitated with new paint, roofing, windows, etc. The original marquee design would be reconstructed on the Main Street frontage and could be part of an earlier renovation approach or as part of the full renovation project.

Typically, the architectural program is a set of tailored requirements for a particular user which in its specificity, aids in the resolution of the development of the built space. In this case, a specific design has not yet been established. As such, this study presents preliminary cost estimates based upon the broad project concept outlined above. Following additional project definition, more focused architectural program can be established which will facilitate more refined project design solutions and more accurate cost estimations.



## 12) ARCHITECTURAL IMPLICATIONS AND SCENARIO DESCRIPTIONS

In order to accurately assess costs for each scenario presented, general guidelines must be established regarding scope of construction work. Such guidelines for architectural concerns are as follows:

### **SCENARIO 1:**

Stabilize the building's systems and envelope to preserve it in its present condition. Perform selective hazardous materials abatement limited to work necessary to secure the building's envelope and maintain the buildings interior in a "moth-balled" condition.

As a minimum, this scenario shall include the following:

1. Upgrade electrical system as needed to stabilize the system to a safe condition.
2. Repair conditions of water intrusion; re-roof all four lower roofs only.
3. Install new plywood diaphragm over existing roof deck.
4. Perform abatement of hazardous conditions associated with any other work performed under this scenario.
5. Remove pest infestations.
6. Remove and reinstall existing HVAC over west theatre; remove HVAC over east theatre and cap curb with sheet metal.
7. Repair stucco at the front façade
8. Repairs or replace windows.
9. Paint the front facade.
10. Secure building from unauthorized entry.

### **SCENARIO 2:**

Rehabilitate the entry level existing small theatres to vanilla shell condition and construct a single accommodation accessible rest room.

1. Demolish all improvements including removal of seats, all wall, ceiling and floor finishes as well as the sloping floor structures from the existing small theatres.
2. Perform all hazardous materials abatement associated with the two existing small theatres.

3. Remove existing projection rooms associated with small theatres.
4. Remove in-fill walls from original Main Street storefronts in small theatres and install new storefronts.
5. Install new ceiling and wall finishes as well as Main Street storefronts.
6. Install new HVAC systems to serve the east theatre.
7. Install new HVAC systems to serve foyer and restrooms.
8. Install a new unisex single accommodation accessible restroom.
9. Upgrade electric.

### **SCENARIO 3:**

Rehabilitate the remainder of the building's interior including the main auditorium, second floor offices, original rest rooms and lobby/foyer.

1. Perform any hazardous materials abatement associated with the remainder of the building interior.
2. Perform selective demolition as identified to be associated with the rehabilitation designs.
3. Demolish and/or abandon existing mechanical systems and replace with new HVAC.
4. Demolish and/or abandon existing electrical equipment and system components and replace with new.
5. Remodel existing rest rooms.
6. Refurbish existing original decorative elements.
7. Recreate original decorative elements that are missing.
8. Upgrade electric.

### **SCENARIO 4:**

Rehabilitate the building's exterior.

1. Reconstruct original marquee.
2. Restore decorative elements.
3. Paint exterior.



### **SCENARIO 5:**

Construct tenant improvements for Woodland Opera House (WOH). This includes all improvements associated with the intended performing arts venue.

1. Perform selective demolition as identified to be associated with performing arts venue.
2. Install new floor, wall finishes in former east and west small theatres as required for dance studio use.
3. Construct greenroom, dressing room and control booth.
4. Construct stage, overhead grid, supports and structures.
5. Install theatrical lighting and sound systems.
6. Install draperies and drops.
7. Provide risers and chairs.



### 13) STRUCTURAL ENGINEERING IMPLICATIONS

#### **Existing Roof Framing Components**

The structure is concrete exterior wall with truss roof framing built in 1937. The roof framing consists of timber field trusses at approximately 19' spacing with 2x10 roof joists @ 20" on center between the trusses. Existing ceiling joist also are 2x10 @ 20" on center between truss bottom cord. There are 2-1" diameter horizontal cross tie rod with turn buckles between the trusses right above the ceiling joist tying them together. Due to access and exposure limitation, the connection of trusses to existing concrete walls could only be partially inspected.

Based on field inspection, review of available drawings and best engineering judgment, there appears to be pre-formed pockets constructed at existing concrete wall, which trusses are bearing on. Also it appeared that trusses are connected to concrete walls with base plates and ½" anchor bolts.

#### **Conclusion**

Based on visual inspection, the overall roof framing appears to be in good condition. No shear cracks of overstressed component were observed. Given the age of the building, all materials were in perfect condition with no signs of dry rot or deterioration. The horizontal cross tie rod between the trusses still had some slack, which is indication of no exterior wall movement.

Please note that conclusions are only based on field inspection.

#### **Structural Systems Recommendations**

##### **SCENARIO 1:**

Stabilize the building's systems and envelope to preserve it in its present condition. Perform minimal hazardous materials abatement limited to work necessary to secure the building's envelope and maintain the building interior in a "moth-balled" condition.

The only structural work associated with this scenario is

the installation of a plywood diaphragm deck on the lower roof to be reroofed and the installation of blocking and backing for the future marquee.

**SCENARIO 2:**

Rehabilitate the entry level to include the conversion of the two small existing theatres into dance studios with associated work in the lobby and rest rooms. The remainder of the building would remain in a "moth-balled" condition.

There is no significant structural work associated with this scenario.

**SCENARIO 3:**

Rehabilitate the remainder of the building's interior, including the main auditorium, original lobby rest rooms and second floor offices.

The only structural work associated with this scenario is the installation of a plywood diaphragm deck on the main roof to be reroofed.

**SCENARIO 4:**

Rehabilitate the building's exterior, including the front facade and marquee.

Structural work associated with this scenario includes anchorage of the new marquee to the building structure.

**SCENARIO 5:**

Woodland Opera House Performing Arts venue and tenant improvements.

There is no significant structural work associated with this scenario.

## **14) MECHANICAL ENGINEERING IMPLICATIONS**

### **Mechanical System Observations**

The mechanical system installed in the State Theatre in Woodland at the time of its construction consisted of a large boiler, direct expansion (DX) unitary air conditioning system, and a ducted fan system. This fan system was designed to blow air over coils of pipe filled with either hot water from the boiler or cold refrigerant from the air conditioning equipment, and to distribute the tempered air throughout the building. With the exception of the condensing unit associated with the air conditioning, this mechanical system has never been upgraded. This system was designed to satisfy all the heating, cooling and ventilation requirements of the entire building, and to this day it is the only mechanical system serving the auditorium, foyer, and several smaller rooms such as offices and the projector room. The air conditioning condensing unit appears to be in good condition and no more than 10 years old, however the cooling coil it serves is not compatible with it and needs to be replaced.

Roof top package gas/electric mechanical units were installed above the two small theatres at the front of the building and provide the heating, cooling, and ventilation requirements of these rooms. Heating, cooling and ventilation for these small theatres were originally provided by the mechanical system installed when the building was originally constructed, and it is unclear exactly when the rooftop equipment was installed. The mechanical unit over the northeast theatre is clearly much older than the lifespan typically assumed for equipment of this type (15 to 20 years). The mechanical unit over the northwest theatre has been replaced and appears to be functional.

### **Mechanical Systems Recommendations**

#### **SCENARIO 1:**

Stabilize the building's systems and envelope to preserve it in its present condition. Perform minimal hazardous materials abatement limited to work necessary to secure the building's envelope and maintain the building's interior

in a "moth-balled" condition.

The existing mechanical system serving the building foyer and auditorium is no longer operational and is not capable of providing even minimal climatic control. Unfortunately the system is so antiquated and in such a state of disrepair that it is doubtful the system can be restarted even for temporary use without an unreasonable investment. Providing the foyer and auditorium with the climate control necessary to halt building deterioration will require the installation of new mechanical systems. Although it is conceivable that new mechanical systems could be designed to provide only enough climatic control to stabilize the building, we estimate the cost associated with such a system would be well over ½ the cost of installing a mechanical system designed to provide the complete heating, cooling, and ventilation needs of the building after renovation, and likely would not be utilized after the full system was installed. Therefore we recommend installing mechanical systems designed to serve the building after full renovation.

## **SCENARIO 2:**

Rehabilitate the entry level to include the conversion of the two small existing theatres into dance studios with associated work in the lobby and rest rooms. the remainder of the building would remain in a "moth-balled" condition.

Provisions for heating, cooling, and ventilation of the two small theatres has already been divorced from the building wide mechanical system installed when the building was originally constructed. Roof top gas/electric mechanical units provided the heating, cooling, and ventilation requirements of these rooms when the building was last occupied. The unit serving the northwest theatre is relatively new and can be re-commissioned. The unit serving the northeast theatre is older than its expected useful lifespan and should be removed and replaced. We recommend employing the services of a professional engineering firm with a proven track record of designing of mechanical systems for similar projects to provide the specification of this new unit based on heating and cooling load calculations. This firm should also be tasked with calculating the heating and cooling load of the northwest

theatre to verify that the capacity of the existing unit is adequate. A new mechanical system must be designed for the foyer area and components of the original mechanical system should be abandoned or removed. It is feasible that new gas/electric mechanical units can be located on the lower roofs at the front of the building (where the mechanical units serving the small theatres are located) and can be horizontally ducted through the exterior wall, through the offices on this level, and into the center storage room. The center storage room is directly above the foyer. In this room the supply and return ducts can be divided into several smaller ducts, drop through the floor, and terminate at grilles in the foyer ceiling at locations designed to provide even air distribution.

### **SCENARIO 3:**

Rehabilitate the remainder of the building's interior, including the main auditorium, original lobby rest rooms and second floor offices.

Providing heating, cooling, and ventilation to the main auditorium requires complete new mechanical systems. The original mechanical system can be abandoned in place or removed. We recommend using new gas/electric roof mounted mechanical units to heat, cool, and ventilate the auditorium because of their proven reliability and low cost. Preliminarily, we recommend using four roof top units; one per quadrant. These units will be ducted through the roof directly beneath the units, and branch in the attic space above the auditorium ceiling before dropping to supply and return grilles mounted in the ceiling. Note that the top of these roof mounted units may be up to five feet above the roof and highly visible. Screening will need to be provided if the visibility of these units is objectionable.

### **SCENARIO 4:**

Rehabilitate the building's exterior, including the front facade and marquee.

There is no HVAC work associated with this scenario.

**SCENARIO 5:**

Woodland Opera House Performing Arts venue and tenant improvements.

There is no additional HVAC work associated with this scenario.



## 15) PLUMBING ENGINEERING IMPLICATIONS

### **Plumbing System Observations**

The plumbing systems will be required to be modified to meet current code compliance. Along with the building codes the theatre will need to comply with the Americans with Disabilities Act, the CALGreen Green Building Code, and the California Building and Plumbing Codes. Modification for code compliance will involve relocating fixtures, and revising the number of disabled, replacing fixtures with low water consumption fixtures, and revising the number of each fixture type provided. It is likely that the waste and domestic water systems themselves will be upgraded at this time both because of the demands of the additional plumbing fixtures and because it is an ideal time to replace outdated or subpar systems. The plumbing construction budget should account for increasing the 2" water service to the building, installing a booster pump system and the removal and replacement of the theatre's waste piping. The water service increase, as well as the booster pump, is due to the increase water demands of the additional fixtures. The waste piping should be replaced because the existing waste piping is likely clay, which is much more fragile and subject to failure than any of the current code compliant waste piping products. When inspecting waste piping systems of this era, finding large breaks in the pipe, as well as crushed areas of pipe and dislodged joints is expected.

### **Plumbing System Recommendations**

#### **SCENARIO 1:**

Stabilize the building's systems and envelope to preserve it in its present condition. Perform minimal hazardous materials abatement limited to work necessary to secure the building's envelope and maintain the building's interior in a "moth-balled" condition.

There is no plumbing scope associated with Scenario 1.

#### **SCENARIO 2:**

Rehabilitate the entry level to include the conversion of

the two small existing theatres into dance studios with associated work in the lobby and rest rooms. The remainder of the building would remain in a "moth-balled" condition.

Scenario 2 requires only the installation of a single unisex rest room. Typically, scopes of this size will be limited to the direction requirements of the modifications and will not consider the plumbing system as a whole. Therefore the anticipated plumbing construction cost is limited to the cost of the rest room only.

### **SCENARIO 3:**

Rehabilitate the remainder of the building's interior, including the main auditorium, original lobby rest rooms and second floor offices.

The scope includes the cost of a new, larger water service, the addition of a booster pump system and the replacement of the main waste piping system, as well as the costs associated with the removal, relocation and addition of all building plumbing fixtures. Also included in this scenario is the installation of a fire sprinkler system which is not required by code as there is no change in use according to occupancy. It is however being recommended for safety reasons as well as being commensurable with the total project scope.

### **SCENARIO 4:**

Rehabilitate the building's exterior, including the front facade and marquee.

There is no plumbing work associated with this scenario.

### **SCENARIO 5:**

Woodland Opera House Performing Arts venue and tenant improvements.

There is minor plumbing work associated with the greenroom and dressing room construction for the Performing Arts venue, although rough-in would be accomplished under scenario 3.

## 16) ELECTRICAL ENGINEERING IMPLICATIONS

### **Electrical System Observations**

A walk through and investigation of the existing State Theatre was done and the following was observed.

The existing service is split into two (2) services. Each being 400 amps, 120/240v, 3 phase, 4 wire.

- 1 Service feeds the main building single meter.
- 1 Service feeds three separate meters, feeding smaller theatres at front of building and house.

All electrical systems appear to be commercially installed in conduit & wire. (Based on what was visible.) The electrical system is installed as a conduit & wire system and is still maintained that way. There are a few boxes open but could be closed up with new covers to comply with code and cover any exposed wires. The existing system was functional in that the lights were able to be turned on and some outlets were working. (Did not check every device for functionality)

Power to panels was still available. All panels were intact with required face plates or covers.

### **Electrical Systems Recommendations**

#### **SCENERIO 1:**

Stabilize the building's systems and envelope to preserve it in its present condition. Perform minimal hazardous materials abatement limited to work necessary to secure the building's envelope and maintain the building's interior in a "moth-balled" condition.

Electrical Assessment: The current electrical system should be able to be maintained and used to keep the building in its present condition. This would require minimal work to secure the building for a "moth-balled" state.

### **SCENERIO 2:**

Rehabilitate the entry level to include the conversion of the two small existing theatres into "vanilla" shell tenant spaces with associated work in the lobby and restrooms. The remainder of the building would remain in a "moth-balled" condition.

Electrical Assessment: The existing panels feeding the two existing theatres and entry level should be removed and replaced with updated equipment. Existing interior lighting and power would need to be removed and replaced with new. All areas remodeled should be upgraded with new equipment including emergency lighting and fire life safety systems.

### **SCENERIO 3:**

Rehabilitate the remainder of the building's interior, including the main auditorium, original lobby rest rooms and second floor offices.

Electrical Assessment: This will require upgrading the entire electrical system with new service panels and power to miscellaneous equipment. All lighting would be upgraded as required along with any new HVAC & other building systems.

### **SCENERIO 4:**

Rehabilitate the building's exterior, including the front facade and marquee.

Electrical Assessment: This would update the exterior lighting and control systems as required along with power to new front marquee tower.

### **SCENARIO 5:**

Woodland Opera House Performing Arts venue and tenant improvements.

Electrical work associated with the Performing Arts venue would include connections of theatrical systems and rough and finish electrical in green rooms.

## 17) BUILDING CONDITION SYNOPSIS

Structurally, the building is in good condition and does not represent a significant safety hazard with respect to occupancy. The building was well-constructed in its day and features reinforced concrete wall for most of the building with a wood truss roof structure bolted to concrete pilasters; metal tie rods crisscross above the ceiling joist system further strengthening the roof to walls connection.

Mechanically, the building will require an entire new HVAC system as the existing system is antiquated and partially non-functional. This work could be done incrementally as outlined in the scenario descriptions and cost estimate.

Likewise, the plumbing will need to be replaced entirely as it is no doubt incapable of supporting a rehabilitated facility. This work could be done incrementally as outlined in the scenario descriptions and cost estimate.

The electrical system will need to be replaced in the complete project build-out including new service panels, equipment and wiring as outlined in the scenario descriptions and cost estimate.

Overall, the building is in need of significant repair and improvements to rehabilitate it as a viable venue to able to function for decades to come. However, only modest work is needed to the building to address existing hazardous conditions and preventing it from posing a public safety threat. The building in its current state does not represent any serious threats to public safety as an unoccupied building if properly maintained. It is recommended that hazardous material conditions be addressed at a minimum and as soon as possible.



**18) CODE STUDY**

The following is a cursory code review of limited scope for the purposes of this study:

**CODE INFORMATION:****Building Codes:**

2010 California Building Code (CBC)

2010 ADA Standards for Accessible Design (ADA)

**BUILDING INFORMATION:**

Construction Type:

V-A

Number of Stories:

2 plus mezzanine and basement

**Project Size:**

| <b>Floor Level</b>                 | <b>Square Feet</b>    |
|------------------------------------|-----------------------|
| Basement                           | 624 sq. ft.           |
| Main Entrance Level                | 4,816 sq. ft.         |
| Mezzanine Level                    | 1,652 sq. ft.         |
| Auditorium Level                   | 9,228 sq. ft.         |
| <b>Overall Building Code Area:</b> | <b>16,320 sq. ft.</b> |

Mixed Use Occupancy Type: Separated

**Use and Occupancy Types:**

| <b>Use</b>                                                     | <b>Occupancy</b>        |
|----------------------------------------------------------------|-------------------------|
| Theatre and Projection Room<br><b>Existing or Previous Use</b> | A-1                     |
| Dance Studios<br><b>Possible Proposed Use</b>                  | A-3                     |
| Office<br><b>Existing or Previous Use</b>                      | B<br>Accessory to A-1   |
| Storage –<br><b>Existing or Previous Use</b>                   | S-1<br>Accessory to A-1 |

The A-1, B, and S-1 uses may be reinstated as part of the rehabilitation without requiring conformance to the regular code. If other uses or occupancies are on record as having existed within this building they too may be reinstated without requiring conformance to the regular code.

**Use Separations** – If the building is rehabilitated

to existing or previously permitted uses there will be no separation requirements placed on the building; however, any change in use or occupancy will mandate conformance with the fire-resistive tables listed below for occupancy separations and incidental uses.

Occupancy                  Separation                  Fire-Resistive  
Requirements:

| <b>Adjacent Occupancies</b> | <b>Sprinklered Building</b> | <b>Non-Sprinklered Building</b> |
|-----------------------------|-----------------------------|---------------------------------|
| A/B                         | 1-Hour                      | 2-Hour                          |
| A/S-1                       | 1-Hour                      | 2-Hour                          |
| B/S-1                       | N/A                         | N/A                             |

\* No separation is required between accessory occupancies and the main occupancy. (CBC 508.2.4)

Incidental      Use      Fire-Resistive      Separation  
Requirements:

| <b>Room or Area</b>                                                  | <b>Sprinklered Building</b> | <b>Non-Sprinklered Building</b> |
|----------------------------------------------------------------------|-----------------------------|---------------------------------|
| Laundry room over 100 sq. ft.                                        | N/A                         | 1-Hour                          |
| Furnace room where any piece of equip. exceeds 400,000 Btu/hr output | N/A                         | 1-Hour                          |
| Boiler room where largest piece of equip. is over 15psi and 10 hp    | N/A                         | 1-Hour                          |
| Storage Rooms over 100 sq. ft.                                       | N/A                         | 1-Hour                          |

#### FIRE AND LIFE SAFETY ANALYSIS:

1. Use and Occupancy:



The State Theatre is not currently a 'qualified historic building' and is therefore ineligible for consideration under the California Historic Building Code. This study is based on the 2010 California Building Code. If the State Theatre becomes a 'qualified historic building', the historic building code requirements allow more flexibility since they are less restrictive.

Alterations to the building or structure shall comply with the requirements of the CBC for new construction. Alterations shall be such that the existing building or structure is no less complying with the provisions of the CBC than it was prior to the alteration.

**Basement** - The existing mechanical room is located in the basement beneath the Stage. No change in use is proposed for the basement; therefore, it may be rehabilitated without requiring the building be brought into conformance with the CBC.

**Main Entrance Level** - Should the main level retain its current use as two theatre Assembly spaces (Occupancy A-1) it may be rehabilitated without requiring the building be brought into conformance with the current CBC.

Subject to approval of the Building Official, the use or occupancy of the existing building shall be permitted to be changed without conforming to all the requirements of this code for those groups, provided the new or proposed use is less hazardous, based on life and fire risk, than the existing use. Should the proposed use of Dance Studio space be selected, the Occupancy Group Division would change from more restrictive A-1 to a less restrictive A-3 Occupancy. (CBC 3408)

**Mezzanine Level** - Existing offices and storage rooms are located on the Mezzanine Level. No change in use is proposed on the Mezzanine; therefore, it may be rehabilitated without requiring the building be brought into conformance with the CBC.

**Auditorium Level** - Should the auditorium retain its current layout, it may be rehabilitated without requiring the building be brought into conformance with the CBC. Any alterations to the auditorium shall comply with the requirements of the CBC for new construction. Alterations shall be such that the existing building or structure is no less complying with the provisions of the CBC than it was prior to the alteration.

2. Critical Occupant Loads:

The existing auditorium is approximately 9,230 square feet and is made up of a projection room, upper seating, lower seating and a platform stage area. The net seating area is approximately 4,800 square feet yielding an occupant load of 686. The stage is approximately 480 square feet yielding an occupant load of 32. The projection room is approximately 300 square feet yielding an occupant load of 3. Thus, the total occupant load of the auditorium is approximately 721.

Design development scenarios created over the past few years have lowered the occupant load in the auditorium by lessening the fixed seating and enlarging the stage area.

Refer to the Exiting Plans contained in this study for additional occupancy and exiting information.

3. Fire Protection:

Excerpts below from The Code of The City of Woodland, Chapter 6 Adoption of Codes and Related Appendices, Section 6-1-2, Amendments to the California Building Code:

*'Fire walls shall not be considered to create a separate occupancy for the purposes of automatic fire sprinkler systems required under the provisions of this ordinance. The floor area shall be the total floor area of the building respective of area fire walls as set forth in California Building Code Section 706.1. Notwithstanding other*

*provisions of this section, the requirement described in this Section 903.1 shall be applied to alterations, repairs, additions and changes of occupancy of existing buildings as follows:*

*a. Where there is no change of occupancy, alterations or repairs nor increasing floor area total height, or number of stories of an existing building may be made without making the entire building comply with this section.'*

*'d. No change shall be made in the character of the occupancy or use of any existing building or structure unless the entire building or structure is made to comply with this section.*

*Exception 1. The character of the occupancy of existing buildings may be changed subject to the approval of the building official and the approval of the fire chief, and the building may be occupied for purposes in other occupancy groups without conforming to all the requirements of this section or the California Building Code for those groups provided the new or proposed use is not more hazardous, based on life and fire risk, than the existing use.'*

Therefore, a rehabilitation of the building will not require fire sprinklers if the uses that have previously been permitted in the building will remain.

Should the possible proposed use of a Dance Studio space be selected, the Occupancy Group Division would change from more restrictive A-1 to a less restrictive A-3 Occupancy. Fire sprinklers may be required depending upon Building Official and Fire Chief recommendations.

Fire alarms and smoke detectors will be required in accordance with CBC Chapter 9.

#### 4. Means of Egress:

Similarly to other requirements noted in this study, if there is no change to the use or occupancy of the spaces in question the spaces will not be required

to fully comply with the current CBC requirements. However, the spaces do meet the current egress requirements with some minor exceptions as follows.

If the building remains non-sprinklered, per CBC 1018.1 a 1-hour rated lobby and foyer is required.

Required exit doors from the assembly spaces should be equipped with panic hardware.

Only one exit is required from the mezzanine based on CBC Table 1021.2; however, the mezzanine stairway has non-compliant treads, risers, and door landings.

The auditorium stairs to the upper seating also appear to be non-compliant in regard to riser tread depth and height consistency. Per CBC 1028.11, the tread depths shall be a minimum of 11 inches and shall have risers between 4 inches and 8 inches. Changing the profile of the auditorium stair would effect the historic integrity of the auditorium.

#### 5. Seismic:

Since no change in occupancy is proposed and the building is not state-owned, seismic upgrades are not required.

### INTERIOR BUILDING ACCESSIBILITY ANALYSIS:

Accessibility must be provided for all public facilities. All public spaces within the building are required to be located on an accessible route. Toilet facilities are required to meet accessibility codes. All stairs must be properly striped for the visually impaired. Handrails must be mounted at the appropriate heights. Generally, all doors must be a minimum of 36" wide with proper accessible hardware. Deadbolts, night latches and other non-conforming hardware which inhibit emergency egress shall be removed. An 18-24" clearance shall be provided at the strike side of all doors and a 12" clearance at the latch side of all doors is desirable. Additionally, a 60" by 60" clear landing

in front of the pull side and a 48" by 48" clear landing in front of the push side of all doors must be provided.

Per CBC1103.B.1.2.2 and ADA 36.404a an elevator is not required in a building less than 3 stories. All spaces above the accessible floor must still comply with the accessibility requirements set forth in the CBC and the ADA.

Since this building is existing the CHBC, the CBC and the ADA grant some latitude with regard to accessibility in altering, repairing or rehabilitating buildings. The stair and handrail from the main level to the mezzanine is non-compliant; however, exception 1133B4.5.3.3 states that these regulations shall not apply to existing buildings when legal or physical constraints will not allow compliance with these regulations or equivalent facilitation without creating an unreasonable hardship. The auditorium stairs to the upper seating also appear to be non-compliant in regard to riser tread depth and height consistency. But changing the profile of the auditorium stair would effect the historic integrity of the building. The doors to the main level projection rooms, on the mezzanine stairs, and to the auditorium projection room have non-compliant landings and clearances.

The floor level of the existing restrooms is a few feet below the main floor level. CBC 1134B2.2 notes that where it is technically infeasible in the area of an alteration to make existing toilet facilities code compliant and to install separate toilet facilities for each sex, then the installation of at least one unisex toilet facility per floor being altered, located in the same area as existing toilet facilities, will be permitted. Therefore, a new unisex restroom is proposed on the main floor level near the existing restrooms.

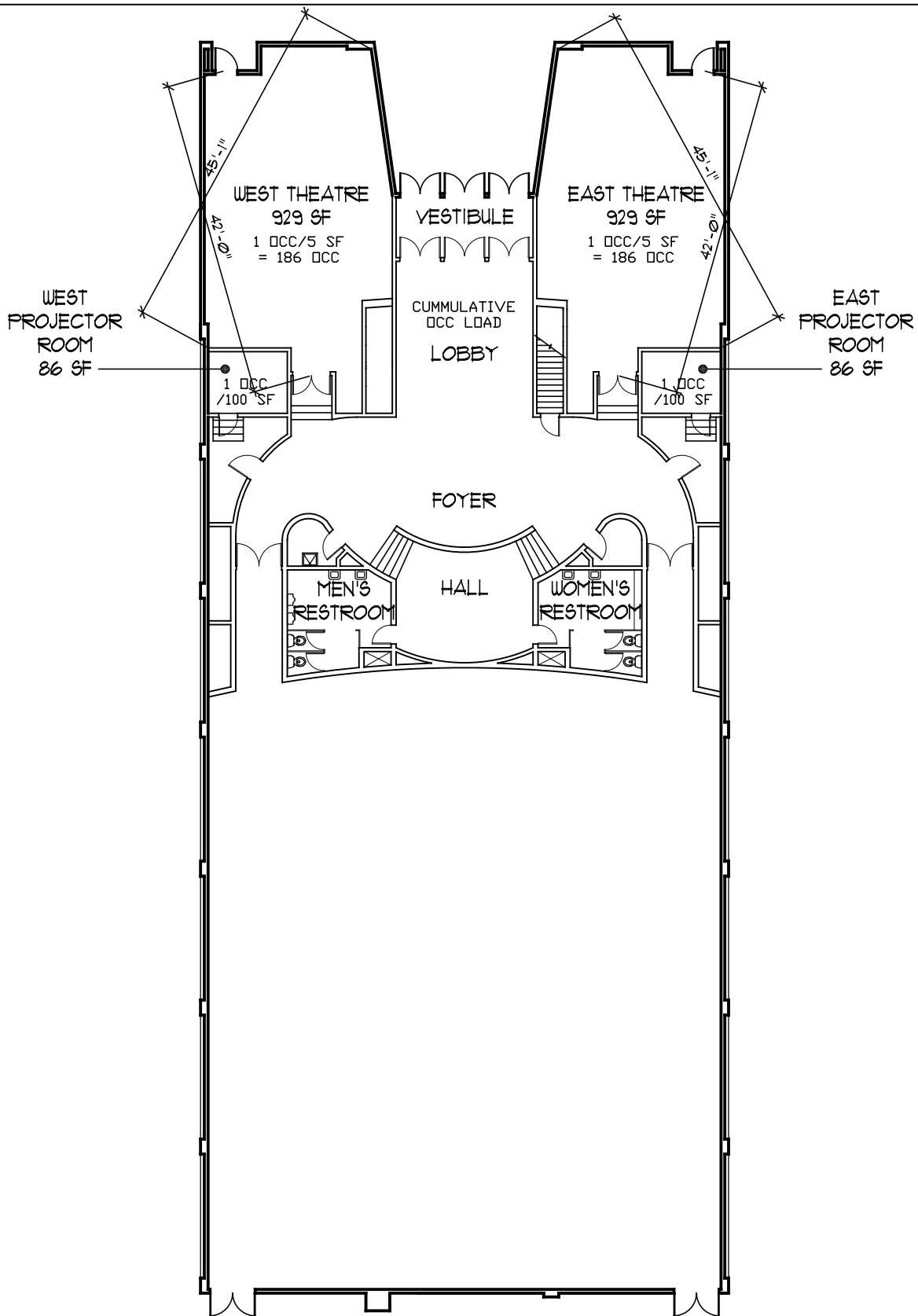
The basement is existing mechanical utility space with no proposed change in use and does not require an accessible upgrade.



## **19) EGRESS PLANS**







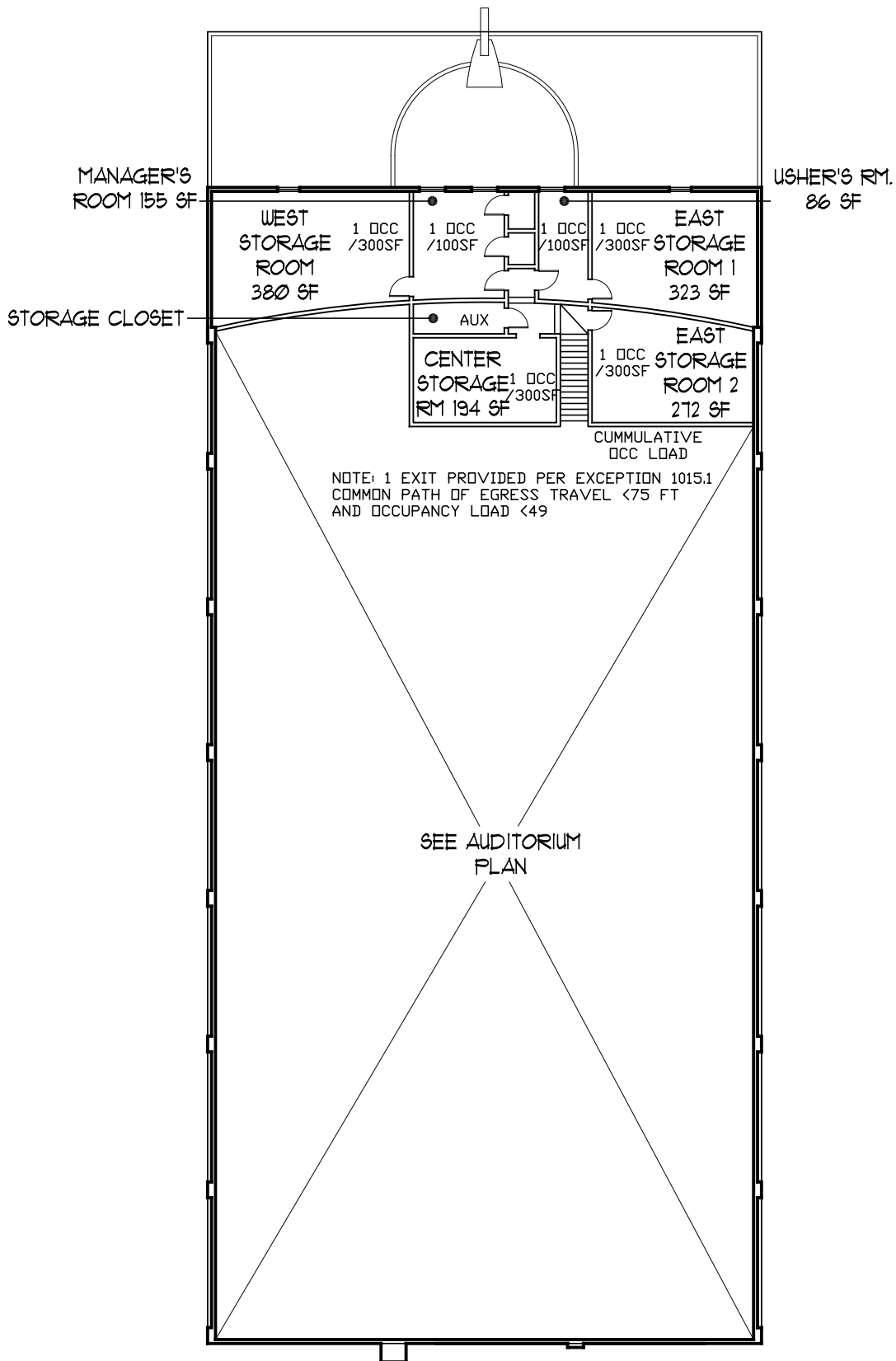
EXISTING MAIN LEVEL EXISTING PLAN

SCALE: 1"=20'-0"



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THE STATE THEATRE  
WOODLAND, CA



EXISTING MEZZANINE EXITING PLAN

SCALE: 1"=20'-0"



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THE STATE THEATRE  
WOODLAND, CA

PROJECTION ROOM  
287 SF

1 OCC/100 SF  
= 3 OCC

1 OCC/7 SF = 328 OCC

CUMULATIVE

AUDITORIUM

CUMULATIVE

1 OCC/7 SF = 358 OCC

STORAGE

STORAGE

STORAGE

STORAGE

STAGE

CUMULATIVE

CUMULATIVE

EXISTING AUDITORIUM LEVEL EXISTING PLAN

SCALE: 1"=20'-0"



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THE STATE THEATRE  
WOODLAND, CA



## 20) PROJECT COST SUMMARY

### Introduction:

The project cost estimates attached were prepared from the preliminary design concepts and research information provided in this Study. Cost figures were also based on recent, real construction bids for similar projects and on the judgment and experience of the Estimator. Appropriate allowances were assessed and provided for construction elements not yet fully detailed or designed but with the idea of providing a completed product. The estimates were based on the assumption the project would be competitively bid with at least 5 participants. The actual cost of the project could vary significantly from the figures proposed due to changes in the scope of work, unexpected site conditions, requirements from jurisdictional review, number of bids and many other factors.

There is a cost presented for each project Scenario and then a summary at the end showing the cost of combined Scenario's that would result in the complete rehabilitation of the entire building. The various cost estimates are presented solely for the convenience of the Owner for planning and budgeting purposes and in no way constitute a guarantee of the final costs of construction.

Refer to the spread sheets following for the estimated costs of the project.

### State Theatre Areas:

The following gross areas were utilized for the purpose of this cost estimate:

|                                        |               |
|----------------------------------------|---------------|
| <b>Entry Level:</b>                    | 4,816 sq. ft. |
| <b>Mezzanine Level:</b>                | 1,652 sq. ft. |
| <b>Auditorium and Projection Room:</b> | 9,228 sq. ft. |
| <b>Basement Mechanical Room:</b>       | 624 sq. ft.   |

Note: Measurements are approximate and intended for planning purposes only.

Since the design professional has no control over the cost of labor, materials, or equipment, or over the contractor's method of determining prices, or over competitive bidding or market conditions, his opinions of probable construction cost provided for herein are to be made on the basis of his experience and qualifications. These opinions represent his best judgment as a design professional familiar with the construction industry, however, he cannot and does not guarantee that proposals, bids or the construction cost will not vary from opinions of probable cost prepared by him.

The following is a synopsis of the total estimated construction costs for rehabilitating the State Theatre Building according the 5 Scenarios identified in this report.

### **Individual Scenario Descriptions and Cost:**

#### **SCENARIO 1:**

Stabilize the building's systems and envelope to preserve it in its present condition. Perform minimal toxic materials abatement limited to work necessary to secure the building's envelope and maintain the buildings interior in a "moth-balled" condition.

**Estimated Construction Cost :           \$186,714**

#### **SCENARIO 2:**

Rehabilitate the entry level to include the conversion of the two small existing theatres into dance studios with associated work in the lobby and restrooms. The remainder of the building would remain in a "moth-balled" condition.

**Estimated Construction Cost :           \$582,912**

#### **SCENARIO 3:**

Rehabilitate the remainder of the building's interior.

**Estimated Construction Cost :           \$1,769,101**

**SCENARIO 4:**

Rehabilitate the building's exterior.

**Estimated Construction Cost :**       **\$544,658**

**SCENARIO 5:**

Woodland Opera House

Performing Arts Venue & TI

**Estimated Construction Cost:**       **\$894,406**

**PROJECT COST SUMMARY:**

A. SCENARIOS 1 - 5

|                                           |                    |
|-------------------------------------------|--------------------|
| <b>Estimated Construction Cost :</b>      | <b>\$3,977,791</b> |
| <b>Cost per Square Foot : (16,320 SF)</b> | <b>\$244/ SF</b>   |

This report analyzes the Architectural, Structural, and Mechanical/Electrical implications involved in each of the five scenarios. A cost estimate for each scenario is then presented based upon the analysis findings.





## **21) COST ESTIMATE**



**PROJECT COST ESTIMATE**

|                                        |                                                    |             |              |            |
|----------------------------------------|----------------------------------------------------|-------------|--------------|------------|
| PROJECT                                | STATE THEATRE                                      |             | MAA JOB NO.: | 13-153     |
| LOCATION                               | WOODLAND, CALIFORNIA                               |             | PREPARED BY: | MAA        |
| CLIENT                                 | CITY OF WOODLAND                                   |             | CHECKED BY:  | WHM        |
| DESCRIPTION                            | REHABILITATION                                     |             | DATE:        | 08/28/13   |
| ITEM                                   | SCOPE OF WORK DESCRIPTION                          | COST        | SUB TOTAL    | TOTAL      |
| SCENARIO 1 - BUILDING STABILIZATION:   |                                                    |             |              |            |
|                                        | HAZARDOUS MATERIALS ABATEMENT AT LOWER ROOFS       | \$ 30,000   |              |            |
|                                        | REMOVE EXISTING MARQUEE                            | \$ 7,000    |              |            |
|                                        | SECURE EXTERIOR DOORS                              | \$ 1,000    |              |            |
|                                        | ROOF DIAPHRAGM - LOWER ROOFS                       | \$ 5,000    |              |            |
|                                        | REROOF - LOWER ROOFS                               | \$ 15,000   |              |            |
|                                        | STRUCTURAL REINFORCEMENT FOR THE MARQUEE           | \$ 5,000    |              |            |
|                                        | REPAIR STUCCO AT FRONT FAÇADE AND PAINT            | \$ 8,000.00 |              |            |
|                                        | EXTERIOR WINDOW REPLACEMENT                        | \$ 5,000.00 |              |            |
|                                        | RELAMP EXISTING LIGHT FIXTURES                     | \$ 1,000    |              |            |
|                                        | CLEAN UP                                           | \$ 15,000   |              |            |
|                                        | PEST REMOVAL                                       | \$ 500      |              |            |
|                                        | ELECTRICAL                                         | \$ 10,000   |              |            |
|                                        | TRADE ITEM COSTS SUB TOTAL                         | \$ 102,500  | \$ 102,500   |            |
|                                        | PREVAILING WAGE 20%                                |             | \$ 20,500    |            |
|                                        | SUB TOTAL                                          |             | \$ 123,000   |            |
|                                        | GENERAL CONDITIONS 10%                             |             | \$ 12,300    |            |
|                                        | CONSTRUCTION FEE 10%                               |             | \$ 12,300    |            |
|                                        | ARCHITECTURAL & ENGINEERING FEE 12%                |             | \$ 14,760    |            |
|                                        | CONSTRUCTION SUB TOTAL                             |             | \$ 162,360   | \$ 162,360 |
|                                        | CONTINGENCY 15%                                    |             |              | \$ 24,354  |
|                                        | SCENARIO 1 - TOTAL                                 |             |              | \$ 186,714 |
| SCENARIO 2 - REHABILITATE ENTRY LEVEL: |                                                    |             |              |            |
|                                        | DEMOLITION                                         | \$ 10,000   |              |            |
|                                        | HAZARDOUS MATERIALS ABATEMENT (TWO FRONT THEATERS) | \$ 50,000   |              |            |
|                                        | ACCESSIBLE REST ROOM CONSTRUCTION                  | \$ 30,000   |              |            |
|                                        | MISCELLANEOUS FRAMING                              | \$ 10,000   |              |            |
|                                        | WALL FINISHES IN FRONT THEATERS                    | \$ 48,000   |              |            |
|                                        | CEILING FINISHES                                   | \$ 20,000   |              |            |
|                                        | STOREFRONTS                                        | \$ 20,000   |              |            |
|                                        | LIGHTING                                           | \$ 23,000   |              |            |
|                                        | HVAC                                               | \$ 79,000   |              |            |
|                                        | ELECTRICAL                                         | \$ 30,000   |              |            |
|                                        | TRADE ITEM COSTS SUB TOTAL                         | \$ 320,000  | \$ 320,000   |            |
|                                        | PREVAILING WAGE 20%                                |             | \$ 64,000    |            |
|                                        | SUB TOTAL                                          |             | \$ 384,000   |            |
|                                        | GENERAL CONDITIONS 10%                             |             | \$ 38,400    |            |
|                                        | CONSTRUCTION FEE 10%                               |             | \$ 38,400    |            |
|                                        | ARCHITECTURE AND ENGINEERING FEE 12%               |             | \$ 46,080    |            |
|                                        | CONSTRUCTION SUB TOTAL                             |             | \$ 506,880   | \$ 506,880 |
|                                        | CONTINGENCY 15%                                    |             |              | \$ 76,032  |
|                                        | SCENARIO 2- TOTAL                                  |             |              | \$ 582,912 |

**PROJECT COST ESTIMATE**

|                                                                     |                                      |            |              |              |
|---------------------------------------------------------------------|--------------------------------------|------------|--------------|--------------|
| PROJECT                                                             | STATE THEATRE                        |            | MAA JOB NO.: | 13-153       |
| LOCATION                                                            | WOODLAND, CALIFORNIA                 |            | PREPARED BY: | MAA          |
| CLIENT                                                              | CITY OF WOODLAND                     |            | CHECKED BY:  | WHM          |
| DESCRIPTION                                                         | REHABILITATION                       |            | DATE:        | 08/28/13     |
| ITEM                                                                | SCOPE OF WORK DESCRIPTION            | COST       | SUB TOTAL    | TOTAL        |
| SCENARIO 3 - REHABILITATE THE REMAINDER OF THE BUILDING'S INTERIOR: |                                      |            |              |              |
|                                                                     | DEMOLITION                           | \$ 50,000  |              |              |
|                                                                     | ASBESTOS AND LEAD PAINT ABATEMENT    | \$ 40,000  |              |              |
|                                                                     | HAZARDOUS MATERIALS ABATEMENT        | \$ 30,000  |              |              |
|                                                                     | MISC. STEEL                          | \$ 40,000  |              |              |
|                                                                     | MISC. STRUCTURAL IMPROVEMENTS        | \$ 30,000  |              |              |
|                                                                     | FINISH/MISC. CARPENTRY               | \$ 20,000  |              |              |
|                                                                     | INSULATION                           | \$ 22,000  |              |              |
|                                                                     | MISC. CAULKING                       | \$ 6,200   |              |              |
|                                                                     | DOORS (FRAMES/DOORS/HARDWARE)        | \$ 30,000  |              |              |
|                                                                     | GYPSUM BOARD                         | \$ 35,000  |              |              |
|                                                                     | INTERIOR PAINTING                    | \$ 30,000  |              |              |
|                                                                     | SURFACE PREP                         | \$ 10,000  |              |              |
|                                                                     | FLOOR PREP                           | \$ 5,000   |              |              |
|                                                                     | FLOORING                             | \$ 25,000  |              |              |
|                                                                     | CEILING REHAB & PREP                 | \$ 15,000  |              |              |
|                                                                     | DECORATIVE PAINTING                  | \$ 75,000  |              |              |
|                                                                     | WALL FINISHES                        | \$ 20,000  |              |              |
|                                                                     | PROSCENIUM                           | \$ 10,000  |              |              |
|                                                                     | PRIMARY LIGHT FIXTURES               | \$ 24,000  |              |              |
|                                                                     | MISC. LIGHTING                       | \$ 20,000  |              |              |
|                                                                     | INTERIOR SIGNS                       | \$ 1,500   |              |              |
|                                                                     | FIRE EXTINGUISHERS                   | \$ 480     |              |              |
|                                                                     | PLUMBING                             | \$ 92,500  |              |              |
|                                                                     | FIRE SPRINKLERS                      | \$ 150,000 |              |              |
|                                                                     | HVAC                                 | \$ 82,000  |              |              |
|                                                                     | ELECTRICAL                           | \$ 100,000 |              |              |
|                                                                     | FIRE ALARM SYSTEM                    | \$ 7,500   |              |              |
|                                                                     | TRADE ITEM COSTS SUB TOTAL           | \$ 971,180 | \$ 971,180   |              |
|                                                                     | PREVAILING WAGE 20%                  |            | \$ 194,236   |              |
|                                                                     | SUB TOTAL                            |            | \$ 1,165,416 |              |
|                                                                     | GENERAL CONDITIONS 10%               |            | \$ 116,542   |              |
|                                                                     | CONSTRUCTION FEE 10%                 |            | \$ 116,542   |              |
|                                                                     | ARCHITECTURE AND ENGINEERING FEE 12% |            | \$ 139,850   |              |
|                                                                     | CONSTRUCTION SUB TOTAL               |            | \$ 1,538,349 | \$ 1,538,349 |
|                                                                     | CONTINGENCY 15%                      |            |              | \$ 230,752   |
|                                                                     | SCENARIO 3 - TOTAL                   |            |              | \$ 1,769,101 |
| SCENARIO 4 - EXTERIOR REHABILITATION:                               |                                      |            |              |              |
|                                                                     | DEMOLITION                           | \$ 10,000  |              |              |
|                                                                     | MARQUEE RESTORATION                  | \$ 190,000 |              |              |
|                                                                     | MISC. STRUCTURAL                     | \$ 3,000   |              |              |
|                                                                     | MISC. LIGHTING                       | \$ 8,000   |              |              |
|                                                                     | WALL DETAIL RESTORATION              | \$ 8,000   |              |              |
|                                                                     | PAINTING                             | \$ 35,000  |              |              |
|                                                                     | SIDEWALK REPLACEMENT                 | \$ 15,000  |              |              |
|                                                                     | ELECTRICAL                           | \$ 30,000  |              |              |
|                                                                     | TRADE ITEM COSTS SUB TOTAL           | \$ 299,000 | \$ 299,000   |              |
|                                                                     | PREVAILING WAGE 20%                  |            | \$ 59,800    |              |
|                                                                     | SUB TOTAL                            |            | \$ 358,800   |              |
|                                                                     | GENERAL CONDITIONS 10%               |            | \$ 35,880    |              |
|                                                                     | CONSTRUCTION FEE 10%                 |            | \$ 35,880    |              |
|                                                                     | ARCHITECTURE AND ENGINEERING FEE 12% |            | \$ 43,056    |              |
|                                                                     | CONSTRUCTION SUB TOTAL               |            | \$ 473,616   | \$ 473,616   |
|                                                                     | CONTINGENCY 15%                      |            |              | \$ 71,042    |
|                                                                     | SCENARIO 4 - TOTAL                   |            |              | \$ 544,658   |

| PROJECT COST ESTIMATE                                                               |                                          |                   |                      |                      |
|-------------------------------------------------------------------------------------|------------------------------------------|-------------------|----------------------|----------------------|
| PROJECT                                                                             | STATE THEATRE                            |                   | MAA JOB NO.:         | 13-153               |
| LOCATION                                                                            | WOODLAND, CALIFORNIA                     |                   | PREPARED BY:         | MAA                  |
| CLIENT                                                                              | CITY OF WOODLAND                         |                   | CHECKED BY:          | WHM                  |
| DESCRIPTION                                                                         | REHABILITATION                           |                   | DATE:                | 08/28/13             |
| ITEM                                                                                | SCOPE OF WORK DESCRIPTION                | COST              | SUB TOTAL            | TOTAL                |
| <b>SCENARIO 5 - WOODLAND OPERA HOUSE PERFORMING ARTS VENUE TENANT IMPROVEMENTS:</b> |                                          |                   |                      |                      |
|                                                                                     | DANCE STUDIO FLOOR PREP                  | \$ 6,000          |                      |                      |
|                                                                                     | DANCE FLOOR CONSTRUCTION                 | \$ 30,000         |                      |                      |
|                                                                                     | MIRRORS & RAILS                          | \$ 20,000         |                      |                      |
|                                                                                     | GREENROOM/DRESSING ROOM CONSTRUCTION     | \$ 40,000         |                      |                      |
|                                                                                     | CONTROL BOOTH CONSTRUCTION               | \$ 60,000         |                      |                      |
|                                                                                     | MISC. PLUMBING                           | \$ 12,000         |                      |                      |
|                                                                                     | MISC. ELECTRICAL                         | \$ 10,000         |                      |                      |
|                                                                                     | STAGE FLOOR CONSTRUCTION                 | \$ 60,000         |                      |                      |
|                                                                                     | ACCESSIBLE LIFT                          | \$ 20,000         |                      |                      |
|                                                                                     | OVERHEAD GRID SUPPORTS AND STRUCTURE     | \$ 38,000         |                      |                      |
|                                                                                     | DRAPERY PACKAGE                          | \$ 15,000         |                      |                      |
|                                                                                     | LIGHTING PACKAGE                         | \$ 40,000         |                      |                      |
|                                                                                     | SOUND PACKAGE                            | \$ 15,000         |                      |                      |
|                                                                                     | RISERS                                   | \$ 65,000         |                      |                      |
|                                                                                     | CHAIRS                                   | \$ 60,000         |                      |                      |
|                                                                                     | <b><u>TRADE ITEM COSTS SUB TOTAL</u></b> | <b>\$ 491,000</b> | \$ 491,000.00        |                      |
|                                                                                     | PREVAILING WAGE 20%                      |                   | \$ 98,200.00         |                      |
|                                                                                     | <b><u>SUB TOTAL</u></b>                  |                   | \$ 582,912.00        |                      |
|                                                                                     | GENERAL CONDITIONS 10%                   |                   | \$ 58,291.20         |                      |
|                                                                                     | CONSTRUCTION FEE 10%                     |                   | \$ 58,291.20         |                      |
|                                                                                     | ARCHITECTURE AND ENGINEERING FEE 12%     |                   | \$ 69,949.44         |                      |
|                                                                                     | <b><u>CONSTRUCTION SUB TOTAL</u></b>     |                   | <b>\$ 769,443.84</b> | <b>\$ 769,443.84</b> |
|                                                                                     | CONTINGENCY 15%                          |                   |                      | <b>\$ 115,416.58</b> |
|                                                                                     | <b><u>SCENARIO 5 - TOTAL</u></b>         |                   |                      | <b>\$ 884,860.42</b> |

July 15, 2013

Mr. Paul Navazio - City Manager  
Mr. Ken Hiatt - Community Development Director  
300 First Street  
Woodland, CA 95695

Dear Mr. Navazio and Mr. Hiatt,

In response to the Woodland City Council RDA allocations and directions made to staff on June 4, 2013, this is a proposal to resume the State Theatre Renovation and Expansion, Downtown Specific Plan, Project 105. With this proposal is a request to rescind the December 14, 2010, suspension of the multiplex selection process. This will preclude the legal necessity of opening new Requests For Proposals for any future allocations of the recently released RDA funds.

This proposal includes slight modifications of the original plan submitted in 2010; specifically, the building expansion will occur on the properties to the east of the State Theatre, rather than on the now occupied lot to the west. We have discussed this with the owner of these properties and he is open to the idea.

This plan will accomplish the following city council goals:

- Restore the State Theatre and make it a functioning venue
- Develop a downtown multiplex that fits in the character of our own historic district
- Make use of vacant land downtown

We would also work with the Woodland Opera House to secure a space for them for their proposed Black Box Theatre either within this project or at another location.

On June 4 city council directed staff to present to them projects that meet the RDA allocations. Based on the allocations and that direction, our group will restore the State Theatre for use as part of a multiplex expansion that will occur in the adjacent properties. Because the city recently approved certain RDA allocation categories and amounts, we are proposing the city provide a grant of \$2.7 million for this project. \$2 million will come from the "multiplex theater" category, \$400K will come from the State Theatre renovation category, \$200K will come from other categories (infrastructure, streetscape, facade improvement), and \$100K will come from the general fund budget for the State Theatre. We also request that the city transfer the title of the State Theatre property to our group.

Because of the lapse of time and the changed market conditions from the date of the multiplex selection suspension, there may be other modifications to the original plan such as number of screens in the multiplex expansion and the square footage of the retail component. We will resume as many of the letters-of-intent and other project commitments as possible. We also anticipate the same level of community support as we experienced during the 2010 RFP process.

Above all, in accordance with DSP Project 105, we intend to restore the State Theatre in a historically accurate manner and we intend to provide a downtown multiplex that enhances the characteristics of the historic downtown.

Therefore, we request the following in order to resume our project that was suspended in 2010:

- 1) That city staff works with our group to refine and modify our project proposal during the summer recess period
- 2) That the city council rescind the suspended multiplex project at its August 6, 2013, meeting and give direction to city staff to continue to work with our group
- 3) That the city council allocate \$2.7 million in RDA and general fund money for our project at its August 20, 2013 meeting
- 4) That the city council approve the transfer of title of the State Theatre property to our group at its August 20, 2013 meeting
- 5) That the city protect their investment in a downtown multiplex by modifying any development agreements, the general plan, or any other policies to prevent the zoning and construction of a new multiplex within city limits (or its sphere of influence) for a period of 20 years
- 6) That city staff again work with our group to ensure a smooth building application and permitting process

If these conditions are met, our group will deliver:

- A functioning, restored State Theatre
- A downtown multiplex and performing arts center
- Theater space for the Woodland Opera House

Thank you very much for your consideration. As you can see by the tight timeline, we request a meeting at your earliest convenience.

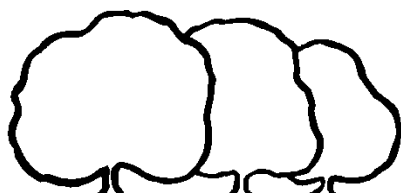
Sincerely,

Ron Caceres  
RCI Development, Inc.  
1207 Cleveland Street  
Woodland, CA 95695

## Legislation Details (With Text)

File #: 13-208 Version: 1 Name:  
Type: Report of the City Manager Status: Agenda Ready  
File created: 8/29/2013 In control: City Council  
On agenda: 9/3/2013 Final action:  
Title: SUBJECT: 2013 Sewer Rate Study and Set Public Hearing  
Sponsors:  
Indexes:  
Code sections:  
Attachments: [City of Woodland Sewer 2013 Draft Report](#)

| Date | Ver. | Action By | Action | Result |
|------|------|-----------|--------|--------|
|------|------|-----------|--------|--------|



City of Woodland

**STAFF REPORT**

TO: THE HONORABLE MAYOR AND CITY COUNCIL

DATE: September 3, 2013

SUBJECT: 2013 Sewer Rate Study and Set Public Hearing

**Recommendation for Action**

Staff recommends that the City Council receive the July 2013 Comprehensive Sewer Rate Study and set November 5, 2013 as the Public Hearing date for the proposed sewer rate increases.

**Staff Contact**Lynn Johnson, Senior Management Analyst, - (530) 661-5979, [lynn.johnson@cityofwoodland.org](mailto:lynn.johnson@cityofwoodland.org)**Council Goal**

This recommendation is consistent with the City's goal for Fiscal Responsibility by undertaking comprehensive fee studies to align ongoing and future expenditures with ongoing revenues. Additionally, adopting appropriate utility fee structures provides the necessary funding to support current and future Infrastructure, another Council goal.

**Fiscal Impact**



The sewer utility currently generates approximately \$10.6 million per year; the rate study identifies the need to increase revenues to \$17.7 million per year over the next five (5) years in order to meet operations & maintenance, capital infrastructure, and current and future debt service requirements. This additional revenue requirement is proposed to be met through a series of annual rate adjustments that generate a 13% increase in sewer revenue in 2014 followed by a 9% increase in each of the following four (4) years.

Adoption of the proposed rate structure change and rate increases will generate revenue sufficient to meet the City's operational and capital needs through FY 2018. Planned capital projects will be funded in part with sewer utility revenue and partially through the issuance of new bonds. Additionally, adoption of the sewer rate adjustments will allow us to continue covering debt service obligations originally planned for payment from sewer impact fees until such time as development activity increases enough to cover this cost. Increased sewer revenue will also allow for the refunding of existing 2002 Sewer Lease Revenue bonds assuming market conditions remain favorable. Refunding of this debt to utility revenue bonds will reduce our annual debt service payments, ultimately saving the City money over the life of the bonds.

### **Report in Brief**

The last major increases to the sewer rates were approved by Council in June 2005 with phased increases through FY 2009. Since then, the sewer rates were increased 0.8% in 2009 for a Consumer Price Index adjustment and have not been modified since. No additional inflationary adjustment or rate increase has occurred, leaving a flat revenue stream for the past four years. A combination of deferred inflation adjustments, ongoing debt service requirements and much needed capital improvements to the sewer infrastructure have warranted a comprehensive review of the existing and ongoing sewer revenue requirements. Staff contracted with HDR Engineering, Inc., (HDR) in October 2011 to begin a Comprehensive Sewer Rate Study. A broad review of sewer operations and maintenance, capital requirements, industrial pretreatment, and sewer related debt was completed and multiple rate scenarios were reviewed. The final draft of the sewer rate study and recommended rate adjustments reflect what staff and HDR determined to be the minimum rate adjustments necessary to sustain our existing sewer infrastructure system, accomplish the necessary capital projects, and manage existing and future sewer related debt.

### **Background**

#### **Sewer Revenue Requirements**

Woodland's sewer revenue is no longer keeping pace with our cost to operate the system, perform maintenance and repairs and meet the utility's financial obligations. Many of the City's sewer pipelines are old and in need of replacement. Upgrades at the sewer treatment plant are required to meet increasingly strict state regulations for the removal of nitrates. Approximately 180,000 tons of sludge that has accumulated for years must be properly disposed. And, the City must have sufficient revenues to repay existing bond debt used to make prior system improvements. These coupled with deferred inflation adjustments totaling 9% have created the need to move forward with sewer rate adjustments. Had the City continued to implement annual inflationary adjustments as outlined in our 2005 pro forma, we would not require as extensive of rate adjustments, especially in the first year. Although the 2005 ordinance that approved the last sewer rate increases authorized the City to annually adjust the sewer rates for inflation, the City's legal counsel determined that inflationary adjustments were subject to the same Proposition 218 process as any other rate increase so we discontinued the practice in 2009.

There are three different components funded by sewer rate revenues that are driving the need for the rate adjustments; (1) operations and maintenance, (2) capital improvements, and (3) debt service from previous and future capital improvements

#### Operations and Maintenance

The proposed sewer rate adjustments assume that the City's current level of service for operations and maintenance programs for sewer collection and wastewater treatment remain unchanged. There are no increases in staffing or additional new services funded through these rate adjustments. All cost projections are consistent with those used in the City's five-year budget forecast including salaries, benefits, and operational costs.

#### Capital Improvement Program (CIP)

The current CIP related to sewer includes four major project areas: aeration; wastewater treatment plant asset replacement; sludge removal including infrastructure for removal and management; and annual sewer repair and replacement including small and large diameter pipeline, and service laterals.

*Aeration* - The aeration project will change the tertiary treatment plant method by adding denitrification to the process which will lower the nitrate in our effluent. This process change is required by the Regional Water Quality Control Board (RWQCB) so that the City can continue to meet our wastewater discharge permit limits beginning in 2014.

*Asset Replacement* - The asset replacement project is needed to begin systematic replacement of large screens, rotors, screw pumps, etc. that were installed at the wastewater plant over the last 20 years. Planning for the replacement of key system components is critical to the long term preservation of our assets, optimizes life expectancy of the systems, and minimizes the overall costs.

*Sludge Removal* - The requirement for sludge removal and disposal comes from years of wastewater treatment processing whereby the by product was just left to accumulate in the ponds. Due to a RWQCB requirement in our last discharge permit, we are no longer allowed to simply leave the sludge alone. The City must have a plan in place to actively manage and dispose of not only years worth of accumulated sludge, but all future sludge generated through the treatment plant process.

*Annual Sewer Pipeline Repair & Replacement* - Our annual sewer repair and replacement projects are needed to keep up with our aging sewer pipeline. Some of the pipe dates back to the late 1800's! Although we have been repairing/replacing pipeline annually, it has not been enough. Due to our ongoing pipeline imaging program (CCTV), we now have a greater knowledge of the condition of our sewer infrastructure. We must now triage the worst of the worst as we design our annual project to minimize future pipeline failures. Future projects will replace small and large diameter pipe as well as sewer laterals.

#### Debt Service

The final cost component of the sewer rates is our sewer bond debt. The City secured bond financing in 2002 and 2005 to build a series of wastewater treatment plant projects including tertiary treatment, plant expansion, and flood control for the plant facility. A portion of the cost of these projects, especially the expansion project, was supposed to be funded through sewer impact fees collected as residential growth occurred. This incremental development fee revenue was intended to be a major component of our annual debt service obligations. Residential growth has not happened as projected and as a result, more than \$9 million of sewer reserves have been used to pay the development share of our debt service (approximately \$1.7 million/year).

The City cannot continue to meet all of our existing debt service obligations without increasing our sewer rates.

Also, the bond debt incurred in 2002 is lease revenue bonds, as opposed to sewer revenue bonds, and has a higher interest rate component than the current bond market. In order to refund this bond debt to sewer revenue bonds at a lower total cost, the City must have adequate rate coverage in place. Additionally, the City will need to issue additional bond debt to be able to construct the aeration project which has a projected cost of more than \$10 million. This bond debt will require that the City has suitable bond coverage in place prior to the debt being issued.

### Cost of Service

Because the law requires the City to ensure that no one type of utility user is subsidizing the cost of any other user, a full cost of service analysis was completed to establish the proposed rates and make sure that each of our rate classes is charged their appropriate share of the cost to provide sewer services. Based on assumed wastewater flows (not water consumption) and wastewater strength, the following breakdown between residential and commercial classes was determined to best allocate the revenue required from each type of customer based on the cost of service results.

|             | January 1,<br><u>2014</u> | January 1,<br><u>2015</u> | January 1,<br><u>2016</u> | January 1,<br><u>2017</u> | January 1,<br><u>2018</u> |
|-------------|---------------------------|---------------------------|---------------------------|---------------------------|---------------------------|
| Residential | 15%                       | 9%                        | 9%                        | 9%                        | 9%                        |
| Commercial  | 9%                        | 7%                        | 9%                        | 9%                        | 9%                        |

### Sewer Rate Recommendations

Based on a comprehensive review of current and future revenues and expenses, staff is recommending adoption of five (5) annual increases to the sewer rates beginning January 2014. Under the proposed rate adjustments, residential customers will continue to pay a fixed monthly charge as shown below:

| Customer Class             | Present<br><u>Rates</u> | January<br><u>1, 2014</u> | January<br><u>1, 2015</u> | January<br><u>1, 2016</u> | January<br><u>1, 2017</u> | January<br><u>1, 2018</u> |
|----------------------------|-------------------------|---------------------------|---------------------------|---------------------------|---------------------------|---------------------------|
| <b>Residential</b>         |                         |                           |                           |                           |                           |                           |
| Single Family              | \$38.30                 | \$44.05                   | \$48.00                   | \$52.30                   | \$57.00                   | \$62.15                   |
| Condo                      | \$25.00                 | \$28.75                   | \$31.35                   | \$34.15                   | \$37.20                   | \$40.55                   |
| <b>Multi-Family</b>        |                         |                           |                           |                           |                           |                           |
| Apartment/<br>Mobile Home  | \$25.00                 | \$28.75                   | \$31.35                   | \$34.15                   | \$37.20                   | \$40.55                   |
| 4-plex or less             | \$25.00                 | \$28.75                   | \$31.35                   | \$34.15                   | \$37.20                   | \$40.55                   |
| Residential<br>Attached    | \$31.05                 | \$35.70                   | \$38.90                   | \$42.40                   | \$46.20                   | \$50.35                   |
| Residential Multi-<br>Unit | \$31.05                 | \$35.70                   | \$38.90                   | \$42.40                   | \$46.20                   | \$50.35                   |

Other non-residential customers (Commercial/Institutional) will be charged using a calculation that includes a fixed monthly rate and a strength-based volume rate (how much sewage is deposited into the system) based on an average of winter water use. Averages for winter water use (volume) will be established using the period

between November and February from the prior year. With this change, these classes of non-residential customers will no longer be billed based on actual water consumption in each of the 12 months, including outdoor water use. The City and its rate consultant, HDR, reviewed all non-residential accounts and placed customers into the “low,” “medium,” or high” strength categories based upon varying levels of sewer system use. Proposed rates account for the fact that higher strength sewage is more costly to treat. The majority of the commercial customers, however, will fall into the “low strength” rate category.

|                                    | <u>Current<br/>Rates</u> | <u>January<br/>1, 2014</u> | <u>January<br/>1, 2015</u> | <u>January<br/>1, 2016</u> | <u>January<br/>1, 2017</u> | <u>January<br/>1, 2018</u> |
|------------------------------------|--------------------------|----------------------------|----------------------------|----------------------------|----------------------------|----------------------------|
| <b>Monthly Meter Charge</b>        |                          |                            |                            |                            |                            |                            |
| Commercial                         | \$24.99                  | \$27.25                    | \$29.15                    | \$31.75                    | \$34.60                    | \$37.70                    |
| Schools <sup>1</sup>               | \$2.31                   | \$2.52                     | \$2.70                     | \$2.94                     | \$3.20                     | \$3.49                     |
| Correctional Facility <sup>2</sup> | \$5,857.69               | \$6,384.88                 | \$6,831.82                 | \$7,446.68                 | \$8,116.88                 | \$8,847.40                 |
| <b>Volume Charge</b>               |                          |                            |                            |                            |                            |                            |
| Commercial                         | \$3.75                   | N/A                        | N/A                        | N/A                        | N/A                        | N/A                        |
| Hospital                           | \$4.26                   | N/A                        | N/A                        | N/A                        | N/A                        | N/A                        |
| Hotel/Motel                        | \$4.97                   | N/A                        | N/A                        | N/A                        | N/A                        | N/A                        |
| Industrial                         | \$3.75                   | N/A                        | N/A                        | N/A                        | N/A                        | N/A                        |
| Restaurant                         | \$9.41                   | N/A                        | N/A                        | N/A                        | N/A                        | N/A                        |
| Special Rate                       | \$3.75                   | N/A                        | N/A                        | N/A                        | N/A                        | N/A                        |
| Schools                            | N/A                      | N/A                        | N/A                        | N/A                        | N/A                        | N/A                        |
| Correctional Facility              | N/A                      | N/A                        | N/A                        | N/A                        | N/A                        | N/A                        |
| Low                                | N/A                      | \$5.59                     | \$5.98                     | \$6.52                     | \$7.11                     | \$7.75                     |
| Medium                             | N/A                      | \$6.46                     | \$6.91                     | \$7.53                     | \$8.21                     | \$8.95                     |
| High                               | N/A                      | \$7.34                     | \$7.85                     | \$8.56                     | \$9.33                     | \$10.17                    |

<sup>1</sup>Schools are charged based on Average Daily Attendance (ADA)

<sup>2</sup>The Correctional Facility is charged a flat contract rate

## **Wastewater Industrial Pretreatment Program (WIPP) and Pollution Prevention Program**

Separate from the sewer utility, the City operates an industrial pretreatment program and pollution prevention program. These programs were established in 1995 to meet State and Federal requirements and are designed to reduce the impact of high strength sewage on the system. Components of the programs include education, outreach and inspection. The current WIPP fee was adopted by Council in 1995 and has not been increased since and the current revenue is no longer sufficient to cover the expenses. An analysis of the revenue and expense requirements as well as a cost of service evaluation for the programs was completed by HDR simultaneous with the Comprehensive Sewer Rate Study and included as an appendix in the Study. Since this fee is ultimately related to our wastewater system and ensuring that we are in full compliance with the RWQCB, the minor increase in the fee is being included as part of the Proposition 218 process with the sewer rates for clarity and to minimize the cost of the process for the City.

|                                          | Present  | January<br><u>1, 2014</u> | January<br><u>1, 2015</u> | January<br><u>1, 2016</u> | January<br><u>1, 2017</u> | January<br><u>1, 2018</u> |
|------------------------------------------|----------|---------------------------|---------------------------|---------------------------|---------------------------|---------------------------|
| Residential<br>& Commercial<br>Monitored | \$1.57   | \$1.69                    | \$1.82                    | \$1.96                    | \$2.11                    | \$2.27                    |
| Commercial                               | \$8.57   | \$9.21                    | \$9.90                    | \$10.64                   | \$11.44                   | \$12.30                   |
| SIUs <sup>1</sup>                        | \$185.12 | \$199.00                  | \$213.93                  | \$229.97                  | \$247.22                  | \$265.76                  |

<sup>1</sup>Significant Industrial Users have the most impact on the wastewater system and therefore require the greatest amount of monitoring and inspection.

## **Discussion**

Although increasing utility rates is never desired, staff feels that these rate adjustments are critical to the financial stability of the utility. If Council chooses to defer or delay moving forward with the proposed rate changes, the City will lose the opportunity to refund the existing sewer debt under the current optimal bond conditions and will not be able to move forward with the aeration project. Furthermore, the City's ability to continue covering the development related portion of existing debt service is unsustainable without a rate increase. Due to the compounding of rate revenue, a one year delay in rate implementation would increase the first year of rate adjustments to 18% followed by three 10% rate adjustments. Additionally, we would have to defer more than a \$1 million of capital improvements and increase the amount of long-term debt needed to fund the improvements.

Staff is working with Kim Floyd Communications and the Water Utility Advisory Committee (WUAC) to identify a variety of ways to inform the public about the pending rate adjustments and the details driving the need for the adjustments. Staff will keep the Council informed as to the components of the outreach efforts.

Staff is requesting that Council set the required Public Hearing for November 5, 2013 which gives more than the requisite 45 days required under Proposition 218 for the community to receive notice of the rate adjustments. Written notifications of the proposed rate changes will be mailed to property owners and customers of record during the week of September 9<sup>th</sup>. Community meetings are being scheduled in the September/October timeframe. Specific dates, times and locations for the community meetings will be included in the notification letter.

## **Commission/Committee Recommendation**

The WUAC reviewed the City's Sewer Collection and Wastewater Treatment Systems and the proposed Comprehensive Sewer Rate Study over the last 12 months. The Committee presented their report to the City Council on July 2, 2013. Christine Casey, chairwoman, will be attending the Council September 3<sup>rd</sup> meeting to provide additional input from the Committee.

## **Alternative Courses of Action**

1. Receive the July 2013 Comprehensive Sewer Rate Study and set November 4, 2013 as the Public Hearing date for the proposed sewer rate increases.
2. Do not set November 4, 2013 as a Public Hearing for the proposed sewer rate increases and direct staff how to proceed.

**Conclusion**

Staff recommends that the City Council approve Alternative No. 1.

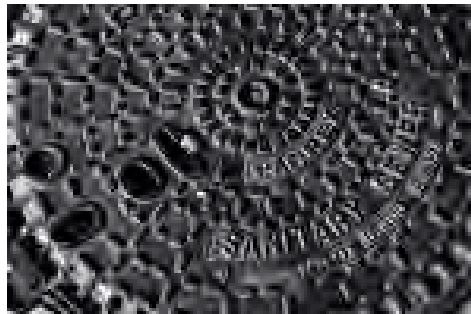
Prepared by: Lynn Johnson  
Senior Management Analyst

Paul Navazio, City Manager

Attachment: 2013 Comprehensive Sewer Rate Study

**Draft Report**  
**City of Woodland**

**Comprehensive Sewer Rate Study**  
**July 2013**



**HDR** *Prepared by:*  
HDR Engineering, Inc.

July 18, 2013

Ms. Kimberly McKinney  
Finance Officer  
City of Woodland  
300 First Street  
Woodland, California 95695

**Subject: City of Woodland Comprehensive Draft Sewer Rate Study**

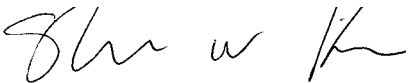
Dear Ms. McKinney:

HDR Engineering, Inc. (HDR) is pleased to present the draft report on the comprehensive sewer rate study conducted for the City of Woodland (City). A key objective in developing the City's comprehensive sewer rate study was to develop a financial plan and rates that generate sufficient revenue to fund the operating and capital needs of the sewer utility. A second objective of this study was to determine the appropriateness of the current rates by conducting a cost of service analysis and reviewing the structure of the rates. Finally, revised rate structures were developed to collect the target revenue levels based on the customer strength levels and volumes. This report outlines the approach, methodology, findings, and conclusions of the comprehensive rate study process.

This report was developed utilizing the City's accounting, budget documents, capital improvement plan, sewer design costs, and customer characteristics. HDR has relied on this information to develop our analyses that form our findings, conclusions, and recommendations. At the same time, this study was developed utilizing generally accepted rate setting principles. The conclusions and recommendations contained within this report are intended to provide a long-term (five year) financial plan that meets the operating and capital needs of the City's sewer utility. Finally, this report provides the basis for developing and implementing rates that are cost-based, defensible, and equitable to the City's customers.

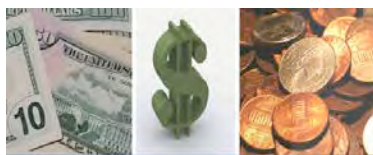
We appreciate the assistance provided by City staff in the development of this study. More importantly, we appreciate working with City of Woodland's staff, management, Sewer Utility Advisory Committee (WUAC), and City Council on this project.

Sincerely yours,



Shawn Koorn  
Associate Vice President  
HDR Engineering, Inc.





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**Technical Appendix A –Rate Study Analysis**

**Technical Appendix B –Bill Comparisons**

**Technical Appendix C – Sewer Pre-Treatment Fees**



## Executive Summary

### Introduction

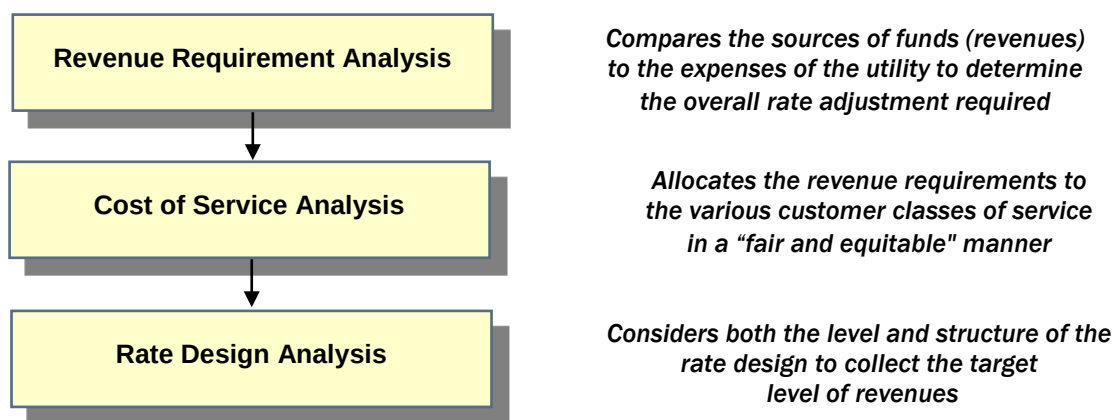
HDR Engineering (HDR) was retained by the City of Woodland (City) to perform a comprehensive sewer rate study. The purpose of this rate study update was to determine the adequacy of the existing sewer rates based on current and projected operating and capital costs, and develop cost-based rates that reflect the customers use of the sewer system.

This section of the report will provide a brief overview of the analysis undertaken for the sewer rate study update as well as provide a summary of the conclusions and recommendations.

### Overview of the Rate Study Process

A comprehensive rate study typically utilizes three interrelated analyses to address the adequacy and equity of a utility's rates. These three analyses are a revenue requirement analysis, a cost of service analysis, and a rate design analysis.

Figure ES-1  
Overview of the Comprehensive Sewer Rate Analyses



Each of the above analyses was completed for the City sewer rate study update. The analysis is specifically tailored to the City's chart of accounts, customer characteristics, and rate schedules.

### Key Sewer Rate Study Results

A comprehensive review of the City's sewer rates was undertaken. The utility was financially evaluated on a stand alone basis. That is, no subsidies between the City's other utilities, or funds, should occur. By viewing the sewer utility on a stand alone basis, the need to adequately fund both operating expenses and capital infrastructure must be balanced against the rate impacts to customers.

Based on the technical analysis undertaken as part of this study, the following findings, conclusions, and recommendations have been developed.

- A revenue requirement analysis was developed for the City for Fiscal Years (FY) 2013 - 2022.
- For rate setting purposes, the focus of the study was on FY 2014 through FY 2018.
- Total sewer capital projects for the time period of FY 2014 – FY 2016 total approximately \$31.4 million and \$50.5 million for the ten year period.
- Key to the study was developing a revenue transition plan to fund existing debt service, as well as new long-term debt to fund capital improvements.
- Multiple revenue transition plans were presented to the WUAC and staff.
- The recommended transition plan is 13% in FY 2014 followed by annual adjustments of 9.0% in FY's 2015 through 2018.
- Rates are proposed to be implemented mid-year of each FY, or in January of each year, starting January 2014.
- Cost of service differences exist between the various classes of service.
- Cost of service results were discussed with City staff and the WUAC and customer class adjustments are recommended.
- Rates were developed to reflect the results of the cost of service analysis and transitioned in over 2 years.
- The current residential (single-family, duplex, multi-family) rate structure was maintained.
- The non-residential rate structure has been revised and the proposed rates are based on the following:
  - Sewer strength levels (low, medium, high).
  - Individual customer average winter water use.
- Proposed rates were developed for FY 2014 through FY 2018 using the proposed revenue transition plan.
- In FY 2017, the City should review the need for future rate adjustments.

## Summary of the Revenue Requirement Analysis

A revenue requirement analysis sums the utility's operating and capital expenses and compares it to the total revenues of the utility. The basis for the operating expenses is the City's Fiscal Year (FY) 2013 budget. Future years operating expenses were escalated to reflect assumed inflationary figures by cost category (salaries, benefits, materials and supplies, etc.) through FY 2022. At this time no additional operating costs over and above current budgeted expenses have been included.

Along with funding annual operating expenses, an important aspect of the sewer revenue requirement is the funding of the sewer capital improvement plan. The City anticipates funding for these projects will be from a combination of new long-term debt, reserves, and rates. A key aspect of the local capital improvement funding is maintaining an adequate level of rate funded capital. A general rule of thumb is to fund an amount greater or equal to annual depreciation expense. In this way, the City is funding the replacement of depleted infrastructure on an annual basis. For the City's analysis, it was determined that during the time period reviewed annual depreciation levels would not be reached given the impact on rates. Therefore, the level of rate funded capital was phased in over the ten year period.

Provided below in Table ES-1 is a summary of the sewer capital improvement projects followed by the assumed funding of the projects in Table ES-2.

| Table ES-1<br>Summary of the Capital Improvement Plan (\$000's) |                |                |                |                |                |                |                |                |                |                |
|-----------------------------------------------------------------|----------------|----------------|----------------|----------------|----------------|----------------|----------------|----------------|----------------|----------------|
|                                                                 | FY<br>2012/13  | FY<br>2013/14  | FY<br>2014/15  | FY<br>2015/16  | FY<br>2016/17  | FY<br>2017/18  | FY<br>2018/19  | FY<br>2019/20  | FY<br>2020/21  | FY<br>2021/22  |
| <b>Capital Improvements</b>                                     |                |                |                |                |                |                |                |                |                |                |
| Flood Safe Yolo                                                 | \$1,151        | \$0            | \$0            | \$0            | \$0            | \$0            | \$0            | \$0            | \$0            | \$0            |
| NPDES Permit Requirements                                       | 0              | 103            | 85             | 0              | 0              | 0              | 119            | 61             | 0              | 0              |
| Aeration Retrofit of Oxidation Ditch                            | 246            | 1,021          | 3,476          | 3,157          | 1,251          | 0              | 172            | 177            | 0              | 0              |
| Planned Growth                                                  | 0              | 1,350          | 973            | 1,637          | 0              | 102            | 1,433          | 1,476          | 0              | 0              |
| WPCF Major Equip. Replace.                                      | 140            | 1,154          | 145            | 523            | 3,337          | 1,095          | 602            | 1,510          | 925            | 689            |
| Collection System R&R                                           | 577            | 1,614          | 1,662          | 1,712          | 1,763          | 1,816          | 1,871          | 1,927          | 1,985          | 1,392          |
| Biosolids Existing Users                                        | <u>1,200</u>   | <u>541</u>     | <u>858</u>     | <u>884</u>     | <u>563</u>     | <u>580</u>     | <u>667</u>     | <u>615</u>     | <u>633</u>     | <u>729</u>     |
| <b>Total Capital Improvements</b>                               | <b>\$3,314</b> | <b>\$5,783</b> | <b>\$7,199</b> | <b>\$7,913</b> | <b>\$6,914</b> | <b>\$3,593</b> | <b>\$4,865</b> | <b>\$5,766</b> | <b>\$3,543</b> | <b>\$2,811</b> |

As shown in Table ES-1 the planned annual capital improvements range from \$3 million to \$7 million per year.

| Table ES-2<br>Summary of the Capital Improvement Plan Funding (\$000's) |                |                |                |                |                |                |                |                |                |                |
|-------------------------------------------------------------------------|----------------|----------------|----------------|----------------|----------------|----------------|----------------|----------------|----------------|----------------|
|                                                                         | FY<br>2012/13  | FY<br>2013/14  | FY<br>2014/15  | FY<br>2015/16  | FY<br>2016/17  | FY<br>2017/18  | FY<br>2018/19  | FY<br>2019/20  | FY<br>2020/21  | FY<br>2021/22  |
| <b>Total Capital Improvements</b>                                       | <b>\$3,314</b> | <b>\$5,783</b> | <b>\$7,199</b> | <b>\$7,913</b> | <b>\$6,914</b> | <b>\$3,593</b> | <b>\$4,865</b> | <b>\$5,766</b> | <b>\$3,543</b> | <b>\$2,811</b> |
| <b>Less Funding Sources</b>                                             |                |                |                |                |                |                |                |                |                |                |
| Un-Assigned Operating Reserves                                          | 100            | 1,046          | 350            | 350            | (0)            | (0)            | 0              | 0              | 0              | 0              |
| Bond Reserve                                                            | 1,663          | 4,337          | 0              | 0              | 0              | 0              | 0              | 0              | 0              | 0              |
| Storm Funding                                                           | 1,151          | 0              | 0              | 0              | 0              | 0              | 0              | 0              | 0              | 0              |
| New Revenue Bonds                                                       | <u>0</u>       | <u>0</u>       | <u>6,199</u>   | <u>6,663</u>   | <u>5,414</u>   | <u>1,843</u>   | <u>2,865</u>   | <u>3,516</u>   | <u>1,043</u>   | <u>61</u>      |
| <b>Total Funding Sources</b>                                            | <b>\$2,914</b> | <b>\$5,383</b> | <b>\$6,549</b> | <b>\$7,013</b> | <b>\$5,414</b> | <b>\$1,843</b> | <b>\$2,865</b> | <b>\$3,516</b> | <b>\$1,043</b> | <b>\$61</b>    |
| <b>Rate Funded Capital Improvements</b>                                 | <b>\$400</b>   | <b>\$400</b>   | <b>\$650</b>   | <b>\$900</b>   | <b>\$1,500</b> | <b>\$1,750</b> | <b>\$2,000</b> | <b>\$2,250</b> | <b>\$2,500</b> | <b>\$2,750</b> |

As shown in Table ES-2, the primary funding source used to fund the capital improvements is long-term debt. The level of rate funded capital is being transitioned in over the ten year period to reach annual depreciation levels.

Based on the projected operating expenses and capital funding plan the revenue requirement can be developed. Provided in Table ES-3 is a summary of the ten year revenue requirement developed for the City's sewer utility.

Table ES-3  
Summary of Sewer Utility Revenue Requirement (\$000's)

|                                                                             | FY<br>2012      | FY<br>2013      | FY<br>2014       | FY<br>2015       | FY<br>2016       | FY<br>2017       | FY<br>2018       | FY<br>2019       | FY<br>2020       | FY<br>2021       |
|-----------------------------------------------------------------------------|-----------------|-----------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|
| <b>Sources of Funds</b>                                                     |                 |                 |                  |                  |                  |                  |                  |                  |                  |                  |
| Operating Revenues                                                          | \$10,396        | \$10,458        | \$10,521         | \$10,626         | \$10,732         | \$10,840         | \$10,948         | \$11,058         | \$11,190         | \$11,325         |
| Other Revenue                                                               | 134             | 135             | 136              | 135              | 140              | 146              | 175              | 192              | 218              | 232              |
| <b>Total Sources of Funds</b>                                               | <b>\$10,530</b> | <b>\$10,593</b> | <b>\$10,657</b>  | <b>\$10,761</b>  | <b>\$10,872</b>  | <b>\$10,986</b>  | <b>\$11,123</b>  | <b>\$11,249</b>  | <b>\$11,409</b>  | <b>\$11,557</b>  |
| <b>Applications of Funds</b>                                                |                 |                 |                  |                  |                  |                  |                  |                  |                  |                  |
| Operation & Maintenance Expense                                             |                 |                 |                  |                  |                  |                  |                  |                  |                  |                  |
| Accounting - Sewer                                                          | \$354           | \$367           | \$380            | \$395            | \$410            | \$426            | \$442            | \$460            | \$479            | \$499            |
| Sewage Collection System                                                    | 2,293           | 2,328           | 2,422            | 2,521            | 2,625            | 2,735            | 2,852            | 2,975            | 3,106            | 3,244            |
| Sewage Treatment Plant                                                      | 3,491           | 3,631           | 3,779            | 3,934            | 4,096            | 4,267            | 4,446            | 4,635            | 4,833            | 5,042            |
| Environment Operations Laboratory                                           | 521             | 542             | 563              | 586              | 611              | 637              | 664              | 693              | 724              | 757              |
| Utilities Engineering                                                       | 540             | 559             | 579              | 600              | 622              | 646              | 670              | 696              | 724              | 753              |
| Additions                                                                   | <u>0</u>        | <u>0</u>        | <u>0</u>         | <u>0</u>         | <u>0</u>         | <u>0</u>         | <u>0</u>         | <u>0</u>         | <u>0</u>         | <u>0</u>         |
| Total Operating & Maintenance Expense                                       | \$7,198         | \$7,426         | \$7,723          | \$8,035          | \$8,364          | \$8,710          | \$9,075          | \$9,460          | \$9,866          | \$10,295         |
| Net Capital Funded Through Rates                                            | \$400           | \$400           | \$650            | \$900            | \$1,500          | \$1,750          | \$2,000          | \$2,250          | \$2,500          | \$2,750          |
| Net Debt <sup>[1]</sup>                                                     | \$1,821         | \$3,393         | \$4,026          | \$4,557          | \$4,987          | \$5,135          | \$5,361          | \$5,640          | \$5,725          | \$5,727          |
| Change in Working Capital +/-                                               | \$1,111         | \$28            | \$106            | \$260            | \$279            | \$1,054          | \$1,299          | \$932            | \$801            | \$735            |
| <b>Total Revenue Requirements</b>                                           | <b>\$10,530</b> | <b>\$11,246</b> | <b>\$12,505</b>  | <b>\$13,751</b>  | <b>\$15,130</b>  | <b>\$16,650</b>  | <b>\$17,735</b>  | <b>\$18,282</b>  | <b>\$18,892</b>  | <b>\$19,507</b>  |
| <b>Cumulative Balance/(Deficiency) of Funds<br/>Without a Rate Increase</b> | <b>\$0</b>      | <b>(\$654)</b>  | <b>(\$1,848)</b> | <b>(\$2,991)</b> | <b>(\$4,258)</b> | <b>(\$5,663)</b> | <b>(\$6,612)</b> | <b>(\$7,033)</b> | <b>(\$7,483)</b> | <b>(\$7,951)</b> |
| <b>Cumulative Adjust. as % of Rate Revenues</b>                             | <b>0.0%</b>     | <b>6.2%</b>     | <b>17.6%</b>     | <b>28.1%</b>     | <b>39.7%</b>     | <b>52.2%</b>     | <b>60.4%</b>     | <b>63.6%</b>     | <b>66.9%</b>     | <b>70.2%</b>     |

It is important to note the annual deficiencies in the Table ES-3 are cumulative. That is, any adjustments in the initial years will reduce the deficiency in the later. As shown above, If no revenue adjustments are implemented, over the next 10 year time period, revenues will need to be increased by approximately \$7.9 million to adequately and properly fund the City's sewer utility operating expenses and capital infrastructure improvements. It should be noted that this level of revenue is necessary to support the assumed level of long-term debt financing and meet the funding requirements imposed when issuing long-term debt. . While the revenue requirement was developed for a ten year period, the focus of the study for the rate setting process was the five year period of FY 2014 through FY 2018. Over this time period, revenues are deficient approximately \$5.6 million.

In discussion with City staff and the WUAC, it was determined that a transition to cost-based rates over the five year period would attempt to minimize rate impacts to customers and allow a smoother transition to cost-based levels. The need for the revenue adjustments are primarily the result funding existing, and future, long-term debt for past and future capital improvements necessary to maintain the system in a prudent manner and maintain the level of sewer service the City's customers are accustomed to. During the study several alternative revenue transition plans were developed and discussed with staff and the WUAC.

In addition to the development of the revenue transition plan, a key discussion was the timing of the rate implementation. The first consideration was the timing with the previously adopted water rate increases. Given these adopted increases, staff and the WUAC discussed if the timing should be the same, or different than the water increase. Ultimately, it was determined that the timing should be the same as the water rate increases. The other consideration was the amount of time for the City to provide information and outreach to the customers of the rate impacts as a result of the proposed rates. In discussion with City staff and the WUAC it is proposed that the rates are implemented in January of each year. The first proposed revenue adjustment will occur on January 1, 2014, followed by annual increases at the start of each calendar year (January 1) during the following four-year period. Provided in Table ES-4 is the proposed sewer utility revenue transition plan for the projected time period.

| Table ES – 4<br>Sewer Utility –Revenue Transition Plan |                    |                    |                    |                    |                    |
|--------------------------------------------------------|--------------------|--------------------|--------------------|--------------------|--------------------|
|                                                        | January 1,<br>2014 | January 1,<br>2015 | January 1,<br>2016 | January 1,<br>2017 | January 1,<br>2018 |
| <b>Proposed Revenue Adjustment <sup>1</sup></b>        | <b>13.0%</b>       | <b>9.0%</b>        | <b>9.0%</b>        | <b>9.0%</b>        | <b>9.0%</b>        |

It is important to note that the proposed revenue transition plan does not imply that each customer will receive the same percentage increase in their bill. As discussed in the rate design section of the Executive Summary, and in later sections in the report, the bill impacts can vary from customer to customer as a result of the cost of service analysis and from changes to the rate structure.

Based on the revenue requirement analysis developed, HDR recommends the City increase the overall revenue levels of the sewer utility at this time. After designing multiple transition alternatives for the City and WUAC to review, the revenue transition plan in Table ES-4 was developed.



## Summary of Cost of Service Analysis

A sewer cost of service analysis determines the equitable allocation of the sewer revenue requirement to the various customer classes of service. The objective of the sewer cost of service analysis is different from determining the revenue requirement. A revenue requirement analysis determines the utility's overall financial needs, while the cost of service analysis determines the fair and equitable manner to collect that revenue requirement from the various types of customers served by the City.

The cost of service is based on generally accepted methodologies which are outlined in the Water Environment Federation Manual of Practice 27 Financing and Charges for Wastewater Systems. The methodology results in the classification and allocation of costs based on each customer class's proportional share of volume, strength, and customer related needs.

For the City's sewer rate study the customer classes of service were based on the current rate schedules of residential, non-residential (e.g., commercial), institutional (i.e., schools), and the correctional facility. These customer classes of service are the typical customer classes used during a rate study. The correctional facility was allocated costs separately as the rate is based on a contractual agreement.

Utilizing generally accepted methodologies, the City's customer characteristics, and previously developed revenue requirement the cost of service analysis was developed. A summary of the sewer utility cost of service analysis for FY 2014 is shown in Table ES-5.

| Table ES-5<br>Summary of the FY 2013/14 Cost of Service Analysis (\$000s) |                       |                 |               |              |
|---------------------------------------------------------------------------|-----------------------|-----------------|---------------|--------------|
| Class of Service                                                          | Present Rate Revenues | Allocated Costs | \$ Difference | % Difference |
| Residential                                                               | 8,101                 | 8,735           | (\$634)       | 7.8%         |
| Commercial                                                                | 1,963                 | 1,895           | \$68          | -3.4%        |
| Schools                                                                   | 324                   | 408             | (84)          | 25.8%        |
| Corrections Facility                                                      | 70                    | 74              | (4)           | 5.2%         |
| Total                                                                     | \$10,458              | \$11,112        | -\$654        | 6.2%         |

The cost of service analysis results indicate cost of service differences between the customer classes of service. A simple guideline in dealing with cost of service results is that a customer class is paying their fair allocation of costs if the costs of service results for that customer group are within  $\pm 5\%$  of the overall adjustment. This range of values is used as the cost of service is based on one year of consumption data, expenses, and other customer characteristics.

While both the residential and corrections facility are within the reasonable range of the results, the commercial and schools are not. It appears that the current commercial rates are set slightly higher than what is reflected in the current cost of service analysis. This may be the result of the current rates, or the length of time between cost of service studies which has resulted in the commercial class results. For the schools, the driver is the assumed wastewater flow, which was difficult to determine exactly given the nature of the system. Many of the schools accounts include both indoor use and outdoor use, others are only outdoor use, while some appear to be only indoor use. Given the data concerns, the schools should be reviewed in more detail in future cost of service analyses to determine if the cost allocations remain at similar levels. If they do, rate adjustments can be implemented.



## Summary of the Rate Designs

The final step of the comprehensive sewer rate study process is the design of sewer rates to collect the desired levels of revenue, based on the results of the revenue requirement and cost of service analysis. For the City's study it was determined, in discussion with City staff and the WUAC, that the proposed rates would reflect the results of the cost of service analysis. Specifically, this resulted in a slightly higher increase for the residential customers, when compared to the overall system adjustment, and a lower increase to commercial, schools, and the correctional facility when compared to the overall system adjustment. . Provided below in Table ES-6 is a summary of the proposed revenue adjustments and timing of the adjustment for each of the customer classes of service.

| Table ES-6<br>Alternative Revenue Transition Plan |                    |                    |                    |                    |                    |
|---------------------------------------------------|--------------------|--------------------|--------------------|--------------------|--------------------|
|                                                   | January 1,<br>2014 | January 1,<br>2015 | January 1,<br>2016 | January 1,<br>2017 | January 1,<br>2018 |
| <b>Residential</b>                                | 15.0%              | 9.0%               | 9.0%               | 9.0%               | 9.0%               |
| <b>Commercial</b>                                 | 9.0%               | 7.0%               | 9.0%               | 9.0%               | 9.0%               |
| <b>Institutional</b>                              | 9.0%               | 7.0%               | 9.0%               | 9.0%               | 9.0%               |
| <b>Correctional Facility</b>                      | 9.0%               | 7.0%               | 9.0%               | 9.0%               | 9.0%               |

In developing the proposed rate designs, the City's existing rate structures were reviewed. Presently the City has a fixed monthly rate for the single-family, condos, and multi-family units. Non-residential customers are charged a monthly fixed charge and a volume charge based on water consumption. The volume charge varies depending on the type of customer. Schools are charged a flat monthly rate based on average daily attendance (ADA). The City charges the correctional facility a flat monthly charge based on a contractual agreement.

Various alternative rate structures were reviewed and discussed with City staff and the WUAC. Maintaining the current fixed charge for residential customers was determined to be the most equitable at this time. Future rate structures for the residential customers will include a review of volume based rate structures. For the non-residential customers a strength based rate structure billed on winter water use is proposed. The rate structure for the schools and the correctional facility were not changed. Presented below are the present and proposed rates for the City's customers. The rates are based on the rate transition plan shown in Table ES-6.

The residential class of service included single-family, condos, apartments and mobile homes. The current rate structure is a monthly fixed charge which does not vary. As noted, the current rate structure has been maintained and the level of the rate structure adjusted based on the rate transition plan. Table ES-7 shows the present and proposed residential rates for the revenue transition period.

Table ES-7  
Present and Proposed Residential Sewer Rates

| Customer Class         | Present Rates | January 1, 2014 | January 1, 2015 | January 1, 2016 | January 1, 2017 | January 1, 2018 |
|------------------------|---------------|-----------------|-----------------|-----------------|-----------------|-----------------|
| Single Family          | \$38.30       | \$44.05         | \$48.00         | \$52.30         | \$57.00         | \$62.15         |
| Condo                  | \$24.99       | \$28.75         | \$31.35         | \$34.15         | \$37.20         | \$40.55         |
| Apartment/Mobile Home  | \$24.99       | \$28.75         | \$31.35         | \$34.15         | \$37.20         | \$40.55         |
| 4-plex or less         | \$24.99       | \$28.75         | \$31.35         | \$34.15         | \$37.20         | \$40.55         |
| Residential Attached   | \$31.07       | \$35.70         | \$38.95         | \$42.45         | \$46.25         | \$50.40         |
| Residential Multi-Unit | \$31.07       | \$35.70         | \$38.95         | \$42.45         | \$46.25         | \$50.40         |

As seen in Table ES-7, the residential rate structure has not been changed during the transition period, only the level of the rates has been adjusted. As the City collects additional metered water data it can begin to analyze the impacts of transitioning to a volume based sewer rate structure.

As noted the non-residential customers are charged a monthly fixed charge and a volume charge based on water use. The rate structure also is further defined between commercial, hospital, hotel/motel, industrial, restaurant, and special rate customers each with a different volume charge. As discussed, the proposed rate structure has been revised to reflect three (3) non-residential customer groups. These are based on sewer strength levels and the rates are set to reflect the increased cost of treatment for the higher strength sewer flow. In addition, the rate structure will be billed on winter water use rather than all water use. This process of billing on winter water use takes the summer outdoor watering use out of the sewer billing process. Each customer will have a winter water use calculation based on the prior years winter water use. This level of use, for each individual customer, will be the “ceiling” for sewer billing. In other words, each customer will be billed the maximum of the actual use or the calculated winter water use. During the winter periods, the actual consumption will be billed. City staff and HDR reviewed the non-residential customers and placed customers in the appropriate strength class (high, medium, or low). The winter water use was then calculated for each individual customer and the amount of consumption billed for the year was used to develop the rates. The rate differential between the strength categories was based on the costs of treating higher strength wastewater. Provided in Table ES-8 is a summary of the present and proposed non-residential rates.

Table ES-8  
Present and Proposed Non-Residential Sewer Rates

| Customer Class                                    | Present Rates | January 1, 2014 | January 1, 2015 | January 1, 2016 | January 1, 2017 | January 1, 2018 |
|---------------------------------------------------|---------------|-----------------|-----------------|-----------------|-----------------|-----------------|
| <b><u>Monthly Fixed Charge</u></b>                |               |                 |                 |                 |                 |                 |
| Non-Residential                                   | \$24.99       | \$27.25         | \$29.15         | \$31.75         | \$34.60         | \$37.70         |
| <b><u>Volume Charges</u></b>                      |               |                 |                 |                 |                 |                 |
| Commercial                                        | \$3.75        | N/A             | N/A             | N/A             | N/A             | N/A             |
| Hospital                                          | \$4.26        | N/A             | N/A             | N/A             | N/A             | N/A             |
| Hotel/Motel                                       | \$4.97        | N/A             | N/A             | N/A             | N/A             | N/A             |
| Industrial                                        | \$3.75        | N/A             | N/A             | N/A             | N/A             | N/A             |
| Restaurant                                        | \$9.41        | N/A             | N/A             | N/A             | N/A             | N/A             |
| Special Rate                                      | \$3.75        | N/A             | N/A             | N/A             | N/A             | N/A             |
| <b><u>Winter Water Average Volume Charges</u></b> |               |                 |                 |                 |                 |                 |
| Low Strength                                      | N/A           | \$5.59          | \$5.98          | \$6.52          | \$7.11          | \$7.75          |
| Medium Strength                                   | N/A           | \$6.46          | \$6.91          | \$7.53          | \$8.21          | \$8.95          |
| High Strength                                     | N/A           | \$7.34          | \$7.85          | \$8.56          | \$9.33          | \$10.17         |

As can be seen the rate structure for the non-residential customers has been revised to include strength based volume charges based on winter water average use. The monthly fixed charge has increased each year based on the transition plan. The remaining revenue needs are collected through the volume charge. A key aspect of this rate structure is that all water use over the individual customers' winter water average is no longer billed for sewer. As a result, the amount of consumption billed is decreased and the cost per CCF has increased. This is the reason for what appears to be a large increase in the volume charge. However, the customer will no longer pay for outdoor water use in the sewer bill therefore reducing the amount of consumption charged in a given billing period. The change in the rate structure also makes it difficult to compare the impacts to customers as the current rate structure doesn't note if a customer is a low, medium, or high strength. However, for comparison purposes, the majority of the non-residential customers fall into the current volume charge of commercial and low for the proposed rates. A high strength customer example would be the industrial customers or restaurant customers.

The institutional, or school, customers are charged a rate based on ADA. At this time there is no proposed change to the school rate structure. The school rate has been increased to reflect the non-residential revenue transition plan. Provided in Table ES-9 is a summary of the present and proposed school rate structure.

Table ES-9  
Present and Proposed Institutional Sewer Rates

| Customer Class        | Present Rates | January 1, 2014 | January 1, 2015 | January 1, 2016 | January 1, 2017 | January 1, 2018 |
|-----------------------|---------------|-----------------|-----------------|-----------------|-----------------|-----------------|
| Institutional/Schools | \$2.31        | \$2.52          | \$2.70          | \$2.94          | \$3.20          | \$3.49          |

Again, the school rate structure has not changed and only the level of the rate has been adjusted based on the non-residential revenue transition plan.

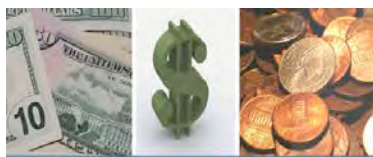
The final class of service is the rate structure for the correctional facility. The rate is a contractual rate and based on prior agreements between the City and the facility. However, as part of the study HDR developed a methodology to equitably allocate the costs of providing sewer service to the correctional facility. The correctional facility is charged a monthly fixed charge. Provided below in Table ES-10 is a summary of the present and proposed correctional facility rates.

| Table ES-10<br>Present and Proposed Correctional Facility Sewer Rates |               |                 |                 |                 |                 |                 |
|-----------------------------------------------------------------------|---------------|-----------------|-----------------|-----------------|-----------------|-----------------|
| Customer Class                                                        | Present Rates | January 1, 2014 | January 1, 2015 | January 1, 2016 | January 1, 2017 | January 1, 2018 |
| Institutional/Schools                                                 | \$5,857.69    | \$6,384.88      | \$6,831.82      | \$7,446.68      | \$8,116.88      | \$8,847.40      |

As can be seen in Table ES-10 the rates for the correctional facility have been increased based on the non-residential revenue transition plan.

### Summary of the Sewer Rate Study

This completes the analysis for the City's sewer utility. It is recommended that overall revenues be increased annually by 13.0% January 1, 2014 followed by annual 9.0% adjustments on January 1 in 2015 through 2018. A full and complete discussion of the development of the comprehensive sewer rate study and the proposed revenue adjustments can be found in following sections of this report.



## Section 1 Introduction

### 1.1 Introduction

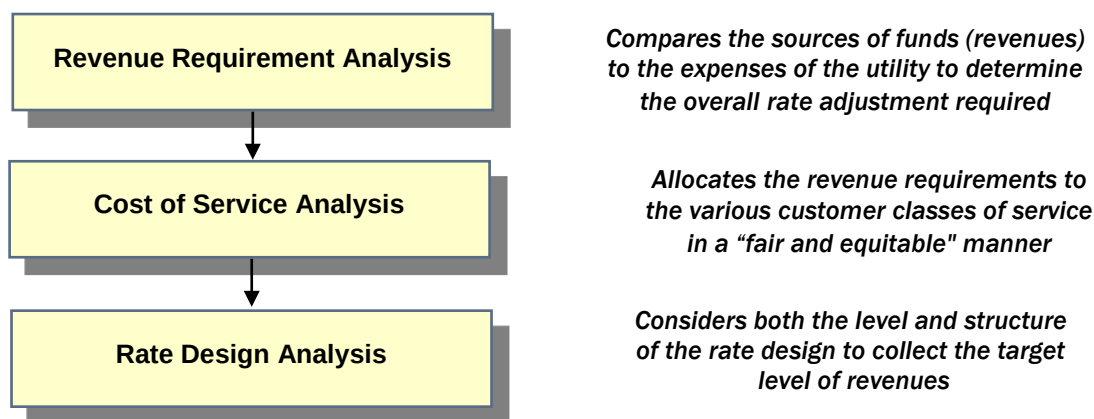
The City of Woodland (City) retained HDR Engineering, Inc. (HDR) to perform a comprehensive sewer rate study. A comprehensive rate study determines the adequacy of the existing sewer rates to fund the City's future operating and capital needs and any resulting revenue adjustments to meet the funding needs. Revenue levels that are set too low may result in insufficient funds to prudently maintain the sewer system and invest in future improvements.

This study provides a rational basis for making adjustments to the overall level of revenues; as well as, addressing the fairness and equity of current rates between the various customer classes of service. This report will describe the methodology used to analyze the City's sewer rates and summarizes the findings, conclusions and recommendations of this study.

### 1.2 Overview of the Rate Study Process

A comprehensive rate study consists of three interrelated analyses to properly review the City's sewer rates. Figure 1-1 provides an overview of these analyses.

Figure 1-1  
Overview of the Comprehensive Sewer Rate Analyses



A revenue requirement analysis is concerned with the overall funding sources and expenses of the utility. From this analysis, a determination can be made as to the overall level of revenues needed to prudently fund the utility. Next, a cost of service analysis is performed to equitably distribute the revenue requirement to the various types of customers served (e.g., residential, commercial, etc.). Finally, once an overall level of revenues is determined and an equitable distribution of those costs between the customers, the final step of the rate study process is the design of rates to collect the appropriate level of revenues while considering the other rate design goals and objectives (e.g., revenue stability, affordability, etc.). As a part of this study, HDR developed each of these analyses to analyze the City's current sewer rates. In developing these analyses, "generally accepted" cost of service and rate setting techniques were utilized

and then tailored to specifically reflect the operation of the City's sewer system, and the customer's wastewater strength and volumes.

### **1.3 Report Organization**

This report is organized as follows:

- Section 2 provides an overview of the utility rate setting process.
- Section 3 reviews the revenue requirement analysis.
- Section 4 reviews the cost of service analysis.
- Section 5 reviews the rate design analysis.

A technical appendix is attached at the end of the report which provides the technical analyses used in the preparation of this report.

### **1.4 Summary**

This report will review the comprehensive sewer rate study completed for the City. This report has been developed utilizing generally accepted rate setting methodologies. The next section of the report will provide a brief overview of the general rate setting process that was used to review the City's sewer rates.



## Section 2

# Overview of the Rate Setting Process

## 2.1 Introduction

This section provides background information about the rate setting process, including descriptions of generally accepted principles, types of utilities, methods of determining the revenue requirement, the cost of service approach, and rate design. This information is useful for gaining a better understanding of the details presented in Sections 3 through 5.

## 2.2 Generally Accepted Rate Setting Principles

As a practical matter, there should be a general set of principles around which rates are set. These guiding principles may be items such as setting rates that are cost-based, etc. These types of principles may be referred to as “global principles” since they should be utilized by all utilities (e.g., water, sewer, solid waste, etc.) in the development of their rates.

Provided below is a brief listing of the global principles around which the City should consider setting its utility rates:

- Cost-based, equitable, and set at a level that meets the utility’s full revenue requirement
- Easy to understand and administer
- Designed to conform with generally accepted rate setting techniques
- Stable in their ability to provide adequate revenues for meeting the utility’s financial, operating, and regulatory requirements
- Established at a level that is stable from year-to-year from a customer’s perspective

These guiding principles will be utilized within this study to help develop sewer rates that are cost-based and equitable.

## 2.3 Types of Utilities

Utilities are generally divided into two types:

- **Public utilities** are usually owned by a city, county, or special district, and are theoretically operated at zero profit. A public utility is locally owned since its customers are also its owners. As a point of reference, the City’s sewer utility is a public utility.

Public utilities are capitalized or financed by issuing debt and soliciting funds from customers through direct capital contributions or user rates. Public or municipal utilities are typically exempt from state and federal income taxes. A publicly elected city council or board of trustees usually regulates public utilities.

*“Public Utilities are... theoretically operated at zero profit. As a point of reference, the City’s sewer utility is a public utility.”*

- **Private utilities** are “for profit” enterprises and are owned by a private company and/or stockholders. The shareholders are, in essence, the owners of the private utility. Therefore, the owners of a private utility may not be customers or local citizens, but rather numerous individuals or shareholders spread across the United States.

A private utility is capitalized by issuing stock to the general public. Private utilities are taxable entities. Given their for profit status, their rates and operations are generally regulated by a state public utility commission or other regulatory body.

The analysis developed herein has been based on the methodology generally utilized by a municipal, or public, sewer utility.

## 2.4 Determining the Revenue Requirement

Because public and private utilities have very different administrative and financial characteristics, their methods differ for determining revenue requirements and setting rates.

### 2.4.1 Public Utilities

Most public utilities use the “cash basis” approach for establishing their revenue requirement and setting rates. This approach conforms to most public utility budgetary requirements and the calculation is easy to understand. A public utility:

- Totals its cash expenditures for a period of time to determine required revenues.
- Adds operation and maintenance (O&M) expenses to any applicable taxes and/or transfer payments to determine total operating expenses. Operation and maintenance expenses include the materials, electricity, labor, supplies, etc. needed to keep the utility functioning.
- Calculates capital costs by adding debt service payments (principal and interest) to capital improvements financed with rate revenues. In lieu of including capital improvements financed with rate revenues, a utility sometimes includes depreciation expense to stabilize annual revenue requirement.

Under the “cash basis” approach to accounting, the sum of the capital and operating expenses equals the utility’s revenue requirement during any period of time (see Table 2-1).

Note that the two portions of the capital expense component (debt service and capital improvements financed from rates) are necessary under the “cash basis” approach because utilities generally cannot finance all their capital facilities with long-term debt. An exception occurs if a public utility provides service to a wholesale or contract customer. In this situation, a public utility could use the “utility basis” approach (see Table 2-1) to earn a fair return on its investment.

| Table 2-1<br>Cash versus Utility Basis Comparison |                                                                                    |                         |                            |
|---------------------------------------------------|------------------------------------------------------------------------------------|-------------------------|----------------------------|
| Cash Basis                                        |                                                                                    | Utility Basis (Accrual) |                            |
| +                                                 | O&M Expense                                                                        | +                       | O&M Expense                |
| +                                                 | Taxes or Transfer Payments                                                         | +                       | Taxes or Transfer Payments |
| +                                                 | Capital Improvements Financed with<br>Rate Revenues ( $\geq$ Depreciation Expense) | +                       | Depreciation Expense       |
| +                                                 | Debt service (Principal + Interest)                                                | +                       | Return on Investment       |
| =                                                 | Total Revenue Requirement                                                          | =                       | Total Revenue Requirement  |

### 2.4.2 Private Utilities

Most private utilities use a “utility basis” or accrual approach for establishing revenue requirement and setting rates (see Table 2-1). A private utility typically:



- Totals its O&M expenses, taxes, and depreciation expense for a period of time. Depreciation expense is a means of recouping the cost of capital facilities over their useful lives and generating internal cash.
- Adds a fair return on investment.

Private utilities must pay state and federal income taxes along with any applicable property, franchise, sales, or other form of revenue taxes. The return portion of this type of revenue requirement pays for the private utility's interest expense on indebtedness, provides funds for a return to the utility's shareholders in the form of dividends, and leaves a balance for retained earnings and cash flow purposes.

In summary, a revenue requirement analysis provides a comparison between the current sources of funds and the expenses of the utility. The analysis provides an overall measure of the adequacy of the utility's existing rates. The next analytical step is a cost of service which attempts to equitably allocate the revenue requirement to the various customer groups served by the utility.

## 2.5 Analyzing Cost of Service

After the total revenue requirement is determined, it is equitably allocated to the users of the service. The allocation, usually analyzed through a cost of service study, reflects the cost relationships for producing and delivering services.

A cost of service study requires three steps:

1. Costs are **functionalized** or grouped into the various cost categories related to providing service (e.g., source of supply, treatment, transmission, distribution, etc.). This step is largely accomplished by the utility's accounting system.
2. The functionalized costs are then **classified** to specific cost components. Classification refers to the arrangement of the functionalized data into cost components. For example, a sewer utility's costs are typically classified as volume-, strength-, or customer-related.
3. Once the costs are classified into components, they are **allocated** to the customer classes of service (e.g., residential, commercial). The allocation is based on each customer class' relative contribution to the cost component. For example, customer-related costs are allocated to each class of service based on the total number of customers in that class of service. Once costs are allocated, the required revenues for achieving cost-based rates can be determined.

In summary, the cost of service equitably allocates the revenue requirement to each customer class of service based upon that customer group's specific wastewater volume, strength, and customer characteristics. This allocation of total revenue requirements (costs) results in an equitable assignment of costs to each customer group for purposes of designing rates.

## 2.6 Designing Rates

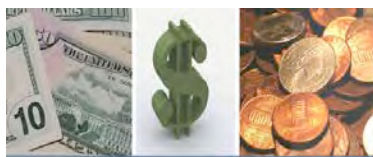
Rates that meet the utility's objectives are designed based on the results of the revenue requirement and cost of service analyses. This results in rates that are cost-based and equitable to the City's customers. However, rate design may also consider factors, other than cost of service. These other rate design considerations may include items such as ability to pay, continuity of past rate philosophy, economic development, ease of administration, and customer understanding.

In designing rates, consideration is given to both the level and the structure of the rates. Level refers to the amount of revenue to be collected from the rates design, while structure is the

way in which it is collected, either through a fixed charge or volume charge based on water consumption.

## **2.7 Summary**

This section of the report has provided a brief introduction to the general principles, techniques, and approach to evaluate and set cost-based sewer rates. These principles and techniques will become the basis for the City's analysis. The next section will review the development of the City's sewer revenue requirement analysis.



## Section 3

# Development of the Revenue Requirement

### 3.1 Introduction

This section of the report will provide the results of the revenue requirement analysis completed for the City's sewer utility. The revenue requirement analysis is the first analytical step in the comprehensive sewer rate study process. This analysis determines the adequacy of the City's overall sewer rates. From this analysis, a determination can be made as to the overall level of sewer revenue adjustment needed to provide adequate and prudent funding for both operating and capital needs. One of the main objectives of a sewer rate study is to develop fair and equitable rates while attempting to minimize the impacts to the utility's customers.

In developing the sewer revenue requirement, it was assumed the utility must financially "stand on its own" and be properly funded. As a result, the revenue requirement as developed herein assumes the full and proper funding needed to operate and maintain the system on a financially sound and prudent basis.

Provided below is a detailed discussion of the development of the revenue requirement analysis for the City's sewer utility and the key steps in that analysis.

*"... the revenue requirement as developed herein assumes the full and proper funding needed to operate and maintain the system on a financially sound and prudent basis."*

### 3.2 Determining the Time Period and Approach

The first step in calculating the revenue requirement for the sewer utility was to establish a time frame for the revenue requirement analysis. For this study, the revenue requirement was developed for the projected ten-year time period of Fiscal Year (FY) 2012/13 – FY 2022/23. Reviewing a multi-year time period is generally recommended in an attempt to identify any major operating, or capital expenses, that may be on the horizon. By anticipating future financial requirements, the City can begin planning for these changes sooner, thereby minimizing short-term rate impacts and overall long-term rates. While a ten year plan was developed the focus of this study was on the next five year period, or the time period allowed under Proposition 218 for rate setting purposes.

The second step in determining the revenue requirement for the City was to decide on the basis of accumulating costs. For the City's revenue requirement, a "cash basis" approach was utilized. The "cash basis" approach is the most commonly used methodology by municipal utilities to set their revenue requirement. Section 2 of this report provided a simple overview of the cash basis methodology. The revenue requirement developed for the City was customized to follow the City's system of accounts (budget documents). However, the City's revenue requirement still contains the four basic cost components of a cash basis methodology. Table 3-1 provides a summary of the "cash basis" approach used to develop the City's sewer revenue requirement.

Table 3-1  
Overview of the Sewer Utility Cash Basis Revenue Requirement

|   |                                                       |
|---|-------------------------------------------------------|
| + | Sewer Operation and Maintenance Expenses              |
| ✓ | Accounting                                            |
| ✓ | Sewage Collection System                              |
| ✓ | Sewage Treatment Plant                                |
| ✓ | Environment Operations Laboratory                     |
| ✓ | Utilities Engineering                                 |
| ✓ | Additions                                             |
| + | Capital Funded Through Rates <sup>[1]</sup>           |
| + | Debt Service (P + I) – Existing and Future            |
| ± | Transfer to Reserves                                  |
| = | Total Sewer Revenue Requirement                       |
| - | Miscellaneous Revenues                                |
| = | Net Revenue Requirement (Balance Required from Rates) |

*[1] Net Capital Funded Through Rates*

|   |                                          |
|---|------------------------------------------|
| + | Total Sewer Capital Improvement Projects |
|   | Funding Sources Other than Rates         |
| ✓ | Reserves                                 |
| ✓ | Previously Issued Revenue Bond Funds     |
| - | ✓ New Long term debt issues              |
| = | Net Capital Improve. Funded From Rates   |

Given a time period around which to develop the revenue requirement and a method to accumulate the appropriate costs, the focus then shifts to the development and projection of the revenues and expenses of the City's sewer utility.

The primary financial inputs in this process were the City's historical billing records and adopted operating budget and capital improvement plan. Presented below is a detailed discussion of the steps and key assumptions contained in the development of the projections of the City's revenues and expenses.

### 3.3 Projection of Revenues

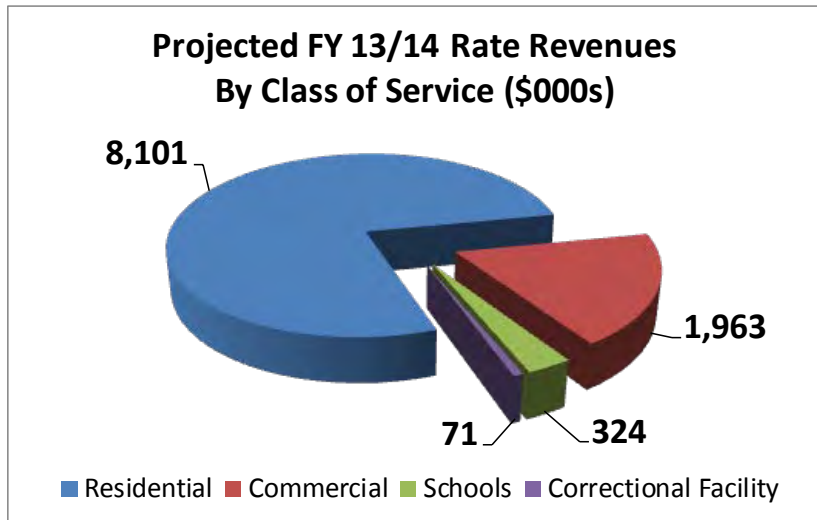
The next step in developing the revenue requirement was to develop a projection of revenues. This projection includes rate revenues, at current rate levels, and other miscellaneous revenues. The purpose of projecting revenues at present rate levels is to obtain a baseline measure of the adequacy of the existing revenues, before consideration of future revenue adjustments.

#### 3.3.1 Projection of Rate Revenues

The development of the rate revenues was based on the City's most recent twelve months of customer data and water consumption records. The City currently bills its residential customers (single-family, multi-family, and condo customers) a flat monthly charge per living unit. Commercial customers, or all other customers, are billed a monthly flat charge as well as a volume charge based on water use. There are two customer groups that are billed under a different manner. These are the institutional customers and the correctional facility. The institutional customers (i.e., schools) are billed based on average daily attendance (ADA), while the correctional facility is billed under a contract rate.

Using the most recent customer data the projection of revenues at present rate levels was developed. This method of independently calculating revenues results in the revenue and billing units used to allocate costs being tied out for an equitable allocation (data is also used for the cost of service analysis) and comparison back to present rate levels.

The revenues at present rates were developed for the four customer classes mentioned above, residential, commercial, institutional, and the correctional facility. The majority of the City's rate revenues are derived from residential customers. In total, at present rates, the City is projected to receive approximately \$10.4 million in rate revenue in FY 2012/13, at present rate levels, increasing over time based on assumed new customer growth.



Over the planning horizon of this study, customer growth is expected to be 0.6% in FY 2013//14 and FY 2014/15 and 1.0% per year thereafter through FY 2021/22. Based on the assumed new customer growth, rate revenues, at present rate levels, are expected to increase to \$11.3 million in FY 2021/22.

### 3.3.2 Projection of Other Revenues

In addition to rate revenues, the City also receives two other sources of revenues. These are PCP land Lease revenues and Interest income earnings. The sewer utility is projected to receive approximately \$135,000 in miscellaneous revenues in FY 2012/13. Miscellaneous revenues are expected to increase slightly each year based on increased interest earnings on higher reserve funds as well as nominal increases in the PCP land lease revenues.

### 3.3.3 Total Revenues

On a combined basis, taking into account the rate revenues along with miscellaneous revenues, the City's total projected revenues are expected to be approximately \$10.5 million in FY 2012/13, increasing to approximately \$11.5 by FY 2021/22.

## 3.4 Projection of Operation and Maintenance Expenses

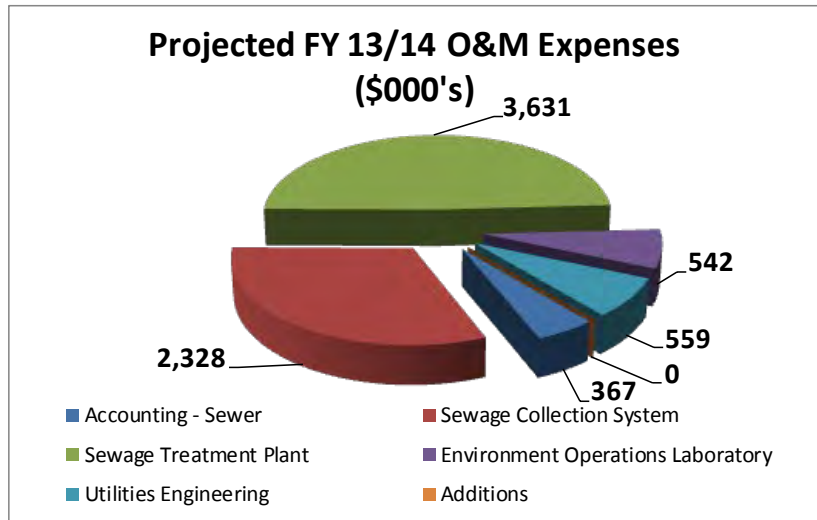
Operation and maintenance (O&M) expenses are incurred by the sewer utility to collect and treat wastewater from customers as well as maintain the existing infrastructure. The costs incurred in this area are expensed during the current fiscal year and are not capitalized or depreciated.

In general, operation and maintenance expenses are grouped into a number of major functional categories (see Table 3-1). To begin the process of projecting O&M expenses over the ten-year time period, escalation factors were developed. Escalation factors were developed for the basic types of expenses the City incurs. These included: labor, benefits – medical, benefits - other, materials & supplies, etc. Because of the recent large escalations in medical benefit costs the escalation factor from medical benefits was assumed to be 9.0% per

year over the planning horizon. The other escalation factors used were in the range of 2% to 5% per year, depending on the type of cost, and recent inflationary trends.

The starting point in developing a projection of future O&M expenses was the City's FY 2012/13 adopted sewer utility budget. The adopted budget was used as a starting point. Each budget line item was reviewed and the appropriate escalation factor applied to develop the forecast of O&M expenses. By maintaining the sewer budget it allows for a quick comparison to future sewer budgets as well as for ease of future updates. During this review, and forecast, no additional O&M costs over and above current budgeted levels were included.

Based on the adopted sewer utility budget, and the projection of O&M expenses, total O&M expenses for the sewer utility range from approximately \$7.2 million in FY 2012/13 to approximately \$10.3 million in FY 2021/22. The increase in O&M expenses is the result of the application of escalation factors representing estimated inflation over the projected time period.



### 3.5 Capital Funded Through Rates

A utility typically has two basic types of capital improvement projects to consider: renewals and replacements and growth-related projects. A utility may also need to make “regulatory” or “mandated” improvements. These may be required by Federal or State legislation (e.g., NPDES permit requirements). The City’s most recent sewer capital improvement plan (CIP) were used to develop the capital funding analysis for the City.

Capital improvements over the 10 year period total approximately \$51.7 million. Major capital improvements are related to the aeration retrofit of the oxidation ditch at the wastewater treatment plant, collection system repairs and replacements, and major equipment replacements at the wastewater treatment plant. These projects reflect the need to provide sufficient capacity for existing and new customers, meet the required discharge permit levels, and replace aging infrastructure for the wastewater treatment plant and sewer collection system.

Provided below in Table 3-2 is the summary of the capital improvement for the projected time period.

Table 3-2  
Summary of the Capital Improvement Plan (\$000's)

|                                      | FY<br>2012/13  | FY<br>2013/14  | FY<br>2014/15  | FY<br>2015/16  | FY<br>2016/17  | FY<br>2017/18  | FY<br>2018/19  | FY<br>2019/20  | FY<br>2020/21  | FY<br>2021/22  |
|--------------------------------------|----------------|----------------|----------------|----------------|----------------|----------------|----------------|----------------|----------------|----------------|
| <b>Capital Improvements</b>          |                |                |                |                |                |                |                |                |                |                |
| Flood Safe Yolo                      | \$1,151        | \$0            | \$0            | \$0            | \$0            | \$0            | \$0            | \$0            | \$0            | \$0            |
| NPDES Permit Requirements            | 0              | 103            | 85             | 0              | 0              | 0              | 119            | 61             | 0              | 0              |
| Aeration Retrofit of Oxidation Ditch | 246            | 1,021          | 3,476          | 3,157          | 1,251          | 0              | 172            | 177            | 0              | 0              |
| Planned Growth                       | 0              | 1,350          | 973            | 1,637          | 0              | 102            | 1,433          | 1,476          | 0              | 0              |
| WPCF Major Equip. Replace.           | 140            | 1,154          | 145            | 523            | 3,337          | 1,095          | 602            | 1,510          | 925            | 689            |
| Collection System R&R                | 577            | 1,614          | 1,662          | 1,712          | 1,763          | 1,816          | 1,871          | 1,927          | 1,985          | 1,392          |
| Biosolids Existing Users             | <u>1,200</u>   | <u>541</u>     | <u>858</u>     | <u>884</u>     | <u>563</u>     | <u>580</u>     | <u>667</u>     | <u>615</u>     | <u>633</u>     | <u>729</u>     |
| <b>Total Capital Improvements</b>    | <b>\$3,314</b> | <b>\$5,783</b> | <b>\$7,199</b> | <b>\$7,913</b> | <b>\$6,914</b> | <b>\$3,593</b> | <b>\$4,865</b> | <b>\$5,766</b> | <b>\$3,543</b> | <b>\$2,811</b> |

As shown in Table 3-2 the planned annual capital improvements range from \$3 million to \$7 million per year. Provided below in Table 3-3 is a summary of the capital improvement funding plan.

Table 3-3  
Summary of the Capital Improvement Plan Funding (\$000's)

|                                         | FY<br>2012/13  | FY<br>2013/14  | FY<br>2014/15  | FY<br>2015/16  | FY<br>2016/17  | FY<br>2017/18  | FY<br>2018/19  | FY<br>2019/20  | FY<br>2020/21  | FY<br>2021/22  |
|-----------------------------------------|----------------|----------------|----------------|----------------|----------------|----------------|----------------|----------------|----------------|----------------|
| <b>Total Capital Improvements</b>       | <b>\$3,314</b> | <b>\$5,783</b> | <b>\$7,199</b> | <b>\$7,913</b> | <b>\$6,914</b> | <b>\$3,593</b> | <b>\$4,865</b> | <b>\$5,766</b> | <b>\$3,543</b> | <b>\$2,811</b> |
| <b>Less Funding Sources</b>             |                |                |                |                |                |                |                |                |                |                |
| Un-Assigned Operating Reserves          | 100            | 1,046          | 350            | 350            | (0)            | (0)            | 0              | 0              | 0              | 0              |
| Bond Reserve                            | 1,663          | 4,337          | 0              | 0              | 0              | 0              | 0              | 0              | 0              | 0              |
| Storm Funding                           | 1,151          | 0              | 0              | 0              | 0              | 0              | 0              | 0              | 0              | 0              |
| New Revenue Bonds                       | <u>0</u>       | <u>0</u>       | <u>6,199</u>   | <u>6,663</u>   | <u>5,414</u>   | <u>1,843</u>   | <u>2,865</u>   | <u>3,516</u>   | <u>1,043</u>   | <u>61</u>      |
| <b>Total Funding Sources</b>            | <b>\$2,914</b> | <b>\$5,383</b> | <b>\$6,549</b> | <b>\$7,013</b> | <b>\$5,414</b> | <b>\$1,843</b> | <b>\$2,865</b> | <b>\$3,516</b> | <b>\$1,043</b> | <b>\$61</b>    |
| <b>Rate Funded Capital Improvements</b> | <b>\$400</b>   | <b>\$400</b>   | <b>\$650</b>   | <b>\$900</b>   | <b>\$1,500</b> | <b>\$1,750</b> | <b>\$2,000</b> | <b>\$2,250</b> | <b>\$2,500</b> | <b>\$2,750</b> |

There are a number of different methods that may be used to fund the City's capital projects. Among the methods that may be used to finance these capital improvement projects are long-term debt, grants, growth related fees (MPFP), reserves, and rates.



A general financial guideline that can be used to determine proper funding levels for rate funded capital is that, at a minimum, a utility should fund an amount equal to or greater than annual depreciation expenses. Annual depreciation expense reflects the current investment in the plant that is being depreciated or “losing” its useful life. Therefore, this portion of plant investment needs to be replaced to maintain the existing level of infrastructure. It must be kept in mind that, in theory, annual depreciation expense reflects an investment in infrastructure an average of fifteen (15) years ago, assuming a 30-year useful (depreciable) life. Simply funding an amount equal to annual depreciation expense will not be sufficient to replace the existing or depreciated facility. Therefore, consideration should be given to funding within rates some amount greater than annual depreciation expense for renewals and replacements. Whenever possible, the City should be funding capital projects from rates in an amount that is greater than annual depreciation expense.

*A general financial guideline that can be used to determine proper funding levels for rate funded capital is that, at a minimum, a utility should fund an amount equal to or greater than annual depreciation expenses.”*

The City’s local capital improvement plan totals approximately \$51.7 million over the ten year time period. As shown in Table 3-3 the funding sources of these projects are assumed to be rates, existing reserves, and new long-term debt. No growth related fees (MPFP) were used to fund the local capital improvements. If the City determines that growth related fees are applicable to funding these projects they can be used to offset the annual debt service related to funding the improvements.

### 3.6 Projection of Annual Debt Service

Debt service relates to the principal and interest obligations of the sewer utility when financing capital projects with long-term debt issues. The City currently has several outstanding loans. These include the 2002 leased revenue bonds, the 2005 wastewater bonds, and the 2009 wastewater bonds.

The 2002 and 2005 bonds include are split between wastewater repair and replacements and growth or expansion related which are funded through development fees. However, given the minimal level of growth experienced by the City in the last several years, development fees have not been sufficient to fund the growth related portion of these two debt issues. As a result, available wastewater reserves have funded developments share of the debt. During the projected time period, reserves are not at sufficient levels to continue to fund the annual debt service. Given the lack of funding, through developer fees or available reserves, wastewater rates will need to fund the portion not being funded by development fee revenues. Starting in FY 2013/14, when rates will fund the development share of annual debt service, total annual debt service is approximately \$3.7 million per year. Annual debt service payments on existing debt remain at this level throughout the projected 10 year period. At the completion of the study the City would like to refinance the 2002 lease revenue bonds once rates are in place.

In addition to existing annual debt service, the sewer utility is projected to incur additional long-term debt to fund future capital improvements. In total, an additional \$27 million will need to be borrowed to fund capital improvements. This level of borrowing is estimated to increase the annual debt service payment’s by approximately \$2.2 million by FY 2021/22. However, the estimated annual debt service payments could change over time depending on the actual funding sources for projects (i.e., low interest loans, grants) and market conditions.

### 3.7 Summary of the Revenue Requirement

Given the above projections of revenues and expenses, a summary of the revenue requirement for the City’s sewer utility can be developed. In developing the final revenue requirement, consideration was given to the financial policies and financial planning considerations of the City. In particular, emphasis was placed on attempting to minimize rates, yet still have adequate funds to support the operational activities and capital projects throughout the projected time period. Presented in Table 3-4 is a summary of the sewer revenue requirement. Detailed exhibits of the sewer revenue requirement analysis can be found in the Technical Appendices.



Table 3-4  
Summary of Sewer Utility Revenue Requirement (\$000's)

|                                                 | FY<br>2012      | FY<br>2013      | FY<br>2014      | FY<br>2015      | FY<br>2016      | FY<br>2017      | FY<br>2018      | FY<br>2019      | FY<br>2020      | FY<br>2021      |
|-------------------------------------------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|
| <b>Sources of Funds</b>                         |                 |                 |                 |                 |                 |                 |                 |                 |                 |                 |
| Operating Revenues                              | \$10,396        | \$10,458        | \$10,521        | \$10,626        | \$10,732        | \$10,840        | \$10,948        | \$11,058        | \$11,190        | \$11,325        |
| Other Revenue                                   | 134             | 135             | 136             | 135             | 140             | 146             | 175             | 192             | 218             | 232             |
| <b>Total Sources of Funds</b>                   | <b>\$10,530</b> | <b>\$10,593</b> | <b>\$10,657</b> | <b>\$10,761</b> | <b>\$10,872</b> | <b>\$10,986</b> | <b>\$11,123</b> | <b>\$11,249</b> | <b>\$11,409</b> | <b>\$11,557</b> |
| <b>Applications of Funds</b>                    |                 |                 |                 |                 |                 |                 |                 |                 |                 |                 |
| Operation & Maintenance Expense                 |                 |                 |                 |                 |                 |                 |                 |                 |                 |                 |
| Accounting - Sewer                              | \$354           | \$367           | \$380           | \$395           | \$410           | \$426           | \$442           | \$460           | \$479           | \$499           |
| Sewage Collection System                        | 2,293           | 2,328           | 2,422           | 2,521           | 2,625           | 2,735           | 2,852           | 2,975           | 3,106           | 3,244           |
| Sewage Treatment Plant                          | 3,491           | 3,631           | 3,779           | 3,934           | 4,096           | 4,267           | 4,446           | 4,635           | 4,833           | 5,042           |
| Environment Operations Laboratory               | 521             | 542             | 563             | 586             | 611             | 637             | 664             | 693             | 724             | 757             |
| Utilities Engineering                           | 540             | 559             | 579             | 600             | 622             | 646             | 670             | 696             | 724             | 753             |
| Additions                                       | 0               | 0               | 0               | 0               | 0               | 0               | 0               | 0               | 0               | 0               |
| Total Operating & Maintenance Expense           | \$7,198         | \$7,426         | \$7,723         | \$8,035         | \$8,364         | \$8,710         | \$9,075         | \$9,460         | \$9,866         | \$10,295        |
| Net Capital Funded Through Rates                | \$400           | \$400           | \$650           | \$900           | \$1,500         | \$1,750         | \$2,000         | \$2,250         | \$2,500         | \$2,750         |
| Net Debt <sup>[1]</sup>                         | \$1,821         | \$3,393         | \$4,026         | \$4,557         | \$4,987         | \$5,135         | \$5,361         | \$5,640         | \$5,725         | \$5,727         |
| Change in Working Capital +/-                   | \$1,111         | \$28            | \$106           | \$260           | \$279           | \$1,054         | \$1,299         | \$932           | \$801           | \$735           |
| <b>Total Revenue Requirements</b>               | <b>\$10,530</b> | <b>\$11,246</b> | <b>\$12,505</b> | <b>\$13,751</b> | <b>\$15,130</b> | <b>\$16,650</b> | <b>\$17,735</b> | <b>\$18,282</b> | <b>\$18,892</b> | <b>\$19,507</b> |
| <b>Cumulative Balance/(Deficiency) of Funds</b> |                 |                 |                 |                 |                 |                 |                 |                 |                 |                 |
| Without a Rate Increase                         | \$0             | (\$654)         | (\$1,848)       | (\$2,991)       | (\$4,258)       | (\$5,663)       | (\$6,612)       | (\$7,033)       | (\$7,483)       | (\$7,951)       |
| <b>Cumulative Adjust. as % of Rate Revenues</b> | <b>0.0%</b>     | <b>6.2%</b>     | <b>17.6%</b>    | <b>28.1%</b>    | <b>39.7%</b>    | <b>52.2%</b>    | <b>60.4%</b>    | <b>63.6%</b>    | <b>66.9%</b>    | <b>70.2%</b>    |

[1] Net debt reflects total annual debt service less development fee revenues.

It is important to note the annual deficiencies in the Table 3-4 are cumulative. That is, any adjustments in the initial years will reduce the deficiency in the later years. The projected time period was over FY 2012/13 through FY 2021/22; however, the focus of the rate study is to review a five-year time period of FY 2013/14 through FY 2017/18. If no revenue adjustments are implemented, over the next 5 year time period, revenues will need to be increased by approximately \$5.6 million, or 52%, to adequately and properly fund the City's sewer utility O&M and capital infrastructure needs.

This level of revenue is necessary to support the assumed level of long-term debt financing and meet the funding requirements imposed by the bonding community for future debt, and for any refinancing of existing debt. As noted in the Section 3.6 of this report, the City is able to refinance the 2002 lease revenue bonds. However, rates need to be adopted prior to the refinancing. Once rates are adopted, the City will be able to refinance the 2002 debt assuming market conditions remain at, or close, to current levels. This would result in some moderate savings on annual debt service payments and would allow the City to minimize additional long-term borrowing for future capital improvements.

### 3.8 Revenue Transition Plan

To implement the needed adjustments, a revenue transition plan was developed. The revenue adjustments are necessary to fund existing, and future, long-term annual debt service payments as well as provide sufficient revenue to allow the City to refinance existing debt once rates are adopted. The timing of the rate adjustment was also discussed. Considerations included the adopted water rates and how sewer rate adjustments would impact customers, allowing sufficient time for public outreach and education, the ability to implement a revenue adjustment as early as possible during FY 2013/14, and the ability to meet long-term debt requirements and funding of capital improvements during the five year period. Several alternative revenue transition plans were developed and discussed with staff and the WUAC. Provided in Table 3-5 is a summary of the alternative revenue transition plans

| Table 3-5<br>Alternative Revenue Transition Plan |                |                    |                    |                    |                    |                    |
|--------------------------------------------------|----------------|--------------------|--------------------|--------------------|--------------------|--------------------|
|                                                  | August<br>2013 | January 1,<br>2014 | January 1,<br>2015 | January 1,<br>2016 | January 1,<br>2017 | January 1,<br>2018 |
| Alternative 1                                    | 6.5%           | 6.5%               | 9.0%               | 9.0%               | 9.0%               | 9.0%               |
| Alternative 2                                    | 0.0%           | 13.0%              | 9.0%               | 9.0%               | 9.0%               | 9.0%               |

Each of the revenue transition plans would meet the capital funding needs as well as the financial requirements of the assumed new long-term debt. Given the timing to implement rate adjustments, City staff and the WUAC determined that alternative 2 would provide the most reasonable transition to cost based rates over the next five year period.

It is important to note that the proposed revenue transition plan does not imply that each customer will receive the same percentage increase in their bill. The next section of the report will discuss the cost of service analysis. The cost of service analysis may result in adjustments to individual customer classes to move towards cost-based rates. In addition, alternative rate structures discussed during the rate design analysis may result in changes to how the customers are billed which can also have an impact on individual customer bills.

### **3.9 Debt Service Coverage**

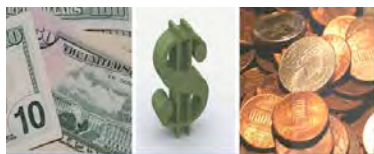
The debt service coverage (DSC) ratio is a financial measure of the utility's ability to repay outstanding debt. The City must maintain a minimum of a 1.25 DSC on outstanding revenue bonded debt when including growth related revenues. Without growth related revenues a target of 1.10 must be maintained. Failure to meet the minimum DSC for an outstanding debt obligation is considered to be technical default, making the revenue bonds callable or payable upon demand. Therefore, it is critical that the utility meet this legal requirement. On this basis, the net revenue of the (gross revenue of the utility less operating and maintenance expenses) must currently equal at least 1.25 times the City's annual revenue bond debt service payments. With the proposed revenue adjustments the sewer utility meets the debt service coverage requirements. Absent any revenue adjustments the City will not meet the required debt service coverage ratios.

### **3.10 Consultant's Recommendations**

Based on the revenue requirement analysis developed, HDR recommends the City increase the overall revenue levels of the sewer utility at this time. After reviewing multiple revenue transition alternatives, it was determined that a revenue adjustments of 13.0% would be implemented in January of 2014 followed by annual revenue adjustments of 9.0% each year beginning January 1, 2015 through January 1, 2018. If these revenue adjustments are not made, the City will not have adequate funds available for the current capital plan, existing annual debt service payments, or the ability to refinance existing debt to reduce annual debt service payments.

### **3.11 Summary**

This section of the report has provided a discussion of the sewer utility revenue requirement analysis. The revenue requirement developed a financial plan to support the City's operating and capital needs. The next section will discuss the cost of service analysis developed for the City's sewer utility.



## Section 4

# Development of the Cost of Service

### 4.1 Introduction

In the previous section, the revenue requirement analysis focused on the total sources and application of funds necessary to meet the sewer utility's operating and capital needs. This section will discuss the development and results of the cost of service analysis. A cost of service analysis is a generally accepted methodology that equitably allocates the previously developed revenue requirement (Section 3) between the various customer classes of service (e.g., residential, commercial, etc.).

In recent years, increasing emphasis has been placed on cost of service studies by government agencies, customers, utility regulatory commissions, and other parties. This interest has been generated in part by continued inflationary trends, increased operating and capital expenditures, and concerns of equity in rates among customers. Following the generally-accepted guidelines and principles of a cost of service analysis will inherently lead to rates which are equitable, cost-based, and not viewed as arbitrary or capricious in nature.

*"Following the generally accepted guidelines and principles of a cost of service analysis will inherently lead to rates which are equitable, cost-based, and not viewed as arbitrary or capricious in nature."*

### 4.2 Objectives of a Cost of Service Study

There are two primary objectives in conducting a cost of service study:

- Equitably allocate the revenue requirement among the customer classes of service, and
- Derive average unit costs for subsequent rate designs

The objectives of the sewer cost of service analysis are different from determining revenue requirement. As noted in the previous section, a revenue requirement analysis determines the utility's overall financial needs, while the cost of service study determines the fair and equitable manner to collect the revenue requirement.

A cost of service analysis is also utilized to develop rate designs that properly reflect the costs incurred by the City. For example, a sewer utility incurs costs related to flow, strength, and customer cost components. Each of these types of costs may be collected in a slightly different manner as to allow for the development of rates that collect costs in the same manner as they are incurred. Each of these types of costs may be collected in a slightly different manner from the various customers to allow for the development of rates that collect costs in the same manner as they are incurred.

### 4.3 Determining the Customer Classes of Service

The first step in a cost of service study is to determine the customer classes of service. The purpose of developing specific customer classes for the cost of service analysis is to allow for the equitable allocation of costs to similar customers. The customer classes of service are typically based on the current rate schedules or the customer groups costs are allocated to for rate design purposes. Currently, the City has a separate rate schedule for single-family, multi-

family, and condo customers. These customers are charged a flat (fixed) monthly rate on a per living unit basis. For commercial customers, the rate structure includes a monthly flat rate plus a consumption charge based on water use. There are several different customer categories that are charged a varying consumption charge. These include restaurants, hotel/motel, hospital, industrial, special rate, and all other commercial. In addition to these commercial classes of service the City also has an institutional (schools) rate based on average daily attendance and a contract rate with the correctional facility. Based on the rate schedules, and customer characteristics and usage patterns, the following customer classes of service used within the sewer cost of service analysis are as follows:

- Residential
- Commercial
- Institutional
- Correctional Facility

The development of the cost of service for these customer classes of service will provide the basis for establishing cost-based rates during the rate design analysis.

## 4.4 General Cost of Service Procedures

In order to determine the cost to serve each customer class of service on the City's sewer system, a cost of service analysis is conducted. A cost of service study utilizes a three-step approach to review costs. These were previously discussed in our generic discussion in Section 2, and take the form of functionalization, classification, and allocation. Provided below is a detailed discussion of the sewer cost of service analysis completed for the City's sewer utility, and the specific steps taken within the analysis.

*"... a cost of service study utilizes a three step approach to review costs... and take the form of functionalization, classification, and allocation."*

### 4.4.1 Functionalization of Costs

The first analytical step in the cost of service process is called functionalization. Functionalization is the arrangement of operating expenses (O&M and capital) and infrastructure (plant) data by major operating function (e.g., treatment, pumping, collection). Within this study, the functionalization of the cost data was primarily accomplished through the City's sewer budget and system of accounts.

### 4.4.2 Classification of Costs

The second analytical task performed in a sewer cost of service study is the classification of the costs. Classification determines why the expenses were incurred or what type of need is being met. The City's infrastructure records and revenue requirement were reviewed and classified using the following cost classifiers:

- **Volume Related Costs:** Volume related costs are those costs which tend to vary with the total quantity of wastewater collected and treated. Collection system costs and a portion of treatment costs are included in this component.

- **Strength Related Costs:** Strength related costs are those costs associated with the additional handling and treatment of high “strength” sewer. Strength of wastewater is typically measured in biochemical oxygen demand (BOD) and total suspended solids (TSS). Increased levels of BOD or TSS generally equate to increased treatment costs. Pre-treatment is generally required if the discharge is known to regularly exceed the typical waste strength.
- **Customer Related Costs:** Customer costs are those cost which vary with the number of customers on the sewer system. They do not vary based on the quantity of wastewater treated or collected. Customer costs were further classified as either actual or weighted. Actual customer costs vary proportionally, from customer to customer, with the addition or deletion of a customer regardless of the size of the customer. An example of an actual customer cost is postage for mailing bills. This cost does not vary from customer to customer, regardless of the size or consumption characteristics of the customer. In contrast, a weighted customer cost reflects a disproportionate cost, from customer to customer, with the addition or deletion of a customer. Examples of weighted customer costs are items such as customer billing and accounting related costs.
- **Revenue Related Costs:** Certain costs associated with the utility may vary with the amount of revenue received. An example is a utility tax based upon the amount of revenues received by the utility.
- **Direct Assignments:** Certain costs associated with operating the sewer system may be directly traced to a specific customer or class of service (e.g., bad debt expenses). In this case, these costs are then directly assigned to that specific class of service. This assures that other classes of service will not be allocated any costs for those significant facilities from which they do not benefit.

#### 4.4.3 Development of Allocation Factors

Once the classification process is complete, and the customer classes of service are defined, the various classified costs are allocated to each customer class of service. The City’s classified costs were allocated to the various customer groups using the following allocation factors.

- **Volume Allocation Factor:** Volume-related costs are generally allocated on the basis of contribution to wastewater flows. In order to develop this allocation

#### Terminology of a Sewer Cost of Service Analysis

**Functionalization** – The arrangement of the cost data by functional category (e.g. treatment, collection etc.).

**Classification** – The assignment of functionalized costs to cost components (e.g. volume, strength, and customer related).

**Allocation** – Allocating the classified costs to each class of service based upon each class’s proportional contribution to that specific cost component.

**Volume Costs** – Costs that are classified as volume related vary with the total flow of sewer (e.g. chemical use at a treatment plant).

**Strength Costs** – Costs classified as strength related refer to the wastewater treatment function. Typically, strength-related costs are further defined as biochemical oxygen demand (BOD) and suspended solids (SS). Different types of customers may have high wastewater strength characteristics and high strength wastewater costs more to treat. Facilities are often designed and sized around meeting these costs.

**Customer Costs** – Costs classified as customer related vary with the number of customers on the system, e.g. billing costs.

**Direct Assignment** – Costs that can be clearly identified as belonging to a specific customer group or group of customers.



factor, some knowledge of the contribution to flows must be determined. Sewer flows were estimated based on the winter water usage plus inflow and infiltration (I&I) for each customer class of service for the projected test period, FY 2013/14.

- **Strength Allocation Factor:** Strength-related costs are classified between biochemical oxygen demand (BOD) and suspended solids (SS). Both of these types of costs are allocated to the various classes of service based upon the relative estimated strengths that each class of service contributed to the overall flow at the plant. The City's strength characteristics by class of service were estimated within this study based on industry standard strength factors, City data, and strength levels at the sewer treatment plant.
- **Customer Allocation Factor:** Customer costs within the cost of service study are allocated to the various customer classes of service based on their respective customer counts. The number of customers, by customer class of service, was developed within the revenue requirement analysis. Two types of customer allocation factors were developed, actual and weighted. Actual customer costs do not vary by the volume or strength characteristics of the class of service and are based on the actual number of living units for each class of service. The weighted customer allocation factor was based on the number of bills and attempts to reflect the disproportionate costs associated with serving different customers.
- **Revenue Related Allocation Factor:** The revenue related allocation factor was developed from the projected rate revenues for FY 2013/14 for each customer group. These same revenues were used within the revenue requirement analysis previously discussed in Section 4.

Given the development of the allocation factors, the final step in the cost of service study is to allocate the classified costs to the various customer classes of service.

## 4.5 Functionalization and Classification of Sewer Plant in Service

The first step of the cost of service is the functionalization and classification of sewer plant in service. In performing the functionalization of plant in service, HDR utilized the City's historical asset (accounting) records. Once the plant assets were functionalized, the analysis shifted to classification of the asset. The classification process included reviewing each group of assets and determining which cost classifiers the assets were related to. For the City's analysis the sewer utility assets were classified as: volume-related, strength-related, customer-related, revenue-related, or direct assignment. Provided below is a brief discussion of the classification process used.

The wastewater treatment plant is classified between BOD, TSS, and volume related. HDR worked with City staff to review the major infrastructure/asset records and develop the appropriate classification. Based on the review with City staff the wastewater treatment plant, in total, was classified as being 58% volume related, 21% BOD related, and 21% TSS related.

The sewer collection system is classified as being 100% related to volume. This is typical as the collection system is sized to meet customer peak flows.

General plant items (equipment, machinery, other assets except for treatment and collection) are classified as all other plant, or in other words in place to support both treatment and collection activities. Based on the classification of the treatment and collection infrastructure general plan is classified as 64% volume related, 18% BOD related, and 18% TSS related.

Table 4-1 shows a summary of the basic functionalization and classification of the major sewer plant (infrastructure) items. A more detailed exhibit of the functionalization and classification of the sewer plant investment can be found in the Technical Appendix, Exhibit 9.

Table 4-1  
Summary of the Classification of Sewer Plant in Service

| Plant Description | Volume Related | BOD Strength Related | TSS Strength Related | Customer Related |
|-------------------|----------------|----------------------|----------------------|------------------|
| Treatment Plant   | 58%            | 21%                  | 21%                  | 0%               |
| Collection System | 100%           | 0%                   | 0%                   | 0%               |
| General Plant     | 64%            | 18%                  | 18%                  | 0%               |

It should also be noted that each of the classification components above (volume, BOD, TSS, etc.) were further split between all customers and all customers except for the correctional facility. The reasoning for this is due to the nature of a contractual customer. The contract rate for the correctional facility does not include the collection system that benefits all other customers. This is due to the location of the correctional facility being near the sewer treatment plant. As a result, the correctional facility only receives a small proportional share of the collection system from which they benefit from.

#### 4.6 Functionalization and Classification of Operating Expenses

Operating expenses are generally functionalized and classified in a manner similar to the corresponding plant account. For example, treatment related O&M expenses are classified in the same manner (classification percentages) as the plant account for treatment plant. This approach to classification of operating expenses was used for this analysis.

For the sewer cost of service analysis, the revenue requirement for FY 2013/14 was functionalized, classified, and allocated. As noted earlier, a cash basis revenue requirement was utilized, which was comprised of operation and maintenance expenses, debt service, and rate funded capital. A more detailed review of the classification of revenue requirement can be found in the Technical Appendix, Exhibit 10.

#### 4.7 Major Assumptions of the Cost of Service Study

A number of key assumptions were used within the sewer cost of service analysis. Below is a brief discussion of the major assumptions used.

- The test period used for the cost of service analysis was FY 2013/14. The revenue and expense data was previously developed within the revenue requirement analysis.
- A cash basis approach was utilized which conforms to generally accepted sewer cost of service approaches and methodologies.
- The classification of plant in service was developed based on generally accepted cost allocation techniques.
- Customer sewer volumes were developed based on sewer customer water consumption data and were provided for each class of service by the City.
- Customer strength factors were based on industry standard strength levels along with available information from City documents and information from the sewer treatment plant.

#### 4.8 Summary of the Cost of Service Results

In summary form, this cost of service analysis began by functionalizing the City's plant asset records and then the revenue requirement. The functionalized plant and expense accounts were then classified into their various cost components. The individual classification totals



were then allocated to the various customer classes of service based on the appropriate allocation factors. The allocated expenses for each customer group were then aggregated to determine each customer group's overall revenue responsibility. A summary of the detailed cost responsibility developed for each class of service is shown in Table 4-2.

| Table 4-2<br>Summary of the FY 2013/14 Cost of Service Analysis (\$000s) |                       |                 |               |              |
|--------------------------------------------------------------------------|-----------------------|-----------------|---------------|--------------|
| Class of Service                                                         | Present Rate Revenues | Allocated Costs | \$ Difference | % Difference |
| Residential                                                              | 8,101                 | 8,735           | (\$634)       | 7.8%         |
| Commercial                                                               | 1,963                 | 1,895           | \$68          | -3.4%        |
| Schools                                                                  | 324                   | 408             | (84)          | 25.8%        |
| Corrections Facility                                                     | 70                    | 74              | (4)           | 5.2%         |
| Total                                                                    | \$10,458              | \$11,112        | -\$654        | 6.2%         |

The cost of service analysis results indicate minor cost of service differences between the customer classes of service. A simple guideline in dealing with cost of service results is that a customer class is paying their fair allocation of costs if the costs of service results for that customer group are within  $\pm 5\%$  of the overall adjustment. This range of values is used as the cost of service is based on one year of consumption data, expenses, and other customer characteristics.

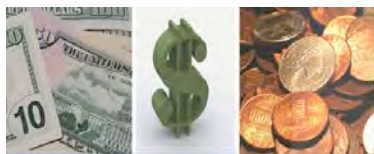
While both the residential and corrections facility are within the reasonable range of the results, the commercial and schools are not. It appears that the current commercial rates are set slightly higher than what is reflected in the current cost of service analysis. This may be the result of the current rates, or the length of time between cost of service studies which has resulted in the commercial class results. For the schools, the driver is the assumed wastewater flow, which was difficult to determine exactly given the nature of the system. Many of the schools accounts include both indoor use and outdoor use, others are only outdoor use, while some appear to be only indoor use. Given the data concerns, the schools should be reviewed in more detail in future cost of service analyses to determine if the cost allocations remain at similar levels. If they do, rate adjustments can be implemented.

## 4.9 Consultant's Conclusions and Recommendations

Given the results of the cost of service analysis, it appears that some adjustments should be implemented. HDR recommends that the cost of service results be implemented over a multi-year period. This allows for a smooth transition over time and minimizes the impacts of overall revenue adjustments and cost of service impacts in any single year. Specifically, it appears that over the rate setting period commercial adjustment should be lower than the adjustment for the other classes of service. It is also recommended that the schools and correctional facility rates be adjusted by the system increase during the five year period. To meet the total sewer utility revenue target residential rates will be set to meet the overall revenue needs for each year.

## 4.10 Summary

This section of the report has provided an analysis of the cost of service developed for City's sewer utility. This analysis was prepared using generally accepted cost of service techniques. The next section of the report will discuss the development of the sewer rate designs for the customer classes of service.



## Section 5

# Development of the Sewer Rate Designs

### 5.1 Introduction

The final step of the sewer rate study is the design of sewer rates to collect the desired levels of revenues, based upon the results of the revenue requirement and cost of service analyses. In reviewing sewer rate designs, consideration is given to the level of the rates and the structure of the rates.

### 5.2 Rate Design Criteria and Considerations

Prudent rate administration dictates that several criteria must be considered when setting utility rates. Some of these rate design criteria are listed below:

- Rates which are easy to understand from the customer's perspective.
- Rates which are easy for the utility to administer.
- Consideration of the customer's ability to pay.
- Continuity, over time, of the rate making philosophy.
- Policy considerations (encourage conservation, economic development, etc.).
- Provide revenue stability from month to month and year to year.
- Promote efficient allocation of the resource.
- Equitable and non-discriminatory (cost-based).

Many contemporary rate economists and regulatory agencies feel the last consideration, cost-based rates, should be of paramount importance and provide the primary guidance to utilities on rate structure and policy.

When developing the proposed rate designs, all the above listed criteria were taken into consideration. However, it should be noted that it is difficult, if not impossible, to design a rate that meets all the goals and objectives listed above.

### 5.3 Rate level vs. Rate Structure

The rate level refers to the amount of total revenues collected from each customer class of service, or as a total for the system. The rate structure refers to how the individual customer classes are charged or billed for their use of the system. In the City's case the rate structure for the residential customers is a flat monthly charge, and for the commercial customers it is a flat monthly charge plus a consumption charge based on water use.

While the residential class rate structure was not proposed to be changed, the rate structure for the commercial customers was reviewed and alternative rate designs were recommended for City staff and the WUAC to consider. The proposed rate structure would eliminate the various consumption charges for the commercial customers and would instead charge commercial customers a consumption charge based on strength level and winter water use. The strength level rates are intended to reflect the various customers' impacts on the sewer system. Each commercial customer was reviewed and categorized as a low strength, medium strength, or high strength customer. Each category has a different consumption charge to reflect the additional costs associated with higher strength sewer. The move to winter water

usage as a billing component for sewer eliminates the customers being charged for outdoor irrigation water that does not flow to the sewer system. In this way, customers are charged up to the winter water usage during the irrigation season.

It should be noted that in the future the City and WUAC was interested in reviewing a consumption based sewer rate for its residential customers as well. However, given the meter implementation process is not completed, it was recommended that the City wait until several years of metered water consumption data is available prior to developing a winter water rate for residential customers. Another key aspect that will need to be reviewed is the ability of the billing software to bill the residential customers in this manner as there are significantly more residential customers compared to commercial should City staff need to update winter water usage annually.

## 5.4 Review of the Overall Revenue Adjustments

As discussed in the revenue requirement analysis (Section 3) a revenue transition plan has been developed. Overall, for each fiscal year, a 9.0% revenue adjustment is needed. However, given the timing of the implementation the revenue adjustment plan has been phased in to meet the timing and the overall annual revenue needs. In addition, the cost of service recommendations resulted in the commercial adjustment being less than the other customer's adjustment. Provided below in Table 5-1 is a summary of the proposed revenue adjustments and timing of the adjustment for each of the customer classes of service.

| Table 5-1<br>Alternative Revenue Transition Plan |                    |                    |                    |                    |                    |
|--------------------------------------------------|--------------------|--------------------|--------------------|--------------------|--------------------|
|                                                  | January 1,<br>2014 | January 1,<br>2015 | January 1,<br>2016 | January 1,<br>2017 | January 1,<br>2018 |
| <b>Residential</b>                               | 15.0%              | 9.0%               | 9.0%               | 9.0%               | 9.0%               |
| <b>Commercial</b>                                | 9.0%               | 7.0%               | 9.0%               | 9.0%               | 9.0%               |
| <b>Institutional</b>                             | 9.0%               | 7.0%               | 9.0%               | 9.0%               | 9.0%               |
| <b>Correctional Facility</b>                     | 9.0%               | 7.0%               | 9.0%               | 9.0%               | 9.0%               |

As shown in Table 5-1 the adjustment for the commercial customers is less than the adjustment for all other customers for the first two years of the rate setting period. This reflects the transition to the cost of service results.

## 5.5 Present and Proposed Sewer Rates

In developing the proposed rate designs, the City's existing rate structures were reviewed. The City provides service to residential, non-residential, schools, and the correctional facility. Previously these customer groups were used to develop the cost of service analysis. Presently the City has a fixed monthly rate for the single-family, condos, and multi-family units. Non-residential customers are charged a monthly fixed charge and a volume charge based on water consumption. The volume charge varies depending on the type of customer. The majority of customers are grouped into the "commercial" volume charge rate. Schools are charged a flat monthly rate based on average daily attendance (ADA). The City charges the correctional facility a flat monthly charge based on a contractual agreement.

As previously mentioned various alternative rate structures were reviewed and discussed with City staff and the WUAC. Ultimately, a fixed charge for residential customers was settled on and a strength based rate structure billed on winter water use was developed for the non-

residential customers. The rate structure for the schools and the correctional facility were not changed. Presented below are the present and proposed rates for the City's customers. The rates are based on the rate transition plan shown in Table 5-1.

The residential class of service included single-family, condos, apartments and mobile homes. The current rate structure is a monthly fixed charge which does not vary. As noted, the current rate structure has been maintained and the level of the rate structure adjusted based on the rate transition plan. Table 5-2 shows the present and proposed residential rates for the revenue transition period.

| Table 5-2<br>Present and Proposed Residential Sewer Rates |               |                 |                 |                 |                 |                 |
|-----------------------------------------------------------|---------------|-----------------|-----------------|-----------------|-----------------|-----------------|
| Customer Class                                            | Present Rates | January 1, 2014 | January 1, 2015 | January 1, 2016 | January 1, 2017 | January 1, 2018 |
| Single Family                                             | \$38.30       | \$44.05         | \$48.00         | \$52.30         | \$57.00         | \$62.15         |
| Condo                                                     | \$24.99       | \$28.75         | \$31.35         | \$34.15         | \$37.20         | \$40.55         |
| Apartment/Mobile Home                                     | \$24.99       | \$28.75         | \$31.35         | \$34.15         | \$37.20         | \$40.55         |
| 4-plex or less                                            | \$24.99       | \$28.75         | \$31.35         | \$34.15         | \$37.20         | \$40.55         |
| Residential Attached                                      | \$31.07       | \$35.70         | \$38.95         | \$42.45         | \$46.25         | \$50.40         |
| Residential Multi-Unit                                    | \$31.07       | \$35.70         | \$38.95         | \$42.45         | \$46.25         | \$50.40         |

As seen in Table 5-2, the residential rate structure has not been changed during the transition period, only the level of the rates has been adjusted. As the City collects additional metered water data it can begin to analyze the impacts of transitioning to a volume based sewer rate structure.

As noted the non-residential customers are charged a monthly fixed charge and a volume charge based on water use. The rate structure also is further defined between commercial, hospital, hotel/motel, industrial, restaurant, and special rate customers each with a different volume charge. As discussed, the proposed rate structure has been revised to reflect three (3) non-residential customer groups. These are based on individual customer strength levels and the rates are set to reflect the higher cost of treatment for the higher strength customers. In addition, the rate structure will be billed on winter water use rather than all water use. This process of billing on winter water use takes the summer outdoor watering use out of the sewer billing process. Each customer will have a winter water use calculation based on the prior years winter water use. This level of use, for each individual customer, will be the "ceiling" for sewer billing. In other words, each customer will be billed the maximum of the actual use or the calculated winter water use. During the winter month period, the actual consumption will be billed. City staff and HDR reviewed the non-residential customers and placed customers in the appropriate strength class (high, medium, or low). The winter water use was then calculated for each individual customer and the amount of consumption billed for the year was used to develop the rates. The rate differential between the strength categories was based on the costs of treating higher strength wastewater. Provided in Table 5-3 is a summary of the present and proposed non-residential rates.

Table 5-3  
Present and Proposed Non-Residential Sewer Rates

| Customer Class                                    | Present Rates | January 1, 2014 | January 1, 2015 | January 1, 2016 | January 1, 2017 | January 1, 2018 |
|---------------------------------------------------|---------------|-----------------|-----------------|-----------------|-----------------|-----------------|
| <b><u>Monthly Fixed Charge</u></b>                |               |                 |                 |                 |                 |                 |
| Non-Residential                                   | \$24.99       | \$27.25         | \$29.15         | \$31.75         | \$34.60         | \$37.70         |
| <b><u>Volume Charges</u></b>                      |               |                 |                 |                 |                 |                 |
| Commercial                                        | \$3.75        | N/A             | N/A             | N/A             | N/A             | N/A             |
| Hospital                                          | \$4.26        | N/A             | N/A             | N/A             | N/A             | N/A             |
| Hotel/Motel                                       | \$4.97        | N/A             | N/A             | N/A             | N/A             | N/A             |
| Industrial                                        | \$3.75        | N/A             | N/A             | N/A             | N/A             | N/A             |
| Restaurant                                        | \$9.41        | N/A             | N/A             | N/A             | N/A             | N/A             |
| Special Rate                                      | \$3.75        | N/A             | N/A             | N/A             | N/A             | N/A             |
| <b><u>Winter Water Average Volume Charges</u></b> |               |                 |                 |                 |                 |                 |
| Low Strength                                      | N/A           | \$5.59          | \$5.98          | \$6.52          | \$7.11          | \$7.75          |
| Medium Strength                                   | N/A           | \$6.46          | \$6.91          | \$7.53          | \$8.21          | \$8.95          |
| High Strength                                     | N/A           | \$7.34          | \$7.85          | \$8.56          | \$9.33          | \$10.17         |

As can be seen the rate structure for the non-residential customers has been revised to include strength based volume charges based on winter water average use. The monthly fixed charge has increased each year based on the transition plan. The remaining revenue needs are collected through the volume charge. A key aspect of this rate structure is that all water use over the individual customers' winter water average is no longer billed for sewer. As a result, the amount of consumption billed is decreased and the cost per CCF has increased. This is the reason for what appears to be a large increase in the volume charge. However, the customer will no longer pay for outdoor water use in the sewer bill therefore reducing the amount of consumption charged in a given billing period. The change in the rate structure also makes it difficult to compare the impacts to customers as the current rate structure doesn't note if a customer is a low, medium, or high strength. However, for comparison purposes, the majority of the non-residential customers fall into the current volume charge of commercial and low for the proposed rates. A high strength customer example would be the industrial customers or the restaurant customers.

The institutional, or school, customers are charged a rate based on ADA. At this time there is no proposed change to the school rate structure. The school rate has been increased to reflect the non-residential revenue transition plan. Provided in Table 5-4 is a summary of the present and proposed school rate structure.

Table 5-4  
Present and Proposed Institutional Sewer Rates

| Customer Class        | Present Rates | January 1, 2014 | January 1, 2015 | January 1, 2016 | January 1, 2017 | January 1, 2018 |
|-----------------------|---------------|-----------------|-----------------|-----------------|-----------------|-----------------|
| Institutional/Schools | \$2.31        | \$2.52          | \$2.70          | \$2.94          | \$3.20          | \$3.49          |

Again, the school rate structure has not changed and only the level of the rate has been adjusted based on the non-residential revenue transition plan.

The final class of service is the rate structure for the correctional facility. The rate is a contractual rate and based on prior agreements between the City and the facility. However, as part of the study HDR developed a methodology to equitably allocate the costs of providing sewer service to the correctional facility. The correctional facility is charged a monthly fixed charge. Provided below in Table 5-5 is a summary of the present and proposed correctional facility rates.

| Table 5-5<br>Present and Proposed Correctional Facility Sewer Rates |               |                 |                 |                 |                 |                 |
|---------------------------------------------------------------------|---------------|-----------------|-----------------|-----------------|-----------------|-----------------|
| Customer Class                                                      | Present Rates | January 1, 2014 | January 1, 2015 | January 1, 2016 | January 1, 2017 | January 1, 2018 |
| Institutional/Schools                                               | \$5,857.69    | \$6,384.88      | \$6,831.82      | \$7,446.68      | \$8,116.88      | \$8,847.40      |

As can be seen in Table 5-5 the rates for the correctional facility have been increased based on the non-residential revenue transition plan.

## 5.6 Summary of Sewer Rate Study

This section of the report has discussed the development of the sewer rate designs and completes the comprehensive sewer rate study. The results of the comprehensive rate study indicated that sewer rates are deficient for the projected time period reviewed. It is recommended that overall revenues be increased by 13% starting in January 2014. This is followed by annual increases of 9.0% each January starting in 2015 through 2018. The implementation of overall revenue adjustments, as shown in the revenue transition plan, should generate the additional revenue needed to meet the sewer utility's future operating and capital needs, along with the City's financial and rate setting policies.



## Technical Appendix A – Rate Study Analysis

City of Woodland  
Sewer Utility  
Summary of Revenue Requirements  
Exhibit 1

|                                                        | Budget<br>FY 2013   | FY 2014             | FY 2015              | FY 2016              | FY 2017              | FY 2018              | FY 2019              | FY 2020              | FY 2021              |
|--------------------------------------------------------|---------------------|---------------------|----------------------|----------------------|----------------------|----------------------|----------------------|----------------------|----------------------|
| <b>Sources of Funds</b>                                |                     |                     |                      |                      |                      |                      |                      |                      |                      |
| Operating Revenues                                     | \$10,395,852        | \$10,458,227        | \$10,520,977         | \$10,626,187         | \$10,732,448         | \$10,839,773         | \$10,948,171         | \$11,057,652         | \$11,190,344         |
| Other Revenue                                          | 134,117             | 134,566             | 136,399              | 135,585              | 141,553              | 148,941              | 179,769              | 197,771              | 227,278              |
| <b>Total Sources of Funds</b>                          | <b>\$10,529,969</b> | <b>\$10,592,794</b> | <b>\$10,657,376</b>  | <b>\$10,761,771</b>  | <b>\$10,874,001</b>  | <b>\$10,988,714</b>  | <b>\$11,127,940</b>  | <b>\$11,255,424</b>  | <b>\$11,417,622</b>  |
| <b>Applications of Funds</b>                           |                     |                     |                      |                      |                      |                      |                      |                      |                      |
| Operation & Maintenance Expense                        |                     |                     |                      |                      |                      |                      |                      |                      |                      |
| Accounting - Sewer                                     | \$353,602           | \$366,582           | \$380,231            | \$394,595            | \$409,720            | \$425,660            | \$442,471            | \$460,213            | \$478,951            |
| Sewage Collection System                               | 2,293,001           | 2,327,899           | 2,421,625            | 2,520,507            | 2,624,905            | 2,735,202            | 2,851,815            | 2,975,193            | 3,105,821            |
| Sewage Treatment Plant                                 | 3,490,630           | 3,631,219           | 3,778,713            | 3,933,515            | 4,096,059            | 4,266,803            | 4,446,240            | 4,634,896            | 4,833,335            |
| Environment Operations Laboratory                      | 520,858             | 541,533             | 563,379              | 586,479              | 610,924              | 636,813              | 664,252              | 693,354              | 724,244              |
| Utilities Engineering                                  | 539,817             | 558,872             | 578,906              | 599,988              | 622,189              | 645,586              | 670,264              | 696,312              | 723,829              |
| Additions                                              | 0                   | 0                   | 0                    | 0                    | 0                    | 0                    | 0                    | 0                    | 0                    |
| <b>Total Operating &amp; Maintenance Expense</b>       | <b>\$7,197,908</b>  | <b>\$7,426,105</b>  | <b>\$7,722,853</b>   | <b>\$8,035,084</b>   | <b>\$8,363,797</b>   | <b>\$8,710,064</b>   | <b>\$9,075,041</b>   | <b>\$9,459,968</b>   | <b>\$9,866,179</b>   |
| <b>Net Capital Funded Through Rates</b>                | <b>400,000</b>      | <b>400,000</b>      | <b>650,000</b>       | <b>900,000</b>       | <b>1,500,000</b>     | <b>1,750,000</b>     | <b>2,000,000</b>     | <b>2,250,000</b>     | <b>2,500,000</b>     |
| <b>Net Debt</b>                                        | <b>1,820,631</b>    | <b>3,442,594</b>    | <b>4,025,588</b>     | <b>4,556,505</b>     | <b>4,987,494</b>     | <b>5,135,322</b>     | <b>5,360,947</b>     | <b>5,639,783</b>     | <b>5,725,109</b>     |
| <b>Change in Working Capital +/-</b>                   | <b>1,111,430</b>    | <b>3,879</b>        | <b>161,653</b>       | <b>321,242</b>       | <b>347,543</b>       | <b>1,130,114</b>     | <b>1,381,700</b>     | <b>1,018,605</b>     | <b>892,394</b>       |
| <b>Total Revenue Requirements</b>                      | <b>\$10,529,969</b> | <b>\$11,272,578</b> | <b>\$12,560,094</b>  | <b>\$13,812,831</b>  | <b>\$15,198,833</b>  | <b>\$16,725,501</b>  | <b>\$17,817,689</b>  | <b>\$18,368,356</b>  | <b>\$18,983,682</b>  |
| <b>Total Balance/(Deficiency) of Funds</b>             | <b>\$0</b>          | <b>(\$679,785)</b>  | <b>(\$1,902,719)</b> | <b>(\$3,051,060)</b> | <b>(\$4,324,832)</b> | <b>(\$5,736,787)</b> | <b>(\$6,689,749)</b> | <b>(\$7,112,933)</b> | <b>(\$7,566,061)</b> |
| <b>Balance as a % of Rate Revenues</b>                 | <b>0.0%</b>         | <b>6.5%</b>         | <b>18.1%</b>         | <b>28.7%</b>         | <b>40.3%</b>         | <b>52.9%</b>         | <b>61.1%</b>         | <b>64.3%</b>         | <b>67.6%</b>         |
| <b>Proposed Revenue Adjustment - First Half of FY</b>  | <b>0.00%</b>        | <b>6.50%</b>        | <b>0.00%</b>         | <b>0.00%</b>         | <b>0.00%</b>         | <b>0.00%</b>         | <b>0.00%</b>         | <b>0.00%</b>         | <b>0.00%</b>         |
| <b>Proposed Revenue Adjustment - Second Half of FY</b> | <b>0.00%</b>        | <b>6.50%</b>        | <b>9.00%</b>         | <b>9.00%</b>         | <b>9.00%</b>         | <b>9.00%</b>         | <b>2.00%</b>         | <b>2.00%</b>         | <b>2.00%</b>         |
| <b>Additional Revenue from Adjustment</b>              | <b>\$0</b>          | <b>\$679,785</b>    | <b>\$1,902,719</b>   | <b>\$3,051,060</b>   | <b>\$4,324,832</b>   | <b>\$5,736,787</b>   | <b>\$6,689,749</b>   | <b>\$7,112,933</b>   | <b>\$7,566,061</b>   |
| <b>Total Balance/(Deficiency) of Funds</b>             | <b>\$0</b>          | <b>\$0</b>          | <b>\$0</b>           | <b>\$0</b>           | <b>\$0</b>           | <b>\$0</b>           | <b>\$0</b>           | <b>(\$0)</b>         | <b>\$0</b>           |
| <b>Additional Rate Adjustment Required</b>             | <b>0.0%</b>         | <b>0.0%</b>         | <b>0.0%</b>          | <b>0.0%</b>          | <b>0.0%</b>          | <b>0.0%</b>          | <b>0.0%</b>          | <b>0.0%</b>          | <b>0.0%</b>          |
| <b>Average Residential Bill Comparison</b>             |                     |                     |                      |                      |                      |                      |                      |                      |                      |
| After Proposed Rate Adjustment                         | \$38.30             | \$40.79             | \$45.23              | \$49.30              | \$53.73              | \$58.57              | \$61.70              | \$62.94              | \$64.20              |
| Monthly Bill Difference                                | \$0.00              | \$2.49              | \$4.44               | \$4.07               | \$4.44               | \$4.84               | \$3.13               | \$1.23               | \$1.26               |
| Cumulative Bill Difference                             | \$0.00              | \$2.49              | \$6.93               | \$11.00              | \$15.43              | \$20.27              | \$23.40              | \$24.64              | \$25.90              |
| <b>Ending Fund Balances</b>                            | <b>\$2,574,253</b>  | <b>\$1,447,358</b>  | <b>\$1,259,011</b>   | <b>\$1,230,254</b>   | <b>\$1,577,796</b>   | <b>\$2,707,911</b>   | <b>\$4,089,610</b>   | <b>\$5,108,216</b>   | <b>\$6,000,610</b>   |



**City of Woodland  
Sewer Utility  
Exhibit 2  
Data Assumptions**

[illegible]

|                                            | Budget              |                     |                     |                     |                     | PROJECTED           |                     |                     |                     |                     |                         |
|--------------------------------------------|---------------------|---------------------|---------------------|---------------------|---------------------|---------------------|---------------------|---------------------|---------------------|---------------------|-------------------------|
|                                            | FY 2013             | FY 2014             | FY 2015             | FY 2016             | FY 2017             | FY 2018             | FY 2019             | FY 2020             | FY 2021             | FY 2022             | Notes                   |
| <b>SOURCES OF FUNDS</b>                    |                     |                     |                     |                     |                     |                     |                     |                     |                     |                     |                         |
| <i>Operating Revenues</i>                  |                     |                     |                     |                     |                     |                     |                     |                     |                     |                     |                         |
| Sewer Fees - Rate Revenues                 |                     |                     |                     |                     |                     |                     |                     |                     |                     |                     |                         |
| Residential                                |                     |                     |                     |                     |                     |                     |                     |                     |                     |                     |                         |
| Single Family                              | \$5,645,726         | \$5,679,601         | \$5,713,678         | \$5,770,815         | \$5,828,523         | \$5,886,809         | \$5,945,677         | \$6,005,133         | \$6,077,195         | \$6,150,121         | As Rate Revenue         |
| Condo                                      | 89,964              | 90,504              | 91,047              | 91,957              | 92,877              | 93,806              | 94,744              | 95,691              | 96,639              | 98,001              | As Rate Revenue         |
| Apartment/Mobile Home                      | 2,317,022           | 2,330,924           | 2,344,910           | 2,368,359           | 2,392,042           | 2,415,963           | 2,440,123           | 2,464,524           | 2,494,098           | 2,524,027           | As Rate Revenue         |
| Non-Residential                            |                     |                     |                     |                     |                     |                     |                     |                     |                     |                     |                         |
| Commercial                                 | 1,186,613           | 1,193,732           | 1,200,895           | 1,212,904           | 1,225,033           | 1,237,283           | 1,249,656           | 1,262,152           | 1,277,298           | 1,292,626           | As Rate Revenue         |
| Hospital                                   | 4,222               | 4,247               | 4,273               | 4,315               | 4,358               | 4,402               | 4,446               | 4,491               | 4,544               | 4,599               | As Rate Revenue         |
| Hotel/Motel                                | 131,689             | 132,479             | 133,274             | 134,607             | 135,953             | 137,312             | 138,685             | 140,072             | 141,753             | 143,454             | As Rate Revenue         |
| Industrial                                 | 220,554             | 221,878             | 223,209             | 225,441             | 227,695             | 229,972             | 232,272             | 234,595             | 237,410             | 240,259             | As Rate Revenue         |
| Restaurant                                 | 351,024             | 353,130             | 355,249             | 358,801             | 362,389             | 366,013             | 369,673             | 373,370             | 377,851             | 382,385             | As Rate Revenue         |
| Special Rate                               | 56,833              | 57,174              | 57,518              | 58,093              | 58,674              | 59,260              | 59,853              | 60,451              | 61,177              | 61,911              | As Rate Revenue         |
| Institutional                              | 321,912             | 323,844             | 325,787             | 329,045             | 332,335             | 335,659             | 339,015             | 342,405             | 346,514             | 350,672             | As Rate Revenue         |
| Correctional Facility                      | 70,292              | 70,714              | 71,138              | 71,850              | 72,568              | 73,294              | 74,027              | 74,767              | 75,664              | 76,572              | As Rate Revenue         |
| Total Rate Revenues                        | \$10,395,852        | \$10,458,227        | \$10,520,977        | \$10,626,187        | \$10,732,448        | \$10,839,773        | \$10,948,171        | \$11,057,652        | \$11,190,344        | \$11,324,628        |                         |
| Miscellaneous Revenues                     |                     |                     |                     |                     |                     |                     |                     |                     |                     |                     |                         |
| PCP Land Lease                             | \$125,000           | \$125,000           | \$126,250           | \$126,250           | \$127,513           | \$127,513           | \$128,788           | \$128,788           | \$130,076           | \$130,076           | As Other Revenues       |
| Interest Income                            | 9,117               | 9,566               | 10,149              | 9,335               | 10,400              | 21,429              | 50,981              | 68,984              | 97,202              | 112,284             | As Interest             |
| Total Miscellaneous Revenues               | \$134,117           | \$134,566           | \$136,399           | \$135,585           | \$141,553           | \$148,941           | \$179,769           | \$197,771           | \$227,278           | \$242,360           |                         |
| <b>TOTAL SOURCES OF FUNDS</b>              | <b>\$10,529,969</b> | <b>\$10,592,794</b> | <b>\$10,657,376</b> | <b>\$10,761,771</b> | <b>\$10,874,001</b> | <b>\$10,988,714</b> | <b>\$11,127,940</b> | <b>\$11,255,424</b> | <b>\$11,417,622</b> | <b>\$11,566,988</b> |                         |
| <b>APPLICATIONS OF FUNDS</b>               |                     |                     |                     |                     |                     |                     |                     |                     |                     |                     |                         |
| <i>Operation &amp; Maintenance Expense</i> |                     |                     |                     |                     |                     |                     |                     |                     |                     |                     |                         |
| <i>Accounting - Sewer</i>                  |                     |                     |                     |                     |                     |                     |                     |                     |                     |                     |                         |
| Salaries - Full Time                       | \$112,212           | \$114,456           | \$116,745           | \$119,080           | \$121,461           | \$123,891           | \$126,368           | \$128,896           | \$131,474           | \$134,103           | As Labor                |
| Hourly Wages - Temporary                   | 3,911               | 3,989               | 4,069               | 4,150               | 4,233               | 4,318               | 4,404               | 4,492               | 4,582               | 4,674               | As Labor                |
| Vacation Buyout                            | 693                 | 728                 | 764                 | 803                 | 843                 | 885                 | 929                 | 975                 | 1,024               | 1,075               | As Benefits - Other     |
| Admin Buyout                               | 361                 | 379                 | 398                 | 418                 | 439                 | 460                 | 484                 | 508                 | 533                 | 560                 | As Benefits - Other     |
| Comp Time Buyout                           | 44                  | 46                  | 48                  | 51                  | 53                  | 56                  | 59                  | 62                  | 65                  | 68                  | As Benefits - Other     |
| Overtime Perm Full Time                    | 1,824               | 1,915               | 2,011               | 2,112               | 2,217               | 2,328               | 2,445               | 2,567               | 2,695               | 2,830               | As Benefits - Other     |
| Def Comp City Match                        | 182                 | 192                 | 201                 | 211                 | 222                 | 233                 | 244                 | 257                 | 269                 | 283                 | As Benefits - Other     |
| Workers Comp/Liab Ins                      | 2,634               | 2,766               | 2,904               | 3,049               | 3,202               | 3,362               | 3,530               | 3,706               | 3,892               | 4,086               | As Benefits - Other     |
| Retirement                                 | 29,601              | 31,081              | 32,636              | 34,267              | 35,981              | 37,780              | 39,669              | 41,652              | 43,735              | 45,921              | As Benefits - Other     |
| Health Pay-In Lieu                         | 3,588               | 3,911               | 4,263               | 4,647               | 5,065               | 5,521               | 6,017               | 6,559               | 7,149               | 7,793               | As Benefits - Medical   |
| Retirement Health Svgs Plan                | 390                 | 425                 | 463                 | 505                 | 551                 | 600                 | 654                 | 713                 | 777                 | 847                 | As Benefits - Medical   |
| Life/Vision/Dental/Retire                  | 20,969              | 22,856              | 24,913              | 27,155              | 29,599              | 32,263              | 35,167              | 38,332              | 41,782              | 45,542              | As Benefits - Medical   |
| Health/Life/Vision Insurance               | 18,734              | 20,420              | 22,257              | 24,260              | 26,444              | 28,824              | 31,418              | 34,246              | 37,328              | 40,687              | As Benefits - Medical   |
| Unemployment Insurance                     | 353                 | 370                 | 389                 | 408                 | 428                 | 450                 | 472                 | 496                 | 521                 | 547                 | As Benefits - Other     |
| Medicare Insurance                         | 1,612               | 1,757               | 1,915               | 2,087               | 2,275               | 2,480               | 2,703               | 2,947               | 3,212               | 3,501               | As Benefits - Medical   |
| Personnel Offset                           | 0                   | 0                   | 0                   | 0                   | 0                   | 0                   | 0                   | 0                   | 0                   | 0                   | As Benefits - Other     |
| Office Supplies                            | 291                 | 302                 | 315                 | 327                 | 340                 | 354                 | 368                 | 383                 | 398                 | 414                 | As Materials & Supplies |
| Postage                                    | 48,223              | 50,152              | 52,158              | 54,244              | 56,414              | 58,670              | 61,017              | 63,458              | 65,996              | 68,636              | As Materials & Supplies |
| Copy Machine Costs                         | 820                 | 853                 | 887                 | 922                 | 959                 | 998                 | 1,038               | 1,079               | 1,122               | 1,167               | As Materials & Supplies |
| Department Specific Supplies               | 356                 | 371                 | 385                 | 401                 | 417                 | 433                 | 451                 | 469                 | 488                 | 507                 | As Materials & Supplies |
| Telephone                                  | 1,091               | 1,146               | 1,203               | 1,263               | 1,326               | 1,392               | 1,462               | 1,535               | 1,612               | 1,693               | As Utilities            |
| Contract Services                          | 72,440              | 73,889              | 75,367              | 76,874              | 78,412              | 79,980              | 81,579              | 83,211              | 84,875              | 86,573              | As Profess/Contractual  |
| Credit Card Fees                           | 17,537              | 18,063              | 18,605              | 19,163              | 19,738              | 20,330              | 20,940              | 21,568              | 22,215              | 22,882              | As Miscellaneous        |
| Indirect Expense                           | 2,390               | 2,462               | 2,536               | 2,612               | 2,690               | 2,771               | 2,854               | 2,940               | 3,028               | 3,119               | As Indirect Expense     |
| Technology Services Chargeback             | 13,347              | 14,055              | 14,800              | 15,585              | 16,411              | 17,281              | 18,198              | 19,163              | 20,179              | 21,249              | As Data Processing      |
| Total Accounting - Sewer                   | \$353,602           | \$366,582           | \$380,231           | \$394,595           | \$409,720           | \$425,660           | \$442,471           | \$460,213           | \$478,951           | \$498,757           |                         |

|                                          | Budget      | PROJECTED   |             |             |             |             |             |             |             |             | Notes                   |
|------------------------------------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------------------|
|                                          | FY 2013     | FY 2014     | FY 2015     | FY 2016     | FY 2017     | FY 2018     | FY 2019     | FY 2020     | FY 2021     | FY 2022     |                         |
| <i>Sewage Collection System</i>          |             |             |             |             |             |             |             |             |             |             |                         |
| Salaries - Full Time                     | \$646,358   | \$659,285   | \$672,471   | \$685,920   | \$699,638   | \$713,631   | \$727,904   | \$742,462   | \$757,311   | \$772,457   | As Labor                |
| Hourly Wages - Temporary                 | 60,326      | 61,533      | 62,763      | 64,018      | 65,299      | 66,605      | 67,937      | 69,296      | 70,682      | 72,095      | As Labor                |
| Vacation Buyout                          | 5,657       | 5,940       | 6,237       | 6,549       | 6,877       | 7,220       | 7,581       | 7,960       | 8,358       | 8,776       | As Benefits - Other     |
| Admin Buyout                             | 437         | 459         | 482         | 506         | 531         | 558         | 585         | 615         | 645         | 678         | As Benefits - Other     |
| Comp Time Buyout                         | 399         | 419         | 439         | 461         | 485         | 509         | 534         | 561         | 589         | 618         | As Benefits - Other     |
| Overtime-Permanent Full Time             | 20,000      | 20,400      | 20,808      | 21,224      | 21,649      | 22,082      | 22,523      | 22,974      | 23,433      | 23,902      | As Labor                |
| Def Comp City Match                      | 254         | 267         | 280         | 294         | 309         | 324         | 340         | 357         | 375         | 394         | As Benefits - Other     |
| Acting Pay                               | 1,003       | 1,023       | 1,044       | 1,065       | 1,086       | 1,108       | 1,130       | 1,153       | 1,176       | 1,199       | As Labor                |
| Standby Pay                              | 10,000      | 10,200      | 10,404      | 10,612      | 10,824      | 11,041      | 11,262      | 11,487      | 11,717      | 11,951      | As Labor                |
| Workers Comp/Liab Ins                    | 42,859      | 45,002      | 47,252      | 49,614      | 52,095      | 54,700      | 57,435      | 60,307      | 63,322      | 66,488      | As Benefits - Other     |
| Retirement                               | 187,819     | 197,210     | 207,070     | 217,424     | 228,295     | 239,709     | 251,695     | 264,280     | 277,494     | 291,368     | As Benefits - Other     |
| Health Pay-In Lieu                       | 14,797      | 16,128      | 17,580      | 19,162      | 20,887      | 22,766      | 24,815      | 27,049      | 29,483      | 32,137      | As Benefits - Medical   |
| Retirement Health Svgs Plan              | 4,416       | 4,813       | 5,247       | 5,719       | 6,234       | 6,795       | 7,406       | 8,073       | 8,799       | 9,591       | As Benefits - Medical   |
| Life/Vision/Dental/Retire                | 139,388     | 151,932     | 165,606     | 180,511     | 196,757     | 214,465     | 233,767     | 254,806     | 277,738     | 302,735     | As Benefits - Medical   |
| Health/Life/Vision Insurance             | 176,045     | 191,889     | 209,159     | 227,984     | 248,502     | 270,867     | 295,245     | 321,818     | 350,781     | 382,351     | As Benefits - Medical   |
| Unemployment Insurance                   | 5,736       | 6,023       | 6,324       | 6,640       | 6,972       | 7,320       | 7,686       | 8,071       | 8,474       | 8,898       | As Benefits - Other     |
| Medicare Insurance                       | 9,256       | 10,089      | 10,997      | 11,987      | 13,066      | 14,242      | 15,524      | 16,921      | 18,444      | 20,104      | As Benefits - Medical   |
| Personnel Offset                         | 0           | 0           | 0           | 0           | 0           | 0           | 0           | 0           | 0           | 0           | As Benefits - Other     |
| Office Supplies                          | 1,500       | 1,560       | 1,622       | 1,687       | 1,755       | 1,825       | 1,898       | 1,974       | 2,053       | 2,135       | As Materials & Supplies |
| Postage                                  | 500         | 520         | 541         | 562         | 585         | 608         | 633         | 658         | 684         | 712         | As Materials & Supplies |
| Publications & Periodicals               | 293         | 302         | 311         | 320         | 330         | 339         | 350         | 360         | 371         | 382         | As Miscellaneous        |
| Printing                                 | 333         | 343         | 353         | 364         | 375         | 386         | 398         | 410         | 422         | 435         | As Miscellaneous        |
| Copy Machine Costs                       | 1,050       | 1,092       | 1,136       | 1,181       | 1,228       | 1,277       | 1,329       | 1,382       | 1,437       | 1,494       | As Materials & Supplies |
| Department Specific Supplies             | 176,893     | 183,968     | 191,327     | 198,980     | 206,939     | 215,217     | 223,826     | 232,779     | 242,090     | 251,773     | As Materials & Supplies |
| Personal Protective Equipment            | 3,000       | 3,120       | 3,245       | 3,375       | 3,510       | 3,650       | 3,796       | 3,948       | 4,106       | 4,270       | As Materials & Supplies |
| Laundry                                  | 2,596       | 2,674       | 2,754       | 2,837       | 2,922       | 3,009       | 3,100       | 3,193       | 3,289       | 3,387       | As Miscellaneous        |
| Tools                                    | 3,000       | 3,120       | 3,245       | 3,375       | 3,510       | 3,650       | 3,796       | 3,948       | 4,106       | 4,270       | As Equipment/Vehicles   |
| Advertising                              | 6,000       | 6,180       | 6,365       | 6,556       | 6,753       | 6,956       | 7,164       | 7,379       | 7,601       | 7,829       | As Miscellaneous        |
| Telephone                                | 1,165       | 1,223       | 1,284       | 1,348       | 1,416       | 1,487       | 1,561       | 1,639       | 1,721       | 1,807       | As Utilities            |
| Cell Phones                              | 3,420       | 3,591       | 3,771       | 3,959       | 4,157       | 4,365       | 4,583       | 4,812       | 5,053       | 5,306       | As Utilities            |
| Maintenance - Grounds                    | 8,873       | 9,050       | 9,231       | 9,416       | 9,604       | 9,797       | 9,992       | 10,192      | 10,396      | 10,604      | As Labor                |
| Maintenance - Equipment                  | 9,000       | 9,180       | 9,364       | 9,551       | 9,742       | 9,937       | 10,135      | 10,338      | 10,545      | 10,756      | As Labor                |
| Equipment Rental                         | 4,250       | 4,420       | 4,597       | 4,781       | 4,972       | 5,171       | 5,378       | 5,593       | 5,816       | 6,049       | As Equipment/Vehicles   |
| Contract Services                        | 221,363     | 225,790     | 230,306     | 234,912     | 239,611     | 244,403     | 249,291     | 254,277     | 259,362     | 264,550     | As Profess/Contractual  |
| Membership & Dues                        | 4,047       | 4,168       | 4,293       | 4,422       | 4,555       | 4,692       | 4,832       | 4,977       | 5,127       | 5,280       | As Miscellaneous        |
| Mandatory Training                       | 17,300      | 17,992      | 18,712      | 19,460      | 20,239      | 21,048      | 21,890      | 22,766      | 23,676      | 24,623      | As Education/Training   |
| Educative Incentive Reimbursement        | 625         | 650         | 676         | 703         | 731         | 760         | 791         | 822         | 855         | 890         | As Education/Training   |
| Machinery & Equipment - Capital Expenses | 54,000      | 0           | 0           | 0           | 0           | 0           | 0           | 0           | 0           | 0           | As One Time Expense     |
| Vehicle Purchases                        | 7,500       | 7,800       | 8,112       | 8,436       | 8,774       | 9,125       | 9,490       | 9,869       | 10,264      | 10,675      | As Equipment/Vehicles   |
| Gas & Oil                                | 125         | 131         | 138         | 145         | 152         | 160         | 168         | 176         | 185         | 194         | As Utilities            |
| Indirect Expense                         | 125,486     | 129,251     | 133,128     | 137,122     | 141,236     | 145,473     | 149,837     | 154,332     | 158,962     | 163,731     | As Indirect Expense     |
| Technology Services Chargeback           | 41,887      | 44,108      | 46,447      | 48,910      | 51,504      | 54,236      | 57,112      | 60,140      | 63,330      | 66,688      | As Data Processing      |
| Property Taxes                           | 3,475       | 3,659       | 3,853       | 4,058       | 4,273       | 4,499       | 4,738       | 4,989       | 5,254       | 5,533       | As Data Processing      |
| Fixed Fleet Cost                         | 32,271      | 33,562      | 34,904      | 36,301      | 37,753      | 39,263      | 40,833      | 42,467      | 44,165      | 45,932      | As Equipment/Vehicles   |
| Variable Fleet Cost                      | 155,400     | 161,616     | 168,080     | 174,804     | 181,796     | 189,067     | 196,630     | 204,495     | 212,675     | 221,182     | As Equipment/Vehicles   |
| Lease Payment Chargeback                 | 82,900      | 86,216      | 89,665      | 93,251      | 96,981      | 100,861     | 104,895     | 109,091     | 113,454     | 117,993     | As Equipment/Vehicles   |
| Total Sewage Collection System           | \$2,293,001 | \$2,327,899 | \$2,421,625 | \$2,520,507 | \$2,624,905 | \$2,735,202 | \$2,851,815 | \$2,975,193 | \$3,105,821 | \$3,244,221 |                         |

|                                           | Budget      | PROJECTED   |             |             |             |             |             |             |             |             | Notes                   |
|-------------------------------------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------------------|
|                                           | FY 2013     | FY 2014     | FY 2015     | FY 2016     | FY 2017     | FY 2018     | FY 2019     | FY 2020     | FY 2021     | FY 2022     |                         |
| <i>Sewage Treatment Plant</i>             |             |             |             |             |             |             |             |             |             |             |                         |
| Salaries - Full Time                      | \$649,629   | \$662,621   | \$675,874   | \$689,391   | \$703,179   | \$717,242   | \$731,587   | \$746,219   | \$761,143   | \$776,366   | As Labor                |
| Hourly Wages - Temporary                  | 41,107      | 41,929      | 42,768      | 43,623      | 44,496      | 45,385      | 46,293      | 47,219      | 48,163      | 49,127      | As Labor                |
| Vacation Buyout                           | 12,942      | 13,589      | 14,268      | 14,982      | 15,731      | 16,517      | 17,343      | 18,210      | 19,121      | 20,077      | As Benefits - Other     |
| Admin Buyout                              | 3,874       | 4,068       | 4,271       | 4,485       | 4,709       | 4,945       | 5,192       | 5,451       | 5,724       | 6,010       | As Benefits - Other     |
| Comp Time Buyout                          | 1,551       | 1,629       | 1,710       | 1,796       | 1,885       | 1,980       | 2,079       | 2,183       | 2,292       | 2,406       | As Benefits - Other     |
| Overtime-Permanent Full Time              | 12,000      | 12,240      | 12,485      | 12,734      | 12,989      | 13,249      | 13,514      | 13,784      | 14,060      | 14,341      | As Labor                |
| Def Comp City Match                       | 1,727       | 1,813       | 1,904       | 1,999       | 2,099       | 2,204       | 2,314       | 2,430       | 2,551       | 2,679       | As Benefits - Other     |
| Acting Pay                                | 820         | 861         | 904         | 949         | 997         | 1,047       | 1,099       | 1,154       | 1,212       | 1,272       | As Benefits - Other     |
| Standby Pay                               | 10,700      | 11,235      | 11,797      | 12,387      | 13,006      | 13,656      | 14,339      | 15,056      | 15,809      | 16,599      | As Benefits - Other     |
| Workers Comp/Liab Ins                     | 49,127      | 51,584      | 54,163      | 56,871      | 59,715      | 62,700      | 65,835      | 69,127      | 72,584      | 76,213      | As Benefits - Other     |
| Retirement                                | 184,595     | 193,825     | 203,516     | 213,692     | 224,377     | 235,596     | 247,375     | 259,744     | 272,731     | 286,368     | As Benefits - Other     |
| Health Pay-In Lieu                        | 15,797      | 17,219      | 18,769      | 20,458      | 22,299      | 24,306      | 26,494      | 28,878      | 31,477      | 34,310      | As Benefits - Medical   |
| Retirement Health Svgs Plan               | 2,460       | 2,681       | 2,923       | 3,186       | 3,472       | 3,785       | 4,126       | 4,497       | 4,902       | 5,343       | As Benefits - Medical   |
| Life/Vision/Dental/Retire                 | 106,169     | 115,724     | 126,139     | 137,491     | 149,866     | 163,354     | 178,055     | 194,080     | 211,548     | 230,587     | As Benefits - Medical   |
| Health/Life/Vision Insurance              | 140,497     | 153,142     | 166,925     | 181,948     | 198,323     | 216,172     | 235,628     | 256,834     | 279,950     | 305,145     | As Benefits - Medical   |
| Unemployment Insurance                    | 6,575       | 6,903       | 7,249       | 7,611       | 7,992       | 8,391       | 8,811       | 9,251       | 9,714       | 10,199      | As Benefits - Other     |
| Medicare Insurance                        | 9,342       | 10,183      | 11,100      | 12,099      | 13,187      | 14,374      | 15,668      | 17,078      | 18,615      | 20,290      | As Benefits - Medical   |
| Personnel Offset                          | 0           | 0           | 0           | 0           | 0           | 0           | 0           | 0           | 0           | 0           | As Benefits - Other     |
| Office Supplies                           | 2,000       | 2,080       | 2,163       | 2,250       | 2,340       | 2,433       | 2,531       | 2,632       | 2,737       | 2,847       | As Materials & Supplies |
| Postage                                   | 500         | 520         | 541         | 562         | 585         | 608         | 633         | 658         | 684         | 712         | As Materials & Supplies |
| Janitorial Supplies                       | 1,544       | 1,606       | 1,670       | 1,737       | 1,806       | 1,879       | 1,954       | 2,032       | 2,113       | 2,198       | As Materials & Supplies |
| Printing                                  | 593         | 611         | 629         | 648         | 668         | 688         | 708         | 729         | 751         | 774         | As Miscellaneous        |
| Copy Machine Costs                        | 1,938       | 2,016       | 2,096       | 2,180       | 2,267       | 2,358       | 2,452       | 2,550       | 2,652       | 2,758       | As Materials & Supplies |
| Department Specific Supplies              | 640,843     | 666,477     | 693,136     | 720,861     | 749,696     | 779,683     | 810,871     | 843,306     | 877,038     | 912,119     | As Materials & Supplies |
| Personal Protective Equipment             | 2,205       | 2,293       | 2,385       | 2,480       | 2,580       | 2,683       | 2,790       | 2,902       | 3,018       | 3,138       | As Materials & Supplies |
| Laundry                                   | 2,251       | 2,318       | 2,388       | 2,459       | 2,533       | 2,609       | 2,687       | 2,768       | 2,851       | 2,936       | As Miscellaneous        |
| Tools                                     | 2,895       | 3,011       | 3,131       | 3,256       | 3,387       | 3,522       | 3,663       | 3,810       | 3,962       | 4,120       | As Equipment/Vehicles   |
| Advertising                               | 1,500       | 1,545       | 1,591       | 1,639       | 1,688       | 1,739       | 1,791       | 1,845       | 1,900       | 1,957       | As Miscellaneous        |
| Telephone                                 | 7,680       | 8,064       | 8,467       | 8,891       | 9,335       | 9,802       | 10,292      | 10,806      | 11,347      | 11,914      | As Utilities            |
| Cell Phones                               | 4,320       | 4,536       | 4,763       | 5,001       | 5,251       | 5,514       | 5,789       | 6,079       | 6,383       | 6,702       | As Utilities            |
| Maintenance - Grounds                     | 31,967      | 32,606      | 33,258      | 33,924      | 34,602      | 35,294      | 36,000      | 36,720      | 37,454      | 38,204      | As Labor                |
| Maintenance - Equipment                   | 1,476       | 1,505       | 1,535       | 1,566       | 1,597       | 1,629       | 1,662       | 1,695       | 1,729       | 1,764       | As Labor                |
| Property Lease Payments                   | 7,000       | 7,210       | 7,426       | 7,649       | 7,879       | 8,115       | 8,358       | 8,609       | 8,867       | 9,133       | As Miscellaneous        |
| Contract Services                         | 305,422     | 311,530     | 317,761     | 324,116     | 330,599     | 337,211     | 343,955     | 350,834     | 357,851     | 365,008     | As Profess/Contractual  |
| Memberships & Dues                        | 3,768       | 3,881       | 3,997       | 4,117       | 4,241       | 4,368       | 4,499       | 4,634       | 4,773       | 4,916       | As Miscellaneous        |
| "Conferences, Meetings, & Other Training" | 350         | 361         | 371         | 382         | 394         | 406         | 418         | 430         | 443         | 457         | As Miscellaneous        |
| Mandatory Training                        | 15,609      | 16,233      | 16,883      | 17,558      | 18,260      | 18,991      | 19,750      | 20,540      | 21,362      | 22,216      | As Education/Training   |
| Education Incentive Reimbursement         | 1,250       | 1,300       | 1,352       | 1,406       | 1,462       | 1,521       | 1,582       | 1,645       | 1,711       | 1,779       | As Education/Training   |
| Machinery & Equipment - Capital Expenses  | 56,954      | 59,232      | 61,601      | 64,066      | 66,628      | 69,293      | 72,065      | 74,948      | 77,945      | 81,063      | As Equipment/Vehicles   |
| Property Taxes                            | 1,000       | 1,030       | 1,061       | 1,093       | 1,126       | 1,159       | 1,194       | 1,230       | 1,267       | 1,305       | As Miscellaneous        |
| Gas & Oil                                 | 17,000      | 17,850      | 18,743      | 19,680      | 20,664      | 21,697      | 22,782      | 23,921      | 25,117      | 26,373      | As Utilities            |
| Indirect Expense                          | 275,178     | 283,434     | 291,937     | 300,695     | 309,716     | 319,007     | 328,577     | 338,435     | 348,588     | 359,045     | As Indirect Expense     |
| Utilities                                 | 750,000     | 787,500     | 826,875     | 868,219     | 911,630     | 957,211     | 1,005,072   | 1,055,325   | 1,108,092   | 1,163,496   | As Utilities            |
| Technology Services Chargeback            | 37,578      | 39,571      | 41,669      | 43,879      | 46,206      | 48,656      | 51,237      | 53,954      | 56,815      | 59,828      | As Data Processing      |
| Fixed Fleet Cost                          | 10,757      | 11,187      | 11,635      | 12,100      | 12,584      | 13,088      | 13,611      | 14,156      | 14,722      | 15,311      | As Equipment/Vehicles   |
| Variable Fleet Cost                       | 58,139      | 60,465      | 62,884      | 65,399      | 68,015      | 70,736      | 73,565      | 76,508      | 79,568      | 82,751      | As Equipment/Vehicles   |
| Total Sewage Treatment Plant              | \$3,490,630 | \$3,631,219 | \$3,778,713 | \$3,933,515 | \$4,096,059 | \$4,266,803 | \$4,446,240 | \$4,634,896 | \$4,833,335 | \$5,042,157 |                         |

|                                          | Budget    | PROJECTED |           |           |           |           |           |           |           |           | Notes                   |
|------------------------------------------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-------------------------|
|                                          | FY 2013   | FY 2014   | FY 2015   | FY 2016   | FY 2017   | FY 2018   | FY 2019   | FY 2020   | FY 2021   | FY 2022   |                         |
| <i>Environment Operations Laboratory</i> |           |           |           |           |           |           |           |           |           |           |                         |
| Salaries - Full Time                     | \$176,883 | \$180,421 | \$184,029 | \$187,710 | \$191,464 | \$195,293 | \$199,199 | \$203,183 | \$207,247 | \$211,392 | As Labor                |
| Hourly Wages - Temporary                 | 18,374    | 18,741    | 19,116    | 19,499    | 19,889    | 20,286    | 20,692    | 21,106    | 21,528    | 21,959    | As Labor                |
| Vacation Buyout                          | 1,761     | 1,849     | 1,942     | 2,039     | 2,141     | 2,248     | 2,360     | 2,478     | 2,602     | 2,732     | As Benefits - Other     |
| Admin Buyout                             | 1,241     | 1,303     | 1,368     | 1,437     | 1,509     | 1,584     | 1,663     | 1,747     | 1,834     | 1,926     | As Benefits - Other     |
| Comp Time Buyout                         | 17        | 18        | 18        | 19        | 20        | 21        | 22        | 24        | 25        | 26        | As Benefits - Other     |
| Overtime-Permanent Full Time             | 1,800     | 1,890     | 1,985     | 2,084     | 2,188     | 2,297     | 2,412     | 2,533     | 2,659     | 2,792     | As Benefits - Other     |
| Def Comp City Match                      | 430       | 451       | 474       | 497       | 522       | 548       | 576       | 604       | 635       | 666       | As Benefits - Other     |
| Acting Pay                               | 213       | 224       | 235       | 247       | 259       | 272       | 286       | 300       | 315       | 331       | As Benefits - Other     |
| Workers Comp/Liab Ins                    | 11,798    | 12,388    | 13,007    | 13,657    | 14,340    | 15,057    | 15,810    | 16,600    | 17,430    | 18,302    | As Benefits - Other     |
| Retirement                               | 47,557    | 49,935    | 52,432    | 55,054    | 57,806    | 60,697    | 63,732    | 66,918    | 70,264    | 73,777    | As Benefits - Other     |
| Health Pay-In Lieu                       | 2,712     | 2,956     | 3,222     | 3,512     | 3,828     | 4,173     | 4,548     | 4,958     | 5,404     | 5,890     | As Benefits - Medical   |
| Retirement Health Svgs Plan              | 660       | 719       | 784       | 855       | 932       | 1,015     | 1,107     | 1,207     | 1,315     | 1,433     | As Benefits - Medical   |
| Life/Vision/Dental/Retire                | 33,109    | 36,089    | 39,336    | 42,877    | 46,736    | 50,942    | 55,527    | 60,524    | 65,971    | 71,909    | As Benefits - Medical   |
| Health/Life/Vision Insurance             | 52,552    | 57,282    | 62,437    | 68,056    | 74,181    | 80,858    | 88,135    | 96,067    | 104,713   | 114,137   | As Benefits - Medical   |
| Unemployment Insurance                   | 1,579     | 1,658     | 1,741     | 1,828     | 1,919     | 2,015     | 2,116     | 2,222     | 2,333     | 2,449     | As Benefits - Other     |
| Medicare Insurance                       | 2,548     | 2,777     | 3,027     | 3,299     | 3,596     | 3,920     | 4,273     | 4,657     | 5,076     | 5,533     | As Benefits - Medical   |
| Personnel Offset                         | 0         | 0         | 0         | 0         | 0         | 0         | 0         | 0         | 0         | 0         | As Benefits - Other     |
| Office Supplies                          | 800       | 832       | 865       | 900       | 936       | 973       | 1,012     | 1,053     | 1,095     | 1,139     | As Materials & Supplies |
| Postage                                  | 2,100     | 2,184     | 2,271     | 2,362     | 2,457     | 2,555     | 2,657     | 2,763     | 2,874     | 2,989     | As Materials & Supplies |
| Printing                                 | 0         | 0         | 0         | 0         | 0         | 0         | 0         | 0         | 0         | 0         | As Miscellaneous        |
| Department Specific Supplies             | 48,104    | 50,028    | 52,029    | 54,110    | 56,275    | 58,526    | 60,867    | 63,301    | 65,833    | 68,467    | As Materials & Supplies |
| Personal Protective Equipment            | 2,000     | 2,080     | 2,163     | 2,250     | 2,340     | 2,433     | 2,531     | 2,632     | 2,737     | 2,847     | As Materials & Supplies |
| Laundry                                  | 250       | 258       | 265       | 273       | 281       | 290       | 299       | 307       | 317       | 326       | As Miscellaneous        |
| Advertising                              | 0         | 0         | 0         | 0         | 0         | 0         | 0         | 0         | 0         | 0         | As Miscellaneous        |
| Telephone                                | 1,747     | 1,834     | 1,926     | 2,023     | 2,124     | 2,230     | 2,341     | 2,458     | 2,581     | 2,710     | As Utilities            |
| Cell Phones                              | 1,260     | 1,323     | 1,389     | 1,459     | 1,532     | 1,608     | 1,689     | 1,773     | 1,862     | 1,955     | As Utilities            |
| Contract Services                        | 84,821    | 86,517    | 88,248    | 90,013    | 91,813    | 93,649    | 95,522    | 97,433    | 99,381    | 101,369   | As Profess/Contractual  |
| Memberships & Dues                       | 700       | 728       | 757       | 787       | 819       | 852       | 886       | 921       | 958       | 996       | As Materials & Supplies |
| Mandatory Training                       | 1,800     | 1,872     | 1,947     | 2,025     | 2,106     | 2,190     | 2,278     | 2,369     | 2,463     | 2,562     | As Education/Training   |
| Education Incentive Reimbursement        | 625       | 650       | 676       | 703       | 731       | 760       | 791       | 822       | 855       | 890       | As Education/Training   |
| Technology Services Chargeback           | 13,158    | 13,856    | 14,591    | 15,365    | 16,180    | 17,038    | 17,941    | 18,893    | 19,894    | 20,949    | As Data Processing      |
| Fixed Fleet Cost                         | 2,864     | 2,979     | 3,098     | 3,222     | 3,351     | 3,485     | 3,624     | 3,769     | 3,920     | 4,077     | As Equipment/Vehicles   |
| Variable Fleet Cost                      | 7,395     | 7,691     | 7,999     | 8,319     | 8,652     | 8,998     | 9,358     | 9,732     | 10,121    | 10,526    | As Equipment/Vehicles   |
| Total Environment Operations Laboratory  | \$520,858 | \$541,533 | \$563,379 | \$586,479 | \$610,924 | \$636,813 | \$664,252 | \$693,354 | \$724,244 | \$757,056 |                         |

|                                                  | Budget             | PROJECTED          |                    |                    |                    |                    |                    |                    |                    |                     | Notes                   |
|--------------------------------------------------|--------------------|--------------------|--------------------|--------------------|--------------------|--------------------|--------------------|--------------------|--------------------|---------------------|-------------------------|
|                                                  | FY 2013            | FY 2014            | FY 2015            | FY 2016            | FY 2017            | FY 2018            | FY 2019            | FY 2020            | FY 2021            | FY 2022             |                         |
| <i>Utilities Engineering</i>                     |                    |                    |                    |                    |                    |                    |                    |                    |                    |                     |                         |
| Salaries - Full Time                             | \$250,669          | \$255,682          | \$260,796          | \$266,012          | \$271,332          | \$276,759          | \$282,294          | \$287,940          | \$293,698          | \$299,572           | As Labor                |
| Hourly Wages - Temporary                         | 6,840              | 6,977              | 7,116              | 7,259              | 7,404              | 7,552              | 7,703              | 7,857              | 8,014              | 8,174               | As Labor                |
| Vacation Buyout                                  | 5,825              | 6,116              | 6,422              | 6,743              | 7,080              | 7,434              | 7,806              | 8,196              | 8,606              | 9,036               | As Benefits - Other     |
| Admin Buyout                                     | 3,050              | 3,202              | 3,362              | 3,530              | 3,707              | 3,892              | 4,087              | 4,291              | 4,506              | 4,731               | As Benefits - Other     |
| Overtime-Permanent Full Time                     | 200                | 210                | 221                | 232                | 243                | 255                | 268                | 281                | 295                | 310                 | As Benefits - Other     |
| Def Comp City Match                              | 1,700              | 1,785              | 1,874              | 1,968              | 2,066              | 2,170              | 2,278              | 2,392              | 2,512              | 2,637               | As Benefits - Other     |
| Acting Pay                                       | 50                 | 53                 | 55                 | 58                 | 61                 | 64                 | 67                 | 70                 | 74                 | 78                  | As Benefits - Other     |
| Standby Pay                                      | 0                  | 0                  | 0                  | 0                  | 0                  | 0                  | 0                  | 0                  | 0                  | 0                   | As Benefits - Other     |
| Workers Comp/Liab Ins                            | 9,303              | 9,768              | 10,257             | 10,770             | 11,308             | 11,873             | 12,467             | 13,090             | 13,745             | 14,432              | As Benefits - Other     |
| Retirement                                       | 53,504             | 56,179             | 58,988             | 61,937             | 65,034             | 68,286             | 71,700             | 75,285             | 79,049             | 83,002              | As Benefits - Other     |
| Alt Transportation Pay                           | 22                 | 23                 | 24                 | 25                 | 27                 | 28                 | 29                 | 31                 | 32                 | 34                  | As Benefits - Other     |
| Health Pay-In Lieu                               | 13,967             | 15,224             | 16,594             | 18,087             | 19,715             | 21,490             | 23,424             | 25,532             | 27,830             | 30,334              | As Benefits - Medical   |
| Retirement Health Svgs Plan                      | 138                | 150                | 164                | 179                | 195                | 212                | 231                | 252                | 275                | 300                 | As Benefits - Medical   |
| Life/Vision/Dental/Retire                        | 33,550             | 36,570             | 39,861             | 43,448             | 47,359             | 51,621             | 56,267             | 61,331             | 66,851             | 72,867              | As Benefits - Medical   |
| Health/Life/Vision Insurance                     | 17,372             | 18,935             | 20,639             | 22,497             | 24,522             | 26,728             | 29,134             | 31,756             | 34,614             | 37,729              | As Benefits - Medical   |
| Unemployment Insurance                           | 1,245              | 1,307              | 1,373              | 1,441              | 1,513              | 1,589              | 1,668              | 1,752              | 1,839              | 1,931               | As Benefits - Other     |
| Medicare Insurance                               | 3,639              | 3,966              | 4,323              | 4,712              | 5,136              | 5,598              | 6,102              | 6,651              | 7,250              | 7,902               | As Benefits - Medical   |
| Personnel Offset                                 | 0                  | 0                  | 0                  | 0                  | 0                  | 0                  | 0                  | 0                  | 0                  | 0                   | As Benefits - Other     |
| Office Supplies                                  | 1,750              | 1,820              | 1,893              | 1,969              | 2,047              | 2,129              | 2,214              | 2,303              | 2,395              | 2,491               | As Materials & Supplies |
| Postage                                          | 125                | 130                | 135                | 141                | 146                | 152                | 158                | 164                | 171                | 178                 | As Materials & Supplies |
| Publications & Periodicals                       | 450                | 464                | 477                | 492                | 506                | 522                | 537                | 553                | 570                | 587                 | As Miscellaneous        |
| Printing                                         | 2,025              | 2,086              | 2,148              | 2,213              | 2,279              | 2,348              | 2,418              | 2,490              | 2,565              | 2,642               | As Miscellaneous        |
| Copy Machine Costs                               | 1,600              | 1,632              | 1,665              | 1,698              | 1,732              | 1,767              | 1,802              | 1,838              | 1,875              | 1,912               | As Labor                |
| Department Specific Supplies                     | 14,094             | 14,658             | 15,244             | 15,854             | 16,488             | 17,148             | 17,833             | 18,547             | 19,289             | 20,060              | As Materials & Supplies |
| Personal Protective Equipment                    | 175                | 182                | 189                | 197                | 205                | 213                | 221                | 230                | 239                | 249                 | As Materials & Supplies |
| Advertising                                      | 200                | 206                | 212                | 219                | 225                | 232                | 239                | 246                | 253                | 261                 | As Miscellaneous        |
| Telephone                                        | 1,149              | 1,206              | 1,267              | 1,330              | 1,397              | 1,466              | 1,540              | 1,617              | 1,698              | 1,782               | As Utilities            |
| Cell Phones                                      | 2,290              | 2,405              | 2,525              | 2,651              | 2,784              | 2,923              | 3,069              | 3,222              | 3,383              | 3,553               | As Utilities            |
| Maintenance - Equipment                          | 300                | 306                | 312                | 318                | 325                | 331                | 338                | 345                | 351                | 359                 | As Labor                |
| Contract Services                                | 84,573             | 86,264             | 87,990             | 89,750             | 91,545             | 93,375             | 95,243             | 97,148             | 99,091             | 101,073             | As Profess/Contractual  |
| Memberships & Dues                               | 2,018              | 2,079              | 2,141              | 2,205              | 2,271              | 2,339              | 2,410              | 2,482              | 2,556              | 2,633               | As Miscellaneous        |
| Conferences, Meetings, & Other Training          | 2,500              | 2,600              | 2,704              | 2,812              | 2,925              | 3,042              | 3,163              | 3,290              | 3,421              | 3,558               | As Education/Training   |
| Education Incentive Reimbursement                | 3,750              | 3,900              | 4,056              | 4,218              | 4,387              | 4,562              | 4,745              | 4,935              | 5,132              | 5,337               | As Education/Training   |
| "Conferences, Meetings, & Other Training"        | 2,000              | 2,080              | 2,163              | 2,250              | 2,340              | 2,433              | 2,531              | 2,632              | 2,737              | 2,847               | As Education/Training   |
| Technology Services Chargeback                   | 13,158             | 13,856             | 14,591             | 15,365             | 16,180             | 17,038             | 17,941             | 18,893             | 19,894             | 20,949              | As Data Processing      |
| Fixed Fleet Cost                                 | 2,829              | 2,943              | 3,060              | 3,183              | 3,310              | 3,442              | 3,580              | 3,723              | 3,872              | 4,027               | As Equipment/Vehicles   |
| Variable Fleet Cost                              | 3,759              | 3,909              | 4,065              | 4,228              | 4,397              | 4,573              | 4,756              | 4,946              | 5,144              | 5,350               | As Equipment/Vehicles   |
| Total Utilities Engineering                      | \$539,817          | \$558,872          | \$578,906          | \$599,988          | \$622,189          | \$645,586          | \$670,264          | \$696,312          | \$723,829          | \$752,920           |                         |
| <i>Additions</i>                                 |                    |                    |                    |                    |                    |                    |                    |                    |                    |                     |                         |
| New Staff Carryover                              | \$0                | \$0                | \$0                | \$0                | \$0                | \$0                | \$0                | \$0                | \$0                | \$0                 | As Labor                |
| New Staff Req                                    | 0                  | 0                  | 0                  | 0                  | 0                  | 0                  | 0                  | 0                  | 0                  | 0                   | As Labor                |
| Staff Equipment                                  | 0                  | 0                  | 0                  | 0                  | 0                  | 0                  | 0                  | 0                  | 0                  | 0                   | As Equipment/Vehicles   |
| Equipment                                        | 0                  | 0                  | 0                  | 0                  | 0                  | 0                  | 0                  | 0                  | 0                  | 0                   | As Equipment/Vehicles   |
| Other                                            | 0                  | 0                  | 0                  | 0                  | 0                  | 0                  | 0                  | 0                  | 0                  | 0                   | As Miscellaneous        |
| Total Additions                                  | \$0                | \$0                | \$0                | \$0                | \$0                | \$0                | \$0                | \$0                | \$0                | \$0                 |                         |
| <b>Total Operating &amp; Maintenance Expense</b> | <b>\$7,197,908</b> | <b>\$7,426,105</b> | <b>\$7,722,853</b> | <b>\$8,035,084</b> | <b>\$8,363,797</b> | <b>\$8,710,064</b> | <b>\$9,075,041</b> | <b>\$9,459,968</b> | <b>\$9,866,179</b> | <b>\$10,295,111</b> |                         |

|                                                        | Budget<br>FY 2013   | FY 2014             | FY 2015              | FY 2016              | FY 2017              | PROJECTED<br>FY 2018 | FY 2019              | FY 2020              | FY 2021              | FY 2022              | Notes                           |
|--------------------------------------------------------|---------------------|---------------------|----------------------|----------------------|----------------------|----------------------|----------------------|----------------------|----------------------|----------------------|---------------------------------|
| <b>Net Capital Funded Through Rates</b>                | \$400,000           | \$400,000           | \$650,000            | \$900,000            | \$1,500,000          | \$1,750,000          | \$2,000,000          | \$2,250,000          | \$2,500,000          | \$2,750,000          | FY 2013 Approx. Depr. \$2.047 M |
| Debt Service                                           |                     |                     |                      |                      |                      |                      |                      |                      |                      |                      |                                 |
| 2002 LRB (Funded by 220)                               | \$406,560           | \$405,160           | \$408,313            | \$405,788            | \$407,868            | \$409,318            | \$405,118            | \$405,483            | \$405,163            | \$409,250            | Debt Schedule                   |
| 2002 LRB (Funded by 585)                               | 0                   | 1,206,435           | 1,205,892            | 1,208,747            | 1,204,987            | 1,204,787            | 1,202,877            | 1,204,207            | 1,208,487            | 1,205,750            | Debt Schedule                   |
| 2005 WW (Funded by 220)                                | 672,081             | 670,629             | 668,812              | 669,384              | 669,613              | 669,281              | 674,092              | 672,462              | 670,218              | 667,473              | Debt Schedule                   |
| 2005 WW (Funded by 585)                                | 0                   | 501,799             | 500,440              | 500,868              | 501,039              | 500,791              | 504,391              | 503,171              | 501,492              | 499,437              | Debt Schedule                   |
| 2009 WW                                                | 928,375             | 931,075             | 933,325              | 930,125              | 929,875              | 931,075              | 926,475              | 926,275              | 930,275              | 933,275              | Debt Schedule                   |
| New Low Interest Loan                                  | 0                   | 0                   | 0                    | 0                    | 0                    | 0                    | 0                    | 0                    | 0                    | 0                    | Calculated - 20 year, 2.5%      |
| New Revenue Bond                                       | \$0                 | \$0                 | \$497,434            | \$1,032,107          | \$1,466,531          | \$1,614,414          | \$1,844,282          | \$2,126,436          | \$2,210,103          | \$2,214,965          | Calculated - 20 year, 5.0%      |
| <b>Total Debt Service</b>                              | \$2,007,016         | \$3,715,098         | \$4,214,217          | \$4,747,019          | \$5,179,914          | \$5,329,666          | \$5,557,235          | \$5,838,034          | \$5,925,738          | \$5,930,150          |                                 |
| Less: Development Fees                                 | \$186,385           | \$187,503           | \$188,628            | \$190,515            | \$192,420            | \$194,344            | \$196,287            | \$198,250            | \$200,629            | \$203,037            | As Rate Revenue                 |
| Less: Reserve Funding                                  | 0                   | 85,000              | 0                    | 0                    | 0                    | 0                    | 0                    | 0                    | 0                    | 0                    |                                 |
| <b>Net Debt</b>                                        | <b>\$1,820,631</b>  | <b>\$3,442,594</b>  | <b>\$4,025,588</b>   | <b>\$4,556,505</b>   | <b>\$4,987,494</b>   | <b>\$5,135,322</b>   | <b>\$5,360,947</b>   | <b>\$5,639,783</b>   | <b>\$5,725,109</b>   | <b>\$5,727,113</b>   |                                 |
| <b>Change in Working Capital +/-</b>                   | <b>\$1,111,430</b>  | <b>\$3,879</b>      | <b>\$161,653</b>     | <b>\$321,242</b>     | <b>\$347,543</b>     | <b>\$1,130,114</b>   | <b>\$1,381,700</b>   | <b>\$1,018,605</b>   | <b>\$892,394</b>     | <b>\$831,247</b>     | Transfer to Enterprise Fund     |
| <b>TOTAL REVENUE REQUIREMENT</b>                       | <b>\$10,529,969</b> | <b>\$11,272,578</b> | <b>\$12,560,094</b>  | <b>\$13,812,831</b>  | <b>\$15,198,833</b>  | <b>\$16,725,501</b>  | <b>\$17,817,689</b>  | <b>\$18,368,356</b>  | <b>\$18,983,682</b>  | <b>\$19,603,471</b>  |                                 |
| <b>Total Balance/(Deficiency) of Funds</b>             | <b>\$0</b>          | <b>(\$679,785)</b>  | <b>(\$1,902,719)</b> | <b>(\$3,051,060)</b> | <b>(\$4,324,832)</b> | <b>(\$5,736,787)</b> | <b>(\$6,689,749)</b> | <b>(\$7,112,933)</b> | <b>(\$7,566,061)</b> | <b>(\$8,036,483)</b> |                                 |
| <b>Total Incr. as a % of Current Rates</b>             | <b>0.0%</b>         | <b>6.5%</b>         | <b>18.1%</b>         | <b>28.7%</b>         | <b>40.3%</b>         | <b>52.9%</b>         | <b>61.1%</b>         | <b>64.3%</b>         | <b>67.6%</b>         | <b>71.0%</b>         |                                 |
| <b>Proposed Revenue Adjustment - First Half of FY</b>  | <b>0.00%</b>        | <b>0.00%</b>        | <b>0.00%</b>         | <b>0.00%</b>         | <b>0.00%</b>         | <b>0.00%</b>         | <b>0.00%</b>         | <b>0.00%</b>         | <b>0.00%</b>         | <b>0.00%</b>         |                                 |
| Months Rate Adjustment Applied                         |                     | 6                   | 6                    | 6                    | 6                    | 6                    | 6                    | 6                    | 6                    | 6                    |                                 |
| <b>Proposed Revenue Adjustment - Second Half of FY</b> | <b>0.00%</b>        | <b>13.00%</b>       | <b>9.00%</b>         | <b>9.00%</b>         | <b>9.00%</b>         | <b>9.00%</b>         | <b>2.00%</b>         | <b>2.00%</b>         | <b>2.00%</b>         | <b>2.00%</b>         |                                 |
| Months Rate Adjustment Applied                         |                     | 6                   | 6                    | 6                    | 6                    | 6                    | 6                    | 6                    | 6                    | 6                    |                                 |
| <b>Cumulative Annualized Rate Adjustment</b>           | <b>0.0%</b>         | <b>6.5%</b>         | <b>18.1%</b>         | <b>28.7%</b>         | <b>40.3%</b>         | <b>52.9%</b>         | <b>61.1%</b>         | <b>64.3%</b>         | <b>67.6%</b>         | <b>71.0%</b>         |                                 |
| <b>Additional Revenue from Rate Increase</b>           | <b>\$0</b>          | <b>\$679,785</b>    | <b>\$1,902,719</b>   | <b>\$3,051,060</b>   | <b>\$4,324,832</b>   | <b>\$5,736,787</b>   | <b>\$6,689,749</b>   | <b>\$7,112,933</b>   | <b>\$7,566,061</b>   | <b>\$8,036,483</b>   |                                 |
| <b>Balance/Deficiency of Funds</b>                     | <b>\$0</b>          | <b>\$0</b>          | <b>\$0</b>           | <b>\$0</b>           | <b>\$0</b>           | <b>\$0</b>           | <b>\$0</b>           | <b>(\$0)</b>         | <b>\$0</b>           | <b>\$0</b>           |                                 |
| <b>Deficiency as a % of Retail Rate Revenues</b>       | <b>0.0%</b>         | <b>0.0%</b>         | <b>0.0%</b>          | <b>0.0%</b>          | <b>0.0%</b>          | <b>0.0%</b>          | <b>0.0%</b>          | <b>0.0%</b>          | <b>0.0%</b>          | <b>0.0%</b>          |                                 |
| <b>Average Residential Bill Comparison</b>             | <b>\$38.30</b>      | \$11,138,012        | \$12,423,695         | \$13,677,246         | \$15,057,280         | \$16,576,560         | \$17,637,920         | \$18,170,585         | \$18,756,405         | \$19,361,111         |                                 |
| After Needed Rate Adjustment                           | \$38.30             | \$40.79             | \$45.23              | \$49.30              | \$53.73              | \$58.57              | \$61.70              | \$62.94              | \$64.20              | \$65.48              |                                 |
| Monthly Bill Difference                                | \$0.00              | \$2.49              | \$4.44               | \$4.07               | \$4.43               | \$4.84               | \$3.13               | \$1.24               | \$1.26               | \$1.28               |                                 |
| Cumulative Bill Difference                             | \$0.00              | \$2.49              | \$6.93               | \$11.00              | \$15.43              | \$20.27              | \$23.40              | \$24.64              | \$25.90              | \$27.18              |                                 |
| After Proposed Rate Adjustment                         | \$38.30             | \$40.79             | \$45.23              | \$49.30              | \$53.73              | \$58.57              | \$61.70              | \$62.94              | \$64.20              | \$65.48              |                                 |
| Monthly Bill Difference                                | \$0.00              | \$2.49              | \$4.44               | \$4.07               | \$4.44               | \$4.84               | \$3.13               | \$1.23               | \$1.26               | \$1.28               |                                 |
| Cumulative Bill Difference                             | \$0.00              | \$2.49              | \$6.93               | \$11.00              | \$15.43              | \$20.27              | \$23.40              | \$24.64              | \$25.90              | \$27.18              |                                 |

|                                                 | Budget<br>FY 2013  | FY 2014            | FY 2015            | FY 2016            | FY 2017            | PROJECTED<br>FY 2018 | FY 2019            | FY 2020            | FY 2021            | FY 2022            | Notes |
|-------------------------------------------------|--------------------|--------------------|--------------------|--------------------|--------------------|----------------------|--------------------|--------------------|--------------------|--------------------|-------|
| <b>Reserve Balances as of June 30, 2010</b>     |                    |                    |                    |                    |                    |                      |                    |                    |                    |                    |       |
| <b>Committed Operating Reserve</b>              |                    |                    |                    |                    |                    |                      |                    |                    |                    |                    |       |
| <b>Beginning Reserve Balance</b>                | <b>\$975,144</b>   | \$2,086,574        | \$1,154,815        | \$966,468          | \$937,710          | \$1,285,253          | \$2,415,367        | \$3,797,068        | \$4,815,672        | \$5,704,610        |       |
| Plus: To Reserves                               | 1,111,430          | 3,879              | 161,653            | 321,242            | 347,543            | 1,130,114            | 1,381,700          | 1,018,605          | 892,394            | 831,247            |       |
| Less: Uses of Funds                             | 0                  | 935,638            | 350,000            | 350,000            | 0                  | 0                    | 0                  | 0                  | 3,457              | 13,000             |       |
| Balance/Deficiency of Funds                     | 0                  | 0                  | 0                  | 0                  | 0                  | 0                    | 0                  | (0)                | 0                  | 0                  |       |
| <b>Ending Reserve Balance</b>                   | <b>\$2,086,574</b> | <b>\$1,154,815</b> | <b>\$966,468</b>   | <b>\$937,710</b>   | <b>\$1,285,253</b> | <b>\$2,415,367</b>   | <b>\$3,797,068</b> | <b>\$4,815,672</b> | <b>\$5,704,610</b> | <b>\$6,522,857</b> |       |
| Target Minimum = 10%                            | \$720,000          | \$743,000          | \$772,000          | \$804,000          | \$836,000          | \$871,000            | \$908,000          | \$946,000          | \$987,000          | \$1,030,000        |       |
| <b>Assigned Operating Reserve</b>               |                    |                    |                    |                    |                    |                      |                    |                    |                    |                    |       |
| <b>Beginning Reserve Balance</b>                | <b>\$292,543</b>   | \$292,543          | \$292,543          | \$292,543          | \$292,543          | \$292,543            | \$292,543          | \$292,543          | \$292,543          | \$296,000          |       |
| Plus: To Loan Fund                              | 0                  | 0                  | 0                  | 0                  | 0                  | 0                    | 0                  | 0                  | 3,457              | 13,000             |       |
| Less: Uses of Funds                             | 0                  | 0                  | 0                  | 0                  | 0                  | 0                    | 0                  | 0                  | 0                  | 0                  |       |
| <b>Ending Reserve Balance</b>                   | <b>\$292,543</b>   | <b>\$292,543</b>   | <b>\$292,543</b>   | <b>\$292,543</b>   | <b>\$292,543</b>   | <b>\$292,543</b>     | <b>\$292,543</b>   | <b>\$292,543</b>   | <b>\$296,000</b>   | <b>\$309,000</b>   |       |
| Target Minimum = 3%                             | \$216,000          | \$223,000          | \$232,000          | \$241,000          | \$251,000          | \$261,000            | \$272,000          | \$284,000          | \$296,000          | \$309,000          |       |
| <b>Un-Assigned Operating Reserve</b>            |                    |                    |                    |                    |                    |                      |                    |                    |                    |                    |       |
| <b>Beginning Reserve Balance</b>                | <b>\$1,432,312</b> | \$195,136          | (\$0)              | (\$0)              | (\$1)              | (\$0)                | (\$0)              | \$0                | (\$0)              | (\$0)              |       |
| WWTP Development Impact Fees                    | 0                  | 0                  | 0                  | 0                  | 0                  | 0                    | 0                  | 0                  | 0                  | 0                  | Flat  |
| Plus: Capital Funding                           | 0                  | 0                  | 0                  | 0                  | 0                  | 0                    | 0                  | 0                  | 0                  | 0                  |       |
| Plus: Transfer from Committed Operating Reserve | 0                  | 850,638            | 350,000            | 350,000            | 0                  | 0                    | 0                  | 0                  | 0                  | 0                  |       |
| Plus: Interest Income                           | 13,823             | 0                  | 0                  | 0                  | 0                  | 0                    | 0                  | 0                  | 0                  | 0                  |       |
| Less: Storm Funding                             | 1,151,000          | 0                  | 0                  | 0                  | 0                  | 0                    | 0                  | 0                  | 0                  | 0                  |       |
| Less: Uses of Funds                             | 100,000            | 1,045,774          | 350,000            | 350,000            | (0)                | (0)                  | 0                  | 0                  | 0                  | 0                  |       |
| <b>Ending Reserve Balance</b>                   | <b>\$195,136</b>   | <b>(\$0)</b>       | <b>(\$1)</b>       | <b>(\$0)</b>       | <b>(\$0)</b>       | <b>\$0</b>           | <b>(\$0)</b>       | <b>(\$0)</b>       | <b>(\$1)</b>       | <b>(\$0)</b>       |       |
| Target Minimum = 0%                             | \$0                | \$0                | \$0                | \$0                | \$0                | \$0                  | \$0                | \$0                | \$0                | \$0                |       |
| <b>Bond Reserve</b>                             |                    |                    |                    |                    |                    |                      |                    |                    |                    |                    |       |
| <b>Beginning Reserve Balance</b>                | <b>\$6,000,000</b> | \$4,337,333        | \$0                | \$0                | \$0                | \$0                  | \$0                | \$0                | \$0                | \$0                |       |
| Plus: To Loan Fund                              | 0                  | 0                  | 0                  | 0                  | 0                  | 0                    | 0                  | 0                  | 0                  | 0                  |       |
| Less: Uses of Funds                             | 1,662,667          | 4,337,333          | 0                  | 0                  | 0                  | 0                    | 0                  | 0                  | 0                  | 0                  |       |
| <b>Ending Reserve Balance</b>                   | <b>\$4,337,333</b> | <b>\$0</b>         | <b>\$0</b>         | <b>\$0</b>         | <b>\$0</b>         | <b>\$0</b>           | <b>\$0</b>         | <b>\$0</b>         | <b>\$0</b>         | <b>\$0</b>         |       |
| <b>Ending Fund Balances</b>                     | <b>\$2,574,253</b> | <b>\$1,447,358</b> | <b>\$1,259,011</b> | <b>\$1,230,254</b> | <b>\$1,577,796</b> | <b>\$2,707,911</b>   | <b>\$4,089,610</b> | <b>\$5,108,216</b> | <b>\$6,000,610</b> | <b>\$6,831,856</b> |       |
| Target Minimum = 10%                            | (\$720,000)        | (\$743,000)        | (\$772,000)        | (\$804,000)        | (\$836,000)        | (\$871,000)          | (\$908,000)        | (\$946,000)        | (\$987,000)        | (\$1,030,000)      |       |
| Target Minimum = 3%                             | (\$216,000)        | (\$223,000)        | (\$232,000)        | (\$241,000)        | (\$251,000)        | (\$261,000)          | (\$272,000)        | (\$284,000)        | (\$296,000)        | (\$309,000)        |       |
| <b>Available Balance</b>                        | <b>\$1,638,253</b> | <b>\$481,358</b>   | <b>\$255,011</b>   | <b>\$185,254</b>   | <b>\$490,796</b>   | <b>\$1,575,911</b>   | <b>\$2,909,610</b> | <b>\$3,878,216</b> | <b>\$4,717,610</b> | <b>\$5,492,856</b> |       |
| Bond Coverage Requirements (180 days O&M)       | \$3,549,653        | \$3,662,189        | \$3,808,530        | \$3,962,507        | \$4,124,612        | \$4,295,374          | \$4,475,363        | \$4,665,190        | \$4,865,513        | \$5,077,041        |       |
| Remaining Available Balance After Debt Require. | (\$975,400)        | (\$2,214,830)      | (\$2,549,520)      | (\$2,732,254)      | (\$2,546,816)      | (\$1,587,464)        | (\$385,752)        | \$443,026          | \$1,135,097        | \$1,754,815        |       |



City of Woodland  
Sewer Utility  
Exhibit 4  
Capital Improvement Projects

| Capital Improvement Projects [1]                                        | FY 2013            | FY 2014            | FY 2015            | FY 2016            | FY 2017            | FY 2018            | FY 2019            | FY 2020            | FY 2021            | FY 2022            | Total               | Notes                           |
|-------------------------------------------------------------------------|--------------------|--------------------|--------------------|--------------------|--------------------|--------------------|--------------------|--------------------|--------------------|--------------------|---------------------|---------------------------------|
| <b><u>Flood Safe Yolo</u></b>                                           | \$1,151,000        | \$0                | \$0                | \$0                | \$0                | \$0                | \$0                | \$0                | \$0                | \$0                | \$0                 |                                 |
| <b><u>NPDES Permint Requirements</u></b>                                |                    |                    |                    |                    |                    |                    |                    |                    |                    |                    |                     |                                 |
| Pond BPTC Report                                                        | 0                  | 0                  | 31,827             | 0                  | 0                  | 0                  | 0                  | 0                  | 0                  | 0                  | 31,827              |                                 |
| Permit Renewal (ROWD Application)                                       | 0                  | 103,000            | 53,045             | 0                  | 0                  | 0                  | 119,405            | 61,494             | 0                  | 0                  | 336,944             |                                 |
| <b><u>Planned Growth</u></b>                                            |                    |                    |                    |                    |                    |                    |                    |                    |                    |                    |                     |                                 |
| Master Plan Update Next scheduled in 2018                               | 0                  | 0                  | 0                  | 0                  | 0                  | 102,016            | 0                  | 0                  | 0                  | 0                  | 102,016             |                                 |
| Aeration Retrofit of Oxidation Ditch                                    |                    |                    |                    |                    |                    |                    |                    |                    |                    |                    |                     |                                 |
| Predesign                                                               | 0                  | 0                  | 0                  | 0                  | 0                  | 0                  | 0                  | 0                  | 0                  | 0                  | 0                   |                                 |
| Design and Admin                                                        | 196,000            | 0                  | 0                  | 0                  | 0                  | 0                  | 0                  | 0                  | 0                  | 0                  | 196,000             |                                 |
| Construction Management                                                 | 50,000             | 321,875            | 331,531            | 341,477            | 351,722            | 0                  | 171,944            | 177,102            | 0                  | 0                  | 1,745,650           |                                 |
| Blower Building 3 blowers @ \$500k each # 4 (2025+), #5 (2035)          | 0                  | 683,120            | 1,111,315          | 546,364            | 0                  | 0                  | 0                  | 0                  | 0                  | 0                  | 2,340,798           |                                 |
| Alkalinity Feed System (Surface Water Cost)                             | 0                  | 0                  | 0                  | 0                  | 0                  | 0                  | 0                  | 0                  | 0                  | 0                  | 0                   |                                 |
| Oxidation Ditch #1 Out to 2025                                          | 0                  | 0                  | 0                  | 0                  | 0                  | 0                  | 0                  | 0                  | 0                  | 0                  | 0                   |                                 |
| Oxidation Ditch #2                                                      | 0                  | 0                  | 0                  | 872,747            | 898,929            | 0                  | 0                  | 0                  | 0                  | 0                  | 1,771,676           |                                 |
| Oxidation Ditch #3                                                      | 0                  | 0                  | 1,694,654          | 0                  | 0                  | 0                  | 0                  | 0                  | 0                  | 0                  | 1,694,654           |                                 |
| Oxidation Ditch #4                                                      | 0                  | 0                  | 338,931            | 1,396,395          | 0                  | 0                  | 0                  | 0                  | 0                  | 0                  | 1,735,325           |                                 |
| Splitter Box A & B Modifications                                        | 0                  | 16,132             | 0                  | 0                  | 0                  | 0                  | 0                  | 0                  | 0                  | 0                  | 16,132              |                                 |
| Effluent Diversion from Filter Pumps to Erskine & South Ponds           | 0                  | 561,552            | 0                  | 0                  | 0                  | 0                  | 0                  | 0                  | 0                  | 0                  | 561,552             |                                 |
| Filter Backwash Piping                                                  | 0                  | 44,533             | 0                  | 0                  | 0                  | 0                  | 0                  | 0                  | 0                  | 0                  | 44,533              |                                 |
| Alum Piping to effluent Pump Inlet                                      | 0                  | 27,754             | 0                  | 0                  | 0                  | 0                  | 0                  | 0                  | 0                  | 0                  | 27,754              |                                 |
| Yard Piping 20% to Ditch #1                                             | 0                  | 716,278            | 442,660            | 0                  | 0                  | 0                  | 0                  | 0                  | 0                  | 0                  | 1,158,938           |                                 |
| Electrical                                                              | 0                  | 0                  | 529,929            | 1,637,479          | 0                  | 0                  | 0                  | 0                  | 0                  | 0                  | 2,167,408           |                                 |
| Reconstruct RAS return for Flow pacing (Construction)                   | 0                  | 0                  | 0                  | 0                  | 0                  | 1,432,863          | 1,475,849          | 0                  | 0                  | 0                  | 2,908,711           |                                 |
| <b><u>WPCF Major Equipment Replacement Project List</u></b>             |                    |                    |                    |                    |                    |                    |                    |                    |                    |                    |                     |                                 |
| Replace Bar Screen #1 6years out @ 20 years                             | 0                  | 656,110            | 0                  | 0                  | 0                  | 0                  | 0                  | 0                  | 0                  | 0                  | 656,110             |                                 |
| Coat Carbon Steel portions of all Clarifiers in 5yr @ 10                | 0                  | 357,664            | 0                  | 0                  | 0                  | 0                  | 0                  | 0                  | 0                  | 0                  | 357,664             |                                 |
| Replace Reclaim Water Pump in 8 years @ 10 yr                           | 0                  | 0                  | 0                  | 0                  | 171,301            | 0                  | 0                  | 0                  | 0                  | 0                  | 171,301             |                                 |
| Replace Filter Pump Station Pumps in 8 years @ 10                       | 0                  | 0                  | 0                  | 0                  | 463,956            | 0                  | 0                  | 0                  | 0                  | 0                  | 463,956             |                                 |
| Replace Cloth Discs in Filters 2x in ten years 2.5 years first time     | 0                  | 0                  | 0                  | 220,229            | 0                  | 0                  | 0                  | 255,306            | 0                  | 0                  | 475,535             |                                 |
| Replace South Pond Screw Pumps in 2 yr @ 20 years                       | 0                  | 0                  | 0                  | 0                  | 0                  | 510,345            | 0                  | 0                  | 0                  | 0                  | 510,345             |                                 |
| Replace West Levee Pump Station Pumps in 8 years @ 10 years             | 0                  | 0                  | 0                  | 0                  | 715,689            | 0                  | 0                  | 0                  | 0                  | 0                  | 715,689             |                                 |
| Replace Permanent Stand-by Generator in 8 years @ 15 year               | 0                  | 0                  | 0                  | 0                  | 1,443,289          | 0                  | 0                  | 0                  | 0                  | 0                  | 1,443,289           |                                 |
| Raise levees for flood protection (check after new hydrology)           | 0                  | 0                  | 0                  | 0                  | 0                  | 0                  | 889,717            | 0                  | 0                  | 0                  | 889,717             |                                 |
| Aeration annual cost replacement of diffusers and blowers               | 0                  | 0                  | 0                  | 109,273            | 112,551            | 115,927            | 119,405            | 122,987            | 157,079            | 161,792            | 899,015             |                                 |
| Replacement of Asset Fund at design life                                | 140,000            | 140,672            | 144,892            | 193,285            | 430,397            | 468,826            | 482,891            | 497,378            | 512,299            | 527,668            | 3,538,309           |                                 |
| <b><u>Collection System Repair and Replacement Project Planning</u></b> |                    |                    |                    |                    |                    |                    |                    |                    |                    |                    |                     |                                 |
| Replace Orangeberg Sewer Laterals 15 yr program                         | 306,667            | 315,867            | 325,343            | 335,103            | 345,156            | 355,511            | 366,176            | 377,161            | 388,476            | 400,130            | 3,515,590           |                                 |
| Sewer Line Rehabilitation                                               | 0                  | 0                  | 0                  | 0                  | 0                  | 0                  | 0                  | 0                  | 0                  | 0                  | 0                   |                                 |
| Annual Sewer Repair and Replacement                                     | 200,000            | 772,500            | 795,675            | 819,545            | 844,132            | 869,456            | 895,539            | 922,405            | 950,078            | 978,580            | 8,047,909           |                                 |
| Preliminary Odor Abaitment                                              | 30,000             | 10,300             | 10,609             | 10,927             | 11,255             | 11,593             | 11,941             | 12,299             | 12,668             | 13,048             | 134,639             |                                 |
| Main Street Slipline (2015)                                             | 0                  | 0                  | 0                  | 0                  | 0                  | 0                  | 0                  | 614,937            | 633,385            | 0                  | 1,248,322           |                                 |
| New Calibrated Sewer Model (\$40,820 Fund 220) (\$163,280 fund 585)     | 40,000             | 0                  | 0                  | 0                  | 0                  | 0                  | 0                  | 0                  | 0                  | 0                  | 40,000              |                                 |
| Beamer Trunk Repair (2013)                                              | 0                  | 0                  | 0                  | 546,364            | 562,754            | 0                  | 0                  | 0                  | 0                  | 0                  | 1,109,118           |                                 |
| Trunkline Phase 2 Repairs (500K in 11/12 & 12/13) zip                   | 0                  | 515,000            | 530,450            | 0                  | 0                  | 0                  | 0                  | 0                  | 0                  | 0                  | 1,045,450           |                                 |
| Trunkline Phase 3 Repairs (\$1M 14/15) zip                              | 0                  | 0                  | 0                  | 0                  | 0                  | 579,637            | 597,026            | 0                  | 0                  | 0                  | 1,176,663           |                                 |
| <b><u>Biosolids Existing Users</u></b>                                  |                    |                    |                    |                    |                    |                    |                    |                    |                    |                    |                     |                                 |
| Dredge/ Remove Material in Pond #9, #8, #7                              | 300,000            | 0                  | 318,270            | 327,818            | 0                  | 0                  | 0                  | 0                  | 0                  | 0                  | 946,088             |                                 |
| Soil Cement treatment for Ponds #11, #10, #9                            | 600,000            | 309,000            | 0                  | 0                  | 0                  | 0                  | 0                  | 0                  | 0                  | 0                  | 909,000             |                                 |
| Create VacCon Sewage Contaminated soil Drying bed                       | 0                  | 231,750            | 0                  | 0                  | 0                  | 0                  | 0                  | 0                  | 0                  | 0                  | 231,750             |                                 |
| North Ponds Solids move to pond 9                                       | 300,000            | 0                  | 0                  | 0                  | 0                  | 0                  | 0                  | 0                  | 0                  | 0                  | 300,000             |                                 |
| Move Accumulated 30years of solids off site (~200,000 tons)             | 0                  | 0                  | 530,450            | 546,364            | 562,754            | 579,637            | 298,513            | 614,937            | 633,385            | 326,193            | 4,092,233           |                                 |
| Tri-Annual Solids Removal/ Disposal from Ponds #11, #10, #9             | 0                  | 0                  | 0                  | 0                  | 0                  | 0                  | 358,216            | 0                  | 0                  | 391,432            | 749,648             |                                 |
| Sludge testing/assessment for land app                                  | 0                  | 0                  | 9,548              | 9,835              | 0                  | 0                  | 10,746             | 0                  | 0                  | 11,743             | 41,872              |                                 |
| <b>Total Potential Capital Projects</b>                                 | <b>\$3,313,667</b> | <b>\$5,783,107</b> | <b>\$7,199,128</b> | <b>\$7,913,204</b> | <b>\$6,913,886</b> | <b>\$3,592,948</b> | <b>\$4,864,665</b> | <b>\$5,766,265</b> | <b>\$3,542,676</b> | <b>\$2,810,586</b> | <b>\$50,549,132</b> |                                 |
| <b>Transfer to Un-Assigned Op Reserves</b>                              | <b>\$0</b>         | <b>\$0</b>         | <b>\$0</b>         | <b>\$0</b>         | <b>\$0</b>         | <b>\$0</b>         | <b>\$0</b>         | <b>\$0</b>         | <b>\$0</b>         | <b>\$0</b>         | <b>\$0</b>          | Transfer to Capital Reserve     |
| <b>Total Capital Improvement Projects</b>                               | <b>\$3,313,667</b> | <b>\$5,783,107</b> | <b>\$7,199,128</b> | <b>\$7,913,204</b> | <b>\$6,913,886</b> | <b>\$3,592,948</b> | <b>\$4,864,665</b> | <b>\$5,766,265</b> | <b>\$3,542,676</b> | <b>\$2,810,586</b> | <b>\$51,700,132</b> |                                 |
| <b>Less: Outside Funding Sources</b>                                    |                    |                    |                    |                    |                    |                    |                    |                    |                    |                    |                     |                                 |
| Grants                                                                  | \$0                | \$0                | \$0                | \$0                | \$0                | \$0                | \$0                | \$0                | \$0                | \$0                | \$0                 | Input                           |
| Un-Assigned Operating Reserves                                          | 100,000            | 1,045,774          | 350,000            | 350,000            | (0)                | (0)                | 0                  | 0                  | 0                  | 0                  | 1,845,774           | Calculated                      |
| Development Fee Funded                                                  | 0                  | 0                  | 0                  | 0                  | 0                  | 0                  | 0                  | 0                  | 0                  | 0                  | 0                   | Input                           |
| Bond Reserve                                                            | 1,662,667          | 4,337,333          | 0                  | 0                  | 0                  | 0                  | 0                  | 0                  | 0                  | 0                  | 6,000,000           | Input                           |
| Storm Funding                                                           | 1,151,000          | 0                  | 0                  | 0                  | 0                  | 0                  | 0                  | 0                  | 0                  | 0                  | 1,151,000           | Input                           |
| New Loans                                                               | 0                  | 0                  | 0                  | 0                  | 0                  | 0                  | 0                  | 0                  | 0                  | 0                  | 0                   | Input                           |
| New Revenue Bonds                                                       | 0                  | 0                  | 6,199,128          | 6,663,204          | 5,413,886          | 1,842,948          | 2,864,665          | 3,516,265          | 1,042,676          | 60,586             | 27,603,358          | Calculated                      |
| <b>Total Less Funding Sources</b>                                       | <b>\$2,913,667</b> | <b>\$5,383,107</b> | <b>\$6,549,128</b> | <b>\$7,013,204</b> | <b>\$5,413,886</b> | <b>\$1,842,948</b> | <b>\$2,864,665</b> | <b>\$3,516,265</b> | <b>\$1,042,676</b> | <b>\$60,586</b>    | <b>\$36,600,132</b> |                                 |
| <b>Capital Improvement Funded Through Rates</b>                         | <b>\$400,000</b>   | <b>\$400,000</b>   | <b>\$650,000</b>   | <b>\$900,000</b>   | <b>\$1,500,000</b> | <b>\$1,750,000</b> | <b>\$2,000,000</b> | <b>\$2,250,000</b> | <b>\$2,500,000</b> | <b>\$2,750,000</b> | <b>\$15,100,000</b> | FY 2013 Approx. Depr. \$2.047 M |

Notes:

[1] Capital improvement projects are inflated at 3.0% per year.

City of Woodland  
Sewer Utility  
Exhibit 5  
Development of the Volume Allocation Factor

|                           | FY 2011<br>Annual Water<br>Flow (CCF) | Winter Water<br>Factor [1] | Flat Rate<br>Customer<br>Consumption | Annual Sewer<br>Flow | 11.25%<br>Inflow and<br>Infiltration [2] | Total Annual<br>Flow at Plant<br>(CCF) | Avg. Daily<br>Flow At<br>Plant (MGD) | WITH<br>Correct. Fac.<br>% of Total | WITHOUT<br>Correct. Fac.<br>% of Total |
|---------------------------|---------------------------------------|----------------------------|--------------------------------------|----------------------|------------------------------------------|----------------------------------------|--------------------------------------|-------------------------------------|----------------------------------------|
| Residential               |                                       |                            |                                      |                      |                                          |                                        |                                      |                                     |                                        |
| Single Family             | 2,247,853                             | 54.4%                      | 0                                    | 1,222,375            | 137,517                                  | 1,359,893                              | 2.8                                  | 56.5%                               | 57.0%                                  |
| Condo                     | 2,966                                 | 83.5%                      | 18,792                               | 21,267               | 2,393                                    | 23,660                                 | 0.0                                  | 1.0%                                | 1.0%                                   |
| Apartment/Mobile Home     | 607,066                               | 83.5%                      | 0                                    | 506,702              | 57,004                                   | 563,706                                | 1.2                                  | 23.4%                               | 23.6%                                  |
| Non-Residential           |                                       |                            |                                      |                      |                                          |                                        |                                      |                                     |                                        |
| Commercial                | 266,930                               | 75.2%                      | 0                                    | 200,605              | 22,568                                   | 223,173                                | 0.5                                  | 9.3%                                | 9.4%                                   |
| Hospital                  | 921                                   | 98.1%                      | 0                                    | 903                  | 102                                      | 1,004                                  | 0.0                                  | 0.0%                                | 0.0%                                   |
| Hotel/Motel               | 25,471                                | 82.3%                      | 0                                    | 20,965               | 2,359                                    | 23,323                                 | 0.0                                  | 1.0%                                | 1.0%                                   |
| Industrial                | 56,975                                | 84.0%                      | 0                                    | 47,873               | 5,386                                    | 53,258                                 | 0.1                                  | 2.2%                                | 2.2%                                   |
| Restaurant                | 35,487                                | 86.5%                      | 0                                    | 30,698               | 3,454                                    | 34,152                                 | 0.1                                  | 1.4%                                | 1.4%                                   |
| Special Rate              | 14,836                                | 58.7%                      | 0                                    | 8,711                | 980                                      | 9,691                                  | 0.0                                  | 0.4%                                | 0.4%                                   |
| Institutional             | 183,975                               | 46.1%                      | 0                                    | 84,857               | 9,546                                    | 94,404                                 | 0.2                                  | 3.9%                                | 4.0%                                   |
| Correctional Facility [4] | 0                                     | 0.0%                       | 17,567                               | 17,567               | 1,976                                    | 19,543                                 | 0.0                                  | 0.8%                                | 0.0%                                   |
|                           | -----                                 |                            |                                      | -----                | -----                                    | -----                                  | -----                                | -----                               | -----                                  |
| Total Consumption         | 3,442,480                             |                            |                                      | 2,162,522            | 243,284                                  | 2,405,806                              | 4.9                                  | 100.0%                              | 100.0%                                 |
|                           |                                       |                            |                                      |                      | FY 2011 Plant Flow [3]                   | 2,403,824                              | 4.9                                  |                                     |                                        |
| Allocation Factor         |                                       |                            |                                      |                      |                                          |                                        |                                      | (W - VOL)                           | (WO - VOL)                             |

NOTES:

- [1] Winter water factor calculated by taking the total winter water use (November-April) and dividing the sum by the number of months included, in this case it is six months.  
[2] The inflow & infiltration is determined by adjusting the percentage to tie to the total flow to the treatment plant.  
[3] Total flow to the plant was provided by the City in email sent August 31, 2012.  
[4] The prison uses well water, therefore wastewater flow to the treatment plant was estimated. Based on EPA average of 80 gallons per year per inmate.

City of Woodland  
Sewer Utility  
Exhibit 6  
Development of the Customer Allocation Factor

|                          | Actual Customer  |                 |                  |
|--------------------------|------------------|-----------------|------------------|
|                          | Number of        | WITH            | WITHOUT          |
|                          | Living Units [1] | Correct. Fac.   | Correct. Fac.    |
|                          |                  | % of Total      | % of Total       |
| Residential              |                  |                 |                  |
| Single Family            | 12,284           | 59.3%           | 59.3%            |
| Condo                    | 300              | 1.4%            | 1.4%             |
| Apartment/Mobile Home    | 7,373            | 35.6%           | 35.6%            |
| Non-Residential          |                  |                 |                  |
| Commercial               | 619              | 3.0%            | 3.0%             |
| Hospital                 | 1                | 0.0%            | 0.0%             |
| Hotel/Motel              | 17               | 0.1%            | 0.1%             |
| Industrial               | 23               | 0.1%            | 0.1%             |
| Restaurant               | 57               | 0.3%            | 0.3%             |
| Special Rate             | 4                | 0.0%            | 0.0%             |
| Institutional            | 38               | 0.2%            | 0.2%             |
| Correctional Facility    | 1                | 0.0%            | 0.0%             |
|                          | -----            | -----           | -----            |
| Total Customers          | 20,717           | 100.0%          | 100.0%           |
| <b>Allocation Factor</b> |                  | <b>(W - AC)</b> | <b>(WO - AC)</b> |

NOTES:

[1] Based on historical billing records provided by the City.

|  | Customer Service & Accounting |           |          |                  |                  |
|--|-------------------------------|-----------|----------|------------------|------------------|
|  | Number of                     | Weighting | Weighted | WITH             | WITHOUT          |
|  | Bills                         | Factor    | Customer | Correct. Fac.    | Correct. Fac.    |
|  |                               |           |          | % of Total       | % of Total       |
|  | 12,284                        | 1.0       | 12,284   | 84.6%            | 84.7%            |
|  | 300                           | 1.0       | 300      | 2.1%             | 2.1%             |
|  | 1,168                         | 1.0       | 1,168    | 8.0%             | 8.0%             |
|  | 619                           | 1.0       | 619      | 4.3%             | 4.3%             |
|  | 1                             | 1.0       | 1        | 0.0%             | 0.0%             |
|  | 17                            | 1.0       | 17       | 0.1%             | 0.1%             |
|  | 23                            | 1.0       | 23       | 0.2%             | 0.2%             |
|  | 57                            | 1.0       | 57       | 0.4%             | 0.4%             |
|  | 4                             | 1.0       | 4        | 0.0%             | 0.0%             |
|  | 38                            | 1.0       | 38       | 0.3%             | 0.3%             |
|  | 1                             | 1.0       | 1        | 0.0%             | 0.0%             |
|  | -----                         |           | -----    | -----            | -----            |
|  | 14,512                        |           | 14,512   | 100.0%           | 100.0%           |
|  |                               |           |          | <b>(W - WCA)</b> | <b>(W - WCA)</b> |

City of Woodland  
Sewer Utility  
Exhibit 7  
Development of the Strength Allocation Factor

|                       | Annual Flow<br>(MGD) | BOD                       |                      |                                     |                                        | SS                        |                      |                                     |                                        |
|-----------------------|----------------------|---------------------------|----------------------|-------------------------------------|----------------------------------------|---------------------------|----------------------|-------------------------------------|----------------------------------------|
|                       |                      | Avg. Factor<br>(mg/l) [1] | Calculated<br>Pounds | WITH<br>Correct. Fac.<br>% of Total | WITHOUT<br>Correct. Fac.<br>% of Total | Avg. Factor<br>(mg/l) [1] | Calculated<br>Pounds | WITH<br>Correct. Fac.<br>% of Total | WITHOUT<br>Correct. Fac.<br>% of Total |
| Residential           |                      |                           |                      |                                     |                                        |                           |                      |                                     |                                        |
| Single Family         | 2.79                 | 175                       | 4,070                | 49.2%                               | 49.7%                                  | 175                       | 4,070                | 49.1%                               | 49.7%                                  |
| Condo                 | 0.05                 | 175                       | 71                   | 0.9%                                | 0.9%                                   | 175                       | 71                   | 0.9%                                | 0.9%                                   |
| Apartment/Mobile Home | 1.16                 | 175                       | 1,687                | 20.4%                               | 20.6%                                  | 175                       | 1,687                | 20.4%                               | 20.6%                                  |
| Non-Residential       |                      |                           |                      |                                     |                                        |                           |                      |                                     |                                        |
| Commercial            | 0.46                 | 300                       | 1,145                | 13.8%                               | 14.0%                                  | 300                       | 1,145                | 13.8%                               | 14.0%                                  |
| Hospital              | 0.00                 | 200                       | 3                    | 0.0%                                | 0.0%                                   | 250                       | 4                    | 0.1%                                | 0.1%                                   |
| Hotel/Motel           | 0.05                 | 350                       | 140                  | 1.7%                                | 1.7%                                   | 350                       | 140                  | 1.7%                                | 1.7%                                   |
| Industrial            | 0.11                 | 500                       | 455                  | 5.5%                                | 5.6%                                   | 500                       | 455                  | 5.5%                                | 5.6%                                   |
| Restaurant            | 0.07                 | 500                       | 292                  | 3.5%                                | 3.6%                                   | 500                       | 292                  | 3.5%                                | 3.6%                                   |
| Special Rate          | 0.02                 | 250                       | 41                   | 0.5%                                | 0.5%                                   | 250                       | 41                   | 0.5%                                | 0.5%                                   |
| Institutional         | 0.19                 | 175                       | 283                  | 3.4%                                | 3.5%                                   | 175                       | 283                  | 3.4%                                | 3.5%                                   |
| Correctional Facility | 0.04                 | 250                       | 84                   | 1.0%                                | 0.0%                                   | 300                       | 100                  | 1.2%                                | 0.0%                                   |
| -----                 |                      | -----                     |                      | -----                               |                                        | -----                     |                      | -----                               |                                        |
| Total Strength        | 4.93                 |                           | 8,271                | 100.0%                              | 100.0%                                 |                           | 8,288                | 100.0%                              | 100.0%                                 |
| Allocation Factor     |                      | Total Plant Pounds        | 7,355                | (W - BOD)                           | (WO - BOD)                             | Total Plant Pounds        | 7,108                | (W - SS)                            | (WO - SS)                              |

NOTES:

[1] Average strength factors provided by the City in excel file from email sent August 31, 2012.

City of Woodland

Sewer Utility

Exhibit 8

Development of the Revenue Related Allocation Factor

|                          | Projected Year<br>FY 2014 | WITH<br>Correct. Fac.<br>% of Total | WITHOUT<br>Correct. Fac.<br>% of Total |
|--------------------------|---------------------------|-------------------------------------|----------------------------------------|
| Residential              |                           |                                     |                                        |
| Single Family            | \$5,679,601               | 54.3%                               | 54.7%                                  |
| Condo                    | 90,504                    | 0.9%                                | 0.9%                                   |
| Apartment/Mobile Home    | 2,330,924                 | 22.3%                               | 22.4%                                  |
| Non-Residential          |                           |                                     |                                        |
| Commercial               | \$1,193,732               | 11.4%                               | 11.5%                                  |
| Hospital                 | 4,247                     | 0.0%                                | 0.0%                                   |
| Hotel/Motel              | 132,479                   | 1.3%                                | 1.3%                                   |
| Industrial               | 221,878                   | 2.1%                                | 2.1%                                   |
| Restaurant               | 353,130                   | 3.4%                                | 3.4%                                   |
| Special Rate             | 57,174                    | 0.5%                                | 0.6%                                   |
| Institutional            | 323,844                   | 3.1%                                | 3.1%                                   |
| Correctional Facility    | 70,714                    | 0.7%                                | 0.0%                                   |
|                          | -----                     | -----                               | -----                                  |
| Total Rate Revenues      | \$10,458,227              | 100.0%                              | 100.0%                                 |
| <b>Allocation Factor</b> |                           | <b>(W - RR)</b>                     | <b>(WO - RR)</b>                       |

|                                    |                  | Customer Related    |                      |                                   |                                    |                                 |                                  |                                |                                 |                                    |                                    |                                |                                 |                |                         |                           |  |
|------------------------------------|------------------|---------------------|----------------------|-----------------------------------|------------------------------------|---------------------------------|----------------------------------|--------------------------------|---------------------------------|------------------------------------|------------------------------------|--------------------------------|---------------------------------|----------------|-------------------------|---------------------------|--|
|                                    |                  | Weighted for:       |                      |                                   |                                    |                                 |                                  |                                |                                 |                                    |                                    |                                |                                 |                |                         |                           |  |
|                                    | Total<br>FY 2011 | Volume<br>(W - VOL) | Volume<br>(WO - VOL) | Bio-oxygen<br>Demand<br>(W - BOD) | Bio-oxygen<br>Demand<br>(WO - BOD) | Suspended<br>Solids<br>(W - SS) | Suspended<br>Solids<br>(WO - SS) | Actual<br>Customer<br>(W - AC) | Actual<br>Customer<br>(WO - AC) | Customer<br>Acct/Svcs<br>(W - WCA) | Customer<br>Acct/Svcs<br>(W - WCA) | Revenue<br>Related<br>(W - RR) | Revenue<br>Related<br>(WO - RR) | Direct<br>(DA) | Basis of Classification |                           |  |
| Land                               | \$2,957,761      | \$1,457,728         | \$437,341            | \$531,189                         | \$0                                | \$531,503                       | \$0                              | \$0                            | \$0                             | \$0                                | \$0                                | \$0                            | \$0                             | \$0            | \$0                     | As Treatment & Collection |  |
| Treatment Plant                    |                  |                     |                      |                                   |                                    |                                 |                                  |                                |                                 |                                    |                                    |                                |                                 |                |                         |                           |  |
| Ponds                              | \$1,148,056      | \$1,148,056         | \$0                  | \$0                               | \$0                                | \$0                             | \$0                              | \$0                            | \$0                             | \$0                                | \$0                                | \$0                            | \$0                             | \$0            | \$0                     | 100.0% VOL                |  |
| Teritary                           | 16,180,821       | 16,180,821          | 0                    | 0                                 | 0                                  | 0                               | 0                                | 0                              | 0                               | 0                                  | 0                                  | 0                              | 0                               | 0              | 0                       | 100.0% VOL                |  |
| Clarifier                          | 11,824           | 5,912               | 0                    | 0                                 | 0                                  | 5,912                           | 0                                | 0                              | 0                               | 0                                  | 0                                  | 0                              | 0                               | 0              | 0                       | 50.0% VOL                 |  |
| Treatment Plant                    | 29,964,783       | 9,988,261           | 0                    | 9,988,261                         | 0                                  | 9,988,261                       | 0                                | 0                              | 0                               | 0                                  | 0                                  | 0                              | 0                               | 0              | 0                       | 33.3% VOL                 |  |
|                                    |                  |                     |                      |                                   |                                    |                                 |                                  |                                |                                 |                                    |                                    |                                |                                 |                |                         | 33.3% BOD                 |  |
|                                    |                  |                     |                      |                                   |                                    |                                 |                                  |                                |                                 |                                    |                                    |                                |                                 |                |                         | 33.3% SS                  |  |
| Total Treatment Plant              | \$47,305,483     | \$27,323,049        | \$0                  | \$9,988,261                       | \$0                                | \$9,994,173                     | \$0                              | \$0                            | \$0                             | \$0                                | \$0                                | \$0                            | \$0                             | \$0            | \$0                     |                           |  |
|                                    |                  | 57.8%               | 0.0%                 | 21.1%                             | 0.0%                               | 21.1%                           | 0.0%                             | 0.0%                           | 0.0%                            | 0.0%                               | 0.0%                               | 0.0%                           | 0.0%                            | 0.0%           | 0.0%                    |                           |  |
| Collection System                  |                  |                     |                      |                                   |                                    |                                 |                                  |                                |                                 |                                    |                                    |                                |                                 |                |                         |                           |  |
| Pump to Waste                      | \$4,396          | \$4,396             | \$0                  | \$0                               | \$0                                | \$0                             | \$0                              | \$0                            | \$0                             | \$0                                | \$0                                | \$0                            | \$0                             | \$0            | \$0                     | 100.0% VOL                |  |
| Pumping                            | 884,445          | 8,844               | 875,600              | 0                                 | 0                                  | 0                               | 0                                | 0                              | 0                               | 0                                  | 0                                  | 0                              | 0                               | 0              | 0                       | 100.0% VOL                |  |
| Mains                              | 7,422,198        | 74,222              | 7,347,976            | 0                                 | 0                                  | 0                               | 0                                | 0                              | 0                               | 0                                  | 0                                  | 0                              | 0                               | 0              | 0                       | 100.0% VOL                |  |
| Total Collection System            | \$8,311,038      | \$87,462            | \$8,223,576          | \$0                               | \$0                                | \$0                             | \$0                              | \$0                            | \$0                             | \$0                                | \$0                                | \$0                            | \$0                             | \$0            | \$0                     |                           |  |
| Plant Before General Plant         | \$58,574,283     | \$28,868,240        | \$8,660,917          | \$10,519,450                      | \$0                                | \$10,525,676                    | \$0                              | \$0                            | \$0                             | \$0                                | \$0                                | \$0                            | \$0                             | \$0            | \$0                     |                           |  |
| Percent Plant Before General Plant | 100.00%          | 49.28%              | 14.79%               | 17.96%                            | 0.00%                              | 17.97%                          | 0.00%                            | 0.00%                          | 0.00%                           | 0.00%                              | 0.00%                              | 0.00%                          | 0.00%                           | 0.00%          | 0.00%                   | Factor PBG                |  |
| General Plant                      |                  |                     |                      |                                   |                                    |                                 |                                  |                                |                                 |                                    |                                    |                                |                                 |                |                         |                           |  |
| Buildings                          | \$165,692        | \$81,661            | \$24,500             | \$29,757                          | \$0                                | \$29,775                        | \$0                              | \$0                            | \$0                             | \$0                                | \$0                                | \$0                            | \$0                             | \$0            | \$0                     | Factor PBG                |  |
| Machinery & Equipment              | 2,253,577        | 1,110,672           | 333,219              | 404,724                           | 0                                  | 404,963                         | 0                                | 0                              | 0                               | 0                                  | 0                                  | 0                              | 0                               | 0              | 0                       | Factor PBG                |  |
| Infrastructure                     | 57,229,510       | 28,205,471          | 8,462,076            | 10,277,940                        | 0                                  | 10,284,024                      | 0                                | 0                              | 0                               | 0                                  | 0                                  | 0                              | 0                               | 0              | 0                       | Factor PBG                |  |
| Total General Plant                | \$59,648,780     | \$29,397,804        | \$8,819,794          | \$10,712,421                      | \$0                                | \$10,718,761                    | \$0                              | \$0                            | \$0                             | \$0                                | \$0                                | \$0                            | \$0                             | \$0            | \$0                     |                           |  |
| TOTAL PLANT IN SERVICE             | \$118,223,063    | \$58,266,043        | \$17,480,711         | \$21,231,871                      | \$0                                | \$21,244,438                    | \$0                              | \$0                            | \$0                             | \$0                                | \$0                                | \$0                            | \$0                             | \$0            | \$0                     |                           |  |
| Less: Accumulated Depreciation     |                  |                     |                      |                                   |                                    |                                 |                                  |                                |                                 |                                    |                                    |                                |                                 |                |                         |                           |  |
| Treatment Plant                    | \$11,612,475     | \$6,707,219         | \$0                  | \$2,451,902                       | \$0                                | \$2,453,354                     | \$0                              | \$0                            | \$0                             | \$0                                | \$0                                | \$0                            | \$0                             | \$0            | \$0                     | As Treatment Plant        |  |
| Collection System                  | 5,849,834        | 61,562              | 5,788,272            | 0                                 | 0                                  | 0                               | 0                                | 0                              | 0                               | 0                                  | 0                                  | 0                              | 0                               | 0              | 0                       | As Collection System      |  |
| General Plant                      | 23,052,171       | 11,361,225          | 3,408,542            | 4,139,977                         | 0                                  | 4,142,427                       | 0                                | 0                              | 0                               | 0                                  | 0                                  | 0                              | 0                               | 0              | 0                       | As General Plant          |  |
| Total Accumulated Depreciation     | \$40,514,479     | \$18,130,005        | \$9,196,815          | \$6,591,879                       | \$0                                | \$6,595,781                     | \$0                              | \$0                            | \$0                             | \$0                                |                                    |                                |                                 |                |                         |                           |  |

| Total<br>FY 2014                | 0<br>Volume<br>(W - VOL) | 0<br>Volume<br>(WO - VOL) | Strength Related                  |                                    |                                 |                                  | Weighted for:                  |                                 |                                    |                                    | Revenue<br>Related<br>(W - RR) | Revenue<br>Related<br>(WO - RR) | Direct<br>(DA) | Basis of Classification |      |     |
|---------------------------------|--------------------------|---------------------------|-----------------------------------|------------------------------------|---------------------------------|----------------------------------|--------------------------------|---------------------------------|------------------------------------|------------------------------------|--------------------------------|---------------------------------|----------------|-------------------------|------|-----|
|                                 |                          |                           | Bio-oxygen<br>Demand<br>(W - BOD) | Bio-oxygen<br>Demand<br>(WO - BOD) | Suspended<br>Solids<br>(W - SS) | Suspended<br>Solids<br>(WO - SS) | Actual<br>Customer<br>(W - AC) | Actual<br>Customer<br>(WO - AC) | Customer<br>Acct/Svcs<br>(W - WCA) | Customer<br>Acct/Svcs<br>(W - WCA) |                                |                                 |                |                         |      |     |
| APPLICATIONS OF FUNDS           |                          |                           |                                   |                                    |                                 |                                  |                                |                                 |                                    |                                    |                                |                                 |                |                         |      |     |
| Operation & Maintenance Expense |                          |                           |                                   |                                    |                                 |                                  |                                |                                 |                                    |                                    |                                |                                 |                |                         |      |     |
| Accounting - Sewer              |                          |                           |                                   |                                    |                                 |                                  |                                |                                 |                                    |                                    |                                |                                 |                |                         |      |     |
| Salaries - Full Time            | \$114,456                | \$0                       | \$0                               | \$0                                | \$0                             | \$0                              | \$0                            | \$0                             | \$0                                | \$114,456                          | \$0                            | \$0                             | \$0            | \$0                     | 100% | WCA |
| Hourly Wages - Temporary        | 3,989                    | 0                         | 0                                 | 0                                  | 0                               | 0                                | 0                              | 0                               | 0                                  | 3,989                              | 0                              | 0                               | 0              | 0                       | 100% | WCA |
| Vacation Buyout                 | 728                      | 0                         | 0                                 | 0                                  | 0                               | 0                                | 0                              | 0                               | 0                                  | 728                                | 0                              | 0                               | 0              | 0                       | 100% | WCA |
| Admin Buyout                    | 379                      | 0                         | 0                                 | 0                                  | 0                               | 0                                | 0                              | 0                               | 0                                  | 379                                | 0                              | 0                               | 0              | 0                       | 100% | WCA |
| Comp Time Buyout                | 46                       | 0                         | 0                                 | 0                                  | 0                               | 0                                | 0                              | 0                               | 0                                  | 46                                 | 0                              | 0                               | 0              | 0                       | 100% | WCA |
| Overtime Perm Full Time         | 1,915                    | 0                         | 0                                 | 0                                  | 0                               | 0                                | 0                              | 0                               | 0                                  | 1,915                              | 0                              | 0                               | 0              | 0                       | 100% | WCA |
| Def Comp City Match             | 192                      | 0                         | 0                                 | 0                                  | 0                               | 0                                | 0                              | 0                               | 0                                  | 192                                | 0                              | 0                               | 0              | 0                       | 100% | WCA |
| Workers Comp/Liab Ins           | 2,766                    | 0                         | 0                                 | 0                                  | 0                               | 0                                | 0                              | 0                               | 0                                  | 2,766                              | 0                              | 0                               | 0              | 0                       | 100% | WCA |
| Retirement                      | 31,081                   | 0                         | 0                                 | 0                                  | 0                               | 0                                | 0                              | 0                               | 0                                  | 31,081                             | 0                              | 0                               | 0              | 0                       | 100% | WCA |
| Health Pay-In Lieu              | 3,911                    | 0                         | 0                                 | 0                                  | 0                               | 0                                | 0                              | 0                               | 0                                  | 3,911                              | 0                              | 0                               | 0              | 0                       | 100% | WCA |
| Retirement Health Svgs Plan     | 425                      | 0                         | 0                                 | 0                                  | 0                               | 0                                | 0                              | 0                               | 0                                  | 425                                | 0                              | 0                               | 0              | 0                       | 100% | WCA |
| Life/Vision/Dental/Retire       | 22,856                   | 0                         | 0                                 | 0                                  | 0                               | 0                                | 0                              | 0                               | 0                                  | 22,856                             | 0                              | 0                               | 0              | 0                       | 100% | WCA |
| Health/Life/Vision Insurance    | 20,420                   | 0                         | 0                                 | 0                                  | 0                               | 0                                | 0                              | 0                               | 0                                  | 20,420                             | 0                              | 0                               | 0              | 0                       | 100% | WCA |
| Unemployment Insurance          | 370                      | 0                         | 0                                 | 0                                  | 0                               | 0                                | 0                              | 0                               | 0                                  | 370                                | 0                              | 0                               | 0              | 0                       | 100% | WCA |
| Medicare Insurance              | 1,757                    | 0                         | 0                                 | 0                                  | 0                               | 0                                | 0                              | 0                               | 0                                  | 1,757                              | 0                              | 0                               | 0              | 0                       | 100% | WCA |
| Personnel Offset                | 0                        | 0                         | 0                                 | 0                                  | 0                               | 0                                | 0                              | 0                               | 0                                  | 0                                  | 0                              | 0                               | 0              | 0                       | 100% | WCA |
| Office Supplies                 | 302                      | 0                         | 0                                 | 0                                  | 0                               | 0                                | 0                              | 0                               | 0                                  | 302                                | 0                              | 0                               | 0              | 0                       | 100% | WCA |
| Postage                         | 50,152                   | 0                         | 0                                 | 0                                  | 0                               | 0                                | 0                              | 50,152                          | 0                                  | 0                                  | 0                              | 0                               | 0              | 0                       | 100% | AC  |
| Copy Machine Costs              | 853                      | 0                         | 0                                 | 0                                  | 0                               | 0                                | 0                              | 0                               | 0                                  | 853                                | 0                              | 0                               | 0              | 0                       | 100% | WCA |
| Department Specific Supplies    | 371                      | 0                         | 0                                 | 0                                  | 0                               | 0                                | 0                              | 0                               | 0                                  | 371                                | 0                              | 0                               | 0              | 0                       | 100% | WCA |
| Telephone                       | 1,146                    | 0                         | 0                                 | 0                                  | 0                               | 0                                | 0                              | 0                               | 0                                  | 1,146                              | 0                              | 0                               | 0              | 0                       | 100% | WCA |
| Contract Services               | 73,889                   | 0                         | 0                                 | 0                                  | 0                               | 0                                | 0                              | 0                               | 0                                  | 73,889                             | 0                              | 0                               | 0              | 0                       | 100% | WCA |
| Credit Card Fees                | 18,063                   | 0                         | 0                                 | 0                                  | 0                               | 0                                | 0                              | 0                               | 0                                  | 18,063                             | 0                              | 0                               | 0              | 0                       | 100% | WCA |
| Indirect Expense                | 2,462                    | 0                         | 0                                 | 0                                  | 0                               | 0                                | 0                              | 0                               | 0                                  | 2,462                              | 0                              | 0                               | 0              | 0                       | 100% | WCA |
| Technology Services Chargeback  | 14,055                   | 0                         | 0                                 | 0                                  | 0                               | 0                                | 0                              | 0                               | 0                                  | 14,055                             | 0                              | 0                               | 0              | 0                       | 100% | WCA |
| Total Accounting - Sewer        | \$366,582                | \$0                       | \$0                               | \$0                                | \$0                             | \$0                              | \$0                            | \$50,152                        | \$0                                | \$316,431                          | \$0                            | \$0                             | \$0            | \$0                     |      |     |

| Total<br>FY 2014                         | 0<br>Volume<br>(W - VOL) | 0<br>Volume<br>(WO - VOL) | Strength Related                  |                                    |                                 |                                  | Weighted for:                  |                                 |                                    |                                    | Revenue<br>Related<br>(W - RR) | Revenue<br>Related<br>(WO - RR) | Direct<br>(DA) | Basis of Classification |
|------------------------------------------|--------------------------|---------------------------|-----------------------------------|------------------------------------|---------------------------------|----------------------------------|--------------------------------|---------------------------------|------------------------------------|------------------------------------|--------------------------------|---------------------------------|----------------|-------------------------|
|                                          |                          |                           | Bio-oxygen<br>Demand<br>(W - BOD) | Bio-oxygen<br>Demand<br>(WO - BOD) | Suspended<br>Solids<br>(W - SS) | Suspended<br>Solids<br>(WO - SS) | Actual<br>Customer<br>(W - AC) | Actual<br>Customer<br>(WO - AC) | Customer<br>Acct/Svcs<br>(W - WCA) | Customer<br>Acct/Svcs<br>(W - WCA) |                                |                                 |                |                         |
| Sewage Collection System                 |                          |                           |                                   |                                    |                                 |                                  |                                |                                 |                                    |                                    |                                |                                 |                |                         |
| Salaries - Full Time                     | \$659,285                | \$6,938                   | \$652,347                         | \$0                                | \$0                             | \$0                              | \$0                            | \$0                             | \$0                                | \$0                                | \$0                            | \$0                             | \$0            | As Collection System    |
| Hourly Wages - Temporary                 | 61,533                   | 648                       | 60,885                            | 0                                  | 0                               | 0                                | 0                              | 0                               | 0                                  | 0                                  | 0                              | 0                               | 0              | As Collection System    |
| Vacation Buyout                          | 5,940                    | 63                        | 5,878                             | 0                                  | 0                               | 0                                | 0                              | 0                               | 0                                  | 0                                  | 0                              | 0                               | 0              | As Collection System    |
| Admin Buyout                             | 459                      | 5                         | 454                               | 0                                  | 0                               | 0                                | 0                              | 0                               | 0                                  | 0                                  | 0                              | 0                               | 0              | As Collection System    |
| Comp Time Buyout                         | 419                      | 4                         | 414                               | 0                                  | 0                               | 0                                | 0                              | 0                               | 0                                  | 0                                  | 0                              | 0                               | 0              | As Collection System    |
| Overtime-Permanent Full Time             | 20,400                   | 215                       | 20,185                            | 0                                  | 0                               | 0                                | 0                              | 0                               | 0                                  | 0                                  | 0                              | 0                               | 0              | As Collection System    |
| Def Comp City Match                      | 267                      | 3                         | 264                               | 0                                  | 0                               | 0                                | 0                              | 0                               | 0                                  | 0                                  | 0                              | 0                               | 0              | As Collection System    |
| Acting Pay                               | 1,023                    | 11                        | 1,013                             | 0                                  | 0                               | 0                                | 0                              | 0                               | 0                                  | 0                                  | 0                              | 0                               | 0              | As Collection System    |
| Standby Pay                              | 10,200                   | 107                       | 10,093                            | 0                                  | 0                               | 0                                | 0                              | 0                               | 0                                  | 0                                  | 0                              | 0                               | 0              | As Collection System    |
| Workers Comp/Liab Ins                    | 45,002                   | 474                       | 44,528                            | 0                                  | 0                               | 0                                | 0                              | 0                               | 0                                  | 0                                  | 0                              | 0                               | 0              | As Collection System    |
| Retirement                               | 197,210                  | 2,075                     | 195,134                           | 0                                  | 0                               | 0                                | 0                              | 0                               | 0                                  | 0                                  | 0                              | 0                               | 0              | As Collection System    |
| Health Pay-In Lieu                       | 16,128                   | 170                       | 15,959                            | 0                                  | 0                               | 0                                | 0                              | 0                               | 0                                  | 0                                  | 0                              | 0                               | 0              | As Collection System    |
| Retirement Health Svgs Plan              | 4,813                    | 51                        | 4,763                             | 0                                  | 0                               | 0                                | 0                              | 0                               | 0                                  | 0                                  | 0                              | 0                               | 0              | As Collection System    |
| Life/Vision/Dental/Retire                | 151,932                  | 1,599                     | 150,334                           | 0                                  | 0                               | 0                                | 0                              | 0                               | 0                                  | 0                                  | 0                              | 0                               | 0              | As Collection System    |
| Health/Life/Vision Insurance             | 191,889                  | 2,019                     | 189,870                           | 0                                  | 0                               | 0                                | 0                              | 0                               | 0                                  | 0                                  | 0                              | 0                               | 0              | As Collection System    |
| Unemployment Insurance                   | 6,023                    | 63                        | 5,959                             | 0                                  | 0                               | 0                                | 0                              | 0                               | 0                                  | 0                                  | 0                              | 0                               | 0              | As Collection System    |
| Medicare Insurance                       | 10,089                   | 106                       | 9,983                             | 0                                  | 0                               | 0                                | 0                              | 0                               | 0                                  | 0                                  | 0                              | 0                               | 0              | As Collection System    |
| Personnel Offset                         | 0                        | 0                         | 0                                 | 0                                  | 0                               | 0                                | 0                              | 0                               | 0                                  | 0                                  | 0                              | 0                               | 0              | As Collection System    |
| Office Supplies                          | 1,560                    | 16                        | 1,544                             | 0                                  | 0                               | 0                                | 0                              | 0                               | 0                                  | 0                                  | 0                              | 0                               | 0              | As Collection System    |
| Postage                                  | 520                      | 0                         | 0                                 | 0                                  | 0                               | 0                                | 520                            | 0                               | 0                                  | 0                                  | 0                              | 0                               | 0              | 100% AC                 |
| Publications & Periodicals               | 302                      | 3                         | 298                               | 0                                  | 0                               | 0                                | 0                              | 0                               | 0                                  | 0                                  | 0                              | 0                               | 0              | As Collection System    |
| Printing                                 | 343                      | 4                         | 340                               | 0                                  | 0                               | 0                                | 0                              | 0                               | 0                                  | 0                                  | 0                              | 0                               | 0              | As Collection System    |
| Copy Machine Costs                       | 1,092                    | 11                        | 1,081                             | 0                                  | 0                               | 0                                | 0                              | 0                               | 0                                  | 0                                  | 0                              | 0                               | 0              | As Collection System    |
| Department Specific Supplies             | 183,968                  | 183,968                   | 0                                 | 0                                  | 0                               | 0                                | 0                              | 0                               | 0                                  | 0                                  | 0                              | 0                               | 0              | 100% VOL                |
| Personal Protective Equipment            | 3,120                    | 33                        | 3,087                             | 0                                  | 0                               | 0                                | 0                              | 0                               | 0                                  | 0                                  | 0                              | 0                               | 0              | As Collection System    |
| Laundry                                  | 2,674                    | 28                        | 2,646                             | 0                                  | 0                               | 0                                | 0                              | 0                               | 0                                  | 0                                  | 0                              | 0                               | 0              | As Collection System    |
| Tools                                    | 3,120                    | 33                        | 3,087                             | 0                                  | 0                               | 0                                | 0                              | 0                               | 0                                  | 0                                  | 0                              | 0                               | 0              | As Collection System    |
| Advertising                              | 6,180                    | 65                        | 6,115                             | 0                                  | 0                               | 0                                | 0                              | 0                               | 0                                  | 0                                  | 0                              | 0                               | 0              | As Collection System    |
| Telephone                                | 1,223                    | 13                        | 1,210                             | 0                                  | 0                               | 0                                | 0                              | 0                               | 0                                  | 0                                  | 0                              | 0                               | 0              | As Collection System    |
| Cell Phones                              | 3,591                    | 38                        | 3,553                             | 0                                  | 0                               | 0                                | 0                              | 0                               | 0                                  | 0                                  | 0                              | 0                               | 0              | As Collection System    |
| Maintenance - Grounds                    | 9,050                    | 95                        | 8,955                             | 0                                  | 0                               | 0                                | 0                              | 0                               | 0                                  | 0                                  | 0                              | 0                               | 0              | As Collection System    |
| Maintenance - Equipment                  | 9,180                    | 97                        | 9,083                             | 0                                  | 0                               | 0                                | 0                              | 0                               | 0                                  | 0                                  | 0                              | 0                               | 0              | As Collection System    |
| Equipment Rental                         | 4,420                    | 47                        | 4,373                             | 0                                  | 0                               | 0                                | 0                              | 0                               | 0                                  | 0                                  | 0                              | 0                               | 0              | As Collection System    |
| Contract Services                        | 225,790                  | 2,376                     | 223,414                           | 0                                  | 0                               | 0                                | 0                              | 0                               | 0                                  | 0                                  | 0                              | 0                               | 0              | As Collection System    |
| Membership & Dues                        | 4,168                    | 44                        | 4,125                             | 0                                  | 0                               | 0                                | 0                              | 0                               | 0                                  | 0                                  | 0                              | 0                               | 0              | As Collection System    |
| Mandatory Training                       | 17,992                   | 189                       | 17,803                            | 0                                  | 0                               | 0                                | 0                              | 0                               | 0                                  | 0                                  | 0                              | 0                               | 0              | As Collection System    |
| Educative Incentive Reimbursement        | 650                      | 7                         | 643                               | 0                                  | 0                               | 0                                | 0                              | 0                               | 0                                  | 0                                  | 0                              | 0                               | 0              | As Collection System    |
| Machinery & Equipment - Capital Expenses | 0                        | 0                         | 0                                 | 0                                  | 0                               | 0                                | 0                              | 0                               | 0                                  | 0                                  | 0                              | 0                               | 0              | As Collection System    |
| Vehicle Purchases                        | 7,800                    | 82                        | 7,718                             | 0                                  | 0                               | 0                                | 0                              | 0                               | 0                                  | 0                                  | 0                              | 0                               | 0              | As Collection System    |
| Gas & Oil                                | 131                      | 1                         | 130                               | 0                                  | 0                               | 0                                | 0                              | 0                               | 0                                  | 0                                  | 0                              | 0                               | 0              | As Collection System    |
| Indirect Expense                         | 129,251                  | 1,360                     | 127,890                           | 0                                  | 0                               | 0                                | 0                              | 0                               | 0                                  | 0                                  | 0                              | 0                               | 0              | As Collection System    |
| Technology Services Chargeback           | 44,108                   | 464                       | 43,644                            | 0                                  | 0                               | 0                                | 0                              | 0                               | 0                                  | 0                                  | 0                              | 0                               | 0              | As Collection System    |
| Property Taxes                           | 3,659                    | 39                        | 3,621                             | 0                                  | 0                               | 0                                | 0                              | 0                               | 0                                  | 0                                  | 0                              | 0                               | 0              | As Collection System    |
| Fixed Fleet Cost                         | 33,562                   | 353                       | 33,209                            | 0                                  | 0                               | 0                                | 0                              | 0                               | 0                                  | 0                                  | 0                              | 0                               | 0              | As Collection System    |
| Variable Fleet Cost                      | 161,616                  | 1,701                     | 159,915                           | 0                                  | 0                               | 0                                | 0                              | 0                               | 0                                  | 0                                  | 0                              | 0                               | 0              | As Collection System    |
| Lease Payment Chargeback                 | 86,216                   | 907                       | 85,309                            | 0                                  | 0                               | 0                                | 0                              | 0                               | 0                                  | 0                                  | 0                              | 0                               | 0              | As Collection System    |
| Total Sewage Collection System           | \$2,327,899              | \$206,525                 | \$2,120,854                       | \$0                                | \$0                             | \$0                              | \$0                            | \$520                           | \$0                                | \$0                                | \$0                            | \$0                             | \$0            |                         |



|                                           | Total<br>FY 2014 | 0<br>Volume<br>(W - VOL) | 0<br>Volume<br>(WO - VOL) | Strength Related                  |                                    |                                 |                                  | Weighted for:                  |                                 |                                    |                                    | Revenue<br>Related<br>(W - RR) | Revenue<br>Related<br>(WO - RR) | Direct<br>(DA) | Basis of Classification |                    |
|-------------------------------------------|------------------|--------------------------|---------------------------|-----------------------------------|------------------------------------|---------------------------------|----------------------------------|--------------------------------|---------------------------------|------------------------------------|------------------------------------|--------------------------------|---------------------------------|----------------|-------------------------|--------------------|
|                                           |                  |                          |                           | Bio-oxygen<br>Demand<br>(W - BOD) | Bio-oxygen<br>Demand<br>(WO - BOD) | Suspended<br>Solids<br>(W - SS) | Suspended<br>Solids<br>(WO - SS) | Actual<br>Customer<br>(W - AC) | Actual<br>Customer<br>(WO - AC) | Customer<br>Acct/Svcs<br>(W - WCA) | Customer<br>Acct/Svcs<br>(W - WCA) |                                |                                 |                |                         |                    |
| Sewage Treatment Plant                    |                  |                          |                           |                                   |                                    |                                 |                                  |                                |                                 |                                    |                                    |                                |                                 |                |                         |                    |
| Salaries - Full Time                      | \$662,621        | \$382,722                | \$0                       | \$139,908                         | \$0                                | \$139,991                       | \$0                              | \$0                            | \$0                             | \$0                                | \$0                                | \$0                            | \$0                             | \$0            | \$0                     | As Treatment Plant |
| Hourly Wages - Temporary                  | 41,929           | 24,218                   | 0                         | 8,853                             | 0                                  | 8,858                           | 0                                | 0                              | 0                               | 0                                  | 0                                  | 0                              | 0                               | 0              | 0                       | As Treatment Plant |
| Vacation Buyout                           | 13,589           | 7,849                    | 0                         | 2,869                             | 0                                  | 2,871                           | 0                                | 0                              | 0                               | 0                                  | 0                                  | 0                              | 0                               | 0              | 0                       | As Treatment Plant |
| Admin Buyout                              | 4,068            | 2,350                    | 0                         | 859                               | 0                                  | 859                             | 0                                | 0                              | 0                               | 0                                  | 0                                  | 0                              | 0                               | 0              | 0                       | As Treatment Plant |
| Comp Time Buyout                          | 1,629            | 941                      | 0                         | 344                               | 0                                  | 344                             | 0                                | 0                              | 0                               | 0                                  | 0                                  | 0                              | 0                               | 0              | 0                       | As Treatment Plant |
| Overtime-Permanent Full Time              | 12,240           | 7,070                    | 0                         | 2,584                             | 0                                  | 2,586                           | 0                                | 0                              | 0                               | 0                                  | 0                                  | 0                              | 0                               | 0              | 0                       | As Treatment Plant |
| Def Comp City Match                       | 1,813            | 1,047                    | 0                         | 383                               | 0                                  | 383                             | 0                                | 0                              | 0                               | 0                                  | 0                                  | 0                              | 0                               | 0              | 0                       | As Treatment Plant |
| Acting Pay                                | 861              | 497                      | 0                         | 182                               | 0                                  | 182                             | 0                                | 0                              | 0                               | 0                                  | 0                                  | 0                              | 0                               | 0              | 0                       | As Treatment Plant |
| Standby Pay                               | 11,235           | 6,489                    | 0                         | 2,372                             | 0                                  | 2,374                           | 0                                | 0                              | 0                               | 0                                  | 0                                  | 0                              | 0                               | 0              | 0                       | As Treatment Plant |
| Workers Comp/Liab Ins                     | 51,584           | 29,794                   | 0                         | 10,892                            | 0                                  | 10,898                          | 0                                | 0                              | 0                               | 0                                  | 0                                  | 0                              | 0                               | 0              | 0                       | As Treatment Plant |
| Retirement                                | 193,825          | 111,951                  | 0                         | 40,925                            | 0                                  | 40,949                          | 0                                | 0                              | 0                               | 0                                  | 0                                  | 0                              | 0                               | 0              | 0                       | As Treatment Plant |
| Health Pay-In Lieu                        | 17,219           | 9,946                    | 0                         | 3,636                             | 0                                  | 3,638                           | 0                                | 0                              | 0                               | 0                                  | 0                                  | 0                              | 0                               | 0              | 0                       | As Treatment Plant |
| Retirement Health Svgs Plan               | 2,681            | 1,549                    | 0                         | 566                               | 0                                  | 566                             | 0                                | 0                              | 0                               | 0                                  | 0                                  | 0                              | 0                               | 0              | 0                       | As Treatment Plant |
| Life/Vision/Dental/Retire                 | 115,724          | 66,841                   | 0                         | 24,434                            | 0                                  | 24,449                          | 0                                | 0                              | 0                               | 0                                  | 0                                  | 0                              | 0                               | 0              | 0                       | As Treatment Plant |
| Health/Life/Vision Insurance              | 153,142          | 88,453                   | 0                         | 32,335                            | 0                                  | 32,354                          | 0                                | 0                              | 0                               | 0                                  | 0                                  | 0                              | 0                               | 0              | 0                       | As Treatment Plant |
| Unemployment Insurance                    | 6,903            | 3,987                    | 0                         | 1,458                             | 0                                  | 1,458                           | 0                                | 0                              | 0                               | 0                                  | 0                                  | 0                              | 0                               | 0              | 0                       | As Treatment Plant |
| Medicare Insurance                        | 10,183           | 5,882                    | 0                         | 2,150                             | 0                                  | 2,151                           | 0                                | 0                              | 0                               | 0                                  | 0                                  | 0                              | 0                               | 0              | 0                       | As Treatment Plant |
| Personnel Offset                          | 0                | 0                        | 0                         | 0                                 | 0                                  | 0                               | 0                                | 0                              | 0                               | 0                                  | 0                                  | 0                              | 0                               | 0              | 0                       | As Treatment Plant |
| Office Supplies                           | 2,080            | 1,201                    | 0                         | 439                               | 0                                  | 439                             | 0                                | 0                              | 0                               | 0                                  | 0                                  | 0                              | 0                               | 0              | 0                       | As Treatment Plant |
| Postage                                   | 520              | 0                        | 0                         | 0                                 | 0                                  | 0                               | 0                                | 520                            | 0                               | 0                                  | 0                                  | 0                              | 0                               | 0              | 0                       | 100% AC            |
| Janitorial Supplies                       | 1,606            | 928                      | 0                         | 339                               | 0                                  | 339                             | 0                                | 0                              | 0                               | 0                                  | 0                                  | 0                              | 0                               | 0              | 0                       | As Treatment Plant |
| Printing                                  | 611              | 353                      | 0                         | 129                               | 0                                  | 129                             | 0                                | 0                              | 0                               | 0                                  | 0                                  | 0                              | 0                               | 0              | 0                       | As Treatment Plant |
| Copy Machine Costs                        | 2,016            | 1,164                    | 0                         | 426                               | 0                                  | 426                             | 0                                | 0                              | 0                               | 0                                  | 0                                  | 0                              | 0                               | 0              | 0                       | As Treatment Plant |
| Department Specific Supplies              | 666,477          | 666,477                  | 0                         | 0                                 | 0                                  | 0                               | 0                                | 0                              | 0                               | 0                                  | 0                                  | 0                              | 0                               | 0              | 0                       | 100% VOL           |
| Personal Protective Equipment             | 2,293            | 1,325                    | 0                         | 484                               | 0                                  | 484                             | 0                                | 0                              | 0                               | 0                                  | 0                                  | 0                              | 0                               | 0              | 0                       | As Treatment Plant |
| Laundry                                   | 2,318            | 1,339                    | 0                         | 489                               | 0                                  | 490                             | 0                                | 0                              | 0                               | 0                                  | 0                                  | 0                              | 0                               | 0              | 0                       | As Treatment Plant |
| Tools                                     | 3,011            | 1,739                    | 0                         | 636                               | 0                                  | 636                             | 0                                | 0                              | 0                               | 0                                  | 0                                  | 0                              | 0                               | 0              | 0                       | As Treatment Plant |
| Advertising                               | 1,545            | 892                      | 0                         | 326                               | 0                                  | 326                             | 0                                | 0                              | 0                               | 0                                  | 0                                  | 0                              | 0                               | 0              | 0                       | As Treatment Plant |
| Telephone                                 | 8,064            | 4,658                    | 0                         | 1,703                             | 0                                  | 1,704                           | 0                                | 0                              | 0                               | 0                                  | 0                                  | 0                              | 0                               | 0              | 0                       | As Treatment Plant |
| Cell Phones                               | 4,536            | 2,620                    | 0                         | 958                               | 0                                  | 958                             | 0                                | 0                              | 0                               | 0                                  | 0                                  | 0                              | 0                               | 0              | 0                       | As Treatment Plant |
| Maintenance - Grounds                     | 32,606           | 18,833                   | 0                         | 6,885                             | 0                                  | 6,889                           | 0                                | 0                              | 0                               | 0                                  | 0                                  | 0                              | 0                               | 0              | 0                       | As Treatment Plant |
| Maintenance - Equipment                   | 1,505            | 869                      | 0                         | 318                               | 0                                  | 318                             | 0                                | 0                              | 0                               | 0                                  | 0                                  | 0                              | 0                               | 0              | 0                       | As Treatment Plant |
| Property Lease Payments                   | 7,210            | 4,164                    | 0                         | 1,522                             | 0                                  | 1,523                           | 0                                | 0                              | 0                               | 0                                  | 0                                  | 0                              | 0                               | 0              | 0                       | As Treatment Plant |
| Contract Services                         | 311,530          | 179,936                  | 0                         | 65,778                            | 0                                  | 65,817                          | 0                                | 0                              | 0                               | 0                                  | 0                                  | 0                              | 0                               | 0              | 0                       | As Treatment Plant |
| Memberships & Dues                        | 3,881            | 2,242                    | 0                         | 819                               | 0                                  | 820                             | 0                                | 0                              | 0                               | 0                                  | 0                                  | 0                              | 0                               | 0              | 0                       | As Treatment Plant |
| "Conferences, Meetings, & Other Training" | 361              | 208                      | 0                         | 76                                | 0                                  | 76                              | 0                                | 0                              | 0                               | 0                                  | 0                                  | 0                              | 0                               | 0              | 0                       | As Treatment Plant |
| Mandatory Training                        | 16,233           | 9,376                    | 0                         | 3,428                             | 0                                  | 3,430                           | 0                                | 0                              | 0                               | 0                                  | 0                                  | 0                              | 0                               | 0              | 0                       | As Treatment Plant |
| Education Incentive Reimbursement         | 1,300            | 751                      | 0                         | 274                               | 0                                  | 275                             | 0                                | 0                              | 0                               | 0                                  | 0                                  | 0                              | 0                               | 0              | 0                       | As Treatment Plant |
| Machinery & Equipment - Capital Expenses  | 59,232           | 34,212                   | 0                         | 12,507                            | 0                                  | 12,514                          | 0                                | 0                              | 0                               | 0                                  | 0                                  | 0                              | 0                               | 0              | 0                       | As Treatment Plant |
| Property Taxes                            | 1,030            | 595                      | 0                         | 217                               | 0                                  | 218                             | 0                                | 0                              | 0                               | 0                                  | 0                                  | 0                              | 0                               | 0              | 0                       | As Treatment Plant |
| Gas & Oil                                 | 17,850           | 10,310                   | 0                         | 3,769                             | 0                                  | 3,771                           | 0                                | 0                              | 0                               | 0                                  | 0                                  | 0                              | 0                               | 0              | 0                       | As Treatment Plant |
| Indirect Expense                          | 283,434          | 163,708                  | 0                         | 59,845                            | 0                                  | 59,881                          | 0                                | 0                              | 0                               | 0                                  | 0                                  | 0                              | 0                               | 0              | 0                       | As Treatment Plant |
| Utilities                                 | 787,500          | 454,850                  | 0                         | 166,276                           | 0                                  | 166,374                         | 0                                | 0                              | 0                               | 0                                  | 0                                  | 0                              | 0                               | 0              | 0                       | As Treatment Plant |
| Technology Services Chargeback            | 39,571           | 22,856                   | 0                         | 8,355                             | 0                                  | 8,360                           | 0                                | 0                              | 0                               | 0                                  | 0                                  | 0                              | 0                               | 0              | 0                       | As Treatment Plant |
| Fixed Fleet Cost                          | 11,187           | 6,462                    | 0                         | 2,362                             | 0                                  | 2,364                           | 0                                | 0                              | 0                               | 0                                  | 0                                  | 0                              | 0                               | 0              | 0                       | As Treatment Plant |
| Variable Fleet Cost                       | 60,465           | 34,924                   | 0                         | 12,767                            | 0                                  | 12,774                          | 0                                | 0                              | 0                               | 0                                  | 0                                  | 0                              | 0                               | 0              | 0                       | As Treatment Plant |
| Total Sewage Treatment Plant              | \$3,631,219      | \$2,378,574              | \$0                       | \$625,877                         | \$0                                | \$626,248                       | \$0                              | \$520                          | \$0                             | \$0                                | \$0                                | \$0                            | \$0                             | \$0            | \$0                     |                    |

|                                         | Total<br>FY 2014 | 0<br>Volume<br>(W - VOL) | 0<br>Volume<br>(WO - VOL) | Strength Related                  |                                    |                                 |                                  | Weighted for:                  |                                 |                                    |                                    | Revenue<br>Related<br>(W - RR) | Revenue<br>Related<br>(WO - RR) | Direct<br>(DA) | Basis of Classification |
|-----------------------------------------|------------------|--------------------------|---------------------------|-----------------------------------|------------------------------------|---------------------------------|----------------------------------|--------------------------------|---------------------------------|------------------------------------|------------------------------------|--------------------------------|---------------------------------|----------------|-------------------------|
|                                         |                  |                          |                           | Bio-oxygen<br>Demand<br>(W - BOD) | Bio-oxygen<br>Demand<br>(WO - BOD) | Suspended<br>Solids<br>(W - SS) | Suspended<br>Solids<br>(WO - SS) | Actual<br>Customer<br>(W - AC) | Actual<br>Customer<br>(WO - AC) | Customer<br>Acct/Svcs<br>(W - WCA) | Customer<br>Acct/Svcs<br>(W - WCA) |                                |                                 |                |                         |
| Environment Operations Laboratory       |                  |                          |                           |                                   |                                    |                                 |                                  |                                |                                 |                                    |                                    |                                |                                 |                |                         |
| Salaries - Full Time                    | \$180,421        | \$60,140                 | \$0                       | \$60,140                          | \$0                                | \$60,140                        | \$0                              | \$0                            | \$0                             | \$0                                | \$0                                | \$0                            | \$0                             | \$0            | As Treatment Plant      |
| Hourly Wages - Temporary                | 18,741           | 6,247                    | 0                         | 6,247                             | 0                                  | 6,247                           | 0                                | 0                              | 0                               | 0                                  | 0                                  | 0                              | 0                               | 0              | As Treatment Plant      |
| Vacation Buyout                         | 1,849            | 616                      | 0                         | 616                               | 0                                  | 616                             | 0                                | 0                              | 0                               | 0                                  | 0                                  | 0                              | 0                               | 0              | As Treatment Plant      |
| Admin Buyout                            | 1,303            | 434                      | 0                         | 434                               | 0                                  | 434                             | 0                                | 0                              | 0                               | 0                                  | 0                                  | 0                              | 0                               | 0              | As Treatment Plant      |
| Comp Time Buyout                        | 18               | 6                        | 0                         | 6                                 | 0                                  | 6                               | 0                                | 0                              | 0                               | 0                                  | 0                                  | 0                              | 0                               | 0              | As Treatment Plant      |
| Overtime-Permanent Full Time            | 1,890            | 630                      | 0                         | 630                               | 0                                  | 630                             | 0                                | 0                              | 0                               | 0                                  | 0                                  | 0                              | 0                               | 0              | As Treatment Plant      |
| Def Comp City Match                     | 451              | 150                      | 0                         | 150                               | 0                                  | 150                             | 0                                | 0                              | 0                               | 0                                  | 0                                  | 0                              | 0                               | 0              | As Treatment Plant      |
| Acting Pay                              | 224              | 75                       | 0                         | 75                                | 0                                  | 75                              | 0                                | 0                              | 0                               | 0                                  | 0                                  | 0                              | 0                               | 0              | As Treatment Plant      |
| Workers Comp/Liab Ins                   | 12,388           | 4,129                    | 0                         | 4,129                             | 0                                  | 4,129                           | 0                                | 0                              | 0                               | 0                                  | 0                                  | 0                              | 0                               | 0              | As Treatment Plant      |
| Retirement                              | 49,935           | 16,645                   | 0                         | 16,645                            | 0                                  | 16,645                          | 0                                | 0                              | 0                               | 0                                  | 0                                  | 0                              | 0                               | 0              | As Treatment Plant      |
| Health Pay-In Lieu                      | 2,956            | 985                      | 0                         | 985                               | 0                                  | 985                             | 0                                | 0                              | 0                               | 0                                  | 0                                  | 0                              | 0                               | 0              | As Treatment Plant      |
| Retirement Health Svgs Plan             | 719              | 240                      | 0                         | 240                               | 0                                  | 240                             | 0                                | 0                              | 0                               | 0                                  | 0                                  | 0                              | 0                               | 0              | As Treatment Plant      |
| Life/Vision/Dental/Retire               | 36,089           | 12,030                   | 0                         | 12,030                            | 0                                  | 12,030                          | 0                                | 0                              | 0                               | 0                                  | 0                                  | 0                              | 0                               | 0              | As Treatment Plant      |
| Health/Life/Vision Insurance            | 57,282           | 19,094                   | 0                         | 19,094                            | 0                                  | 19,094                          | 0                                | 0                              | 0                               | 0                                  | 0                                  | 0                              | 0                               | 0              | As Treatment Plant      |
| Unemployment Insurance                  | 1,658            | 553                      | 0                         | 553                               | 0                                  | 553                             | 0                                | 0                              | 0                               | 0                                  | 0                                  | 0                              | 0                               | 0              | As Treatment Plant      |
| Medicare Insurance                      | 2,777            | 926                      | 0                         | 926                               | 0                                  | 926                             | 0                                | 0                              | 0                               | 0                                  | 0                                  | 0                              | 0                               | 0              | As Treatment Plant      |
| Personnel Offset                        | 0                | 0                        | 0                         | 0                                 | 0                                  | 0                               | 0                                | 0                              | 0                               | 0                                  | 0                                  | 0                              | 0                               | 0              | As Treatment Plant      |
| Office Supplies                         | 832              | 277                      | 0                         | 277                               | 0                                  | 277                             | 0                                | 0                              | 0                               | 0                                  | 0                                  | 0                              | 0                               | 0              | As Treatment Plant      |
| Postage                                 | 2,184            | 0                        | 0                         | 0                                 | 0                                  | 0                               | 0                                | 2,184                          | 0                               | 0                                  | 0                                  | 0                              | 0                               | 0              | 100% AC                 |
| Printing                                | 0                | 0                        | 0                         | 0                                 | 0                                  | 0                               | 0                                | 0                              | 0                               | 0                                  | 0                                  | 0                              | 0                               | 0              | As Treatment Plant      |
| Department Specific Supplies            | 50,028           | 50,028                   | 0                         | 0                                 | 0                                  | 0                               | 0                                | 0                              | 0                               | 0                                  | 0                                  | 0                              | 0                               | 0              | 100% VOL                |
| Personal Protective Equipment           | 2,080            | 693                      | 0                         | 693                               | 0                                  | 693                             | 0                                | 0                              | 0                               | 0                                  | 0                                  | 0                              | 0                               | 0              | As Treatment Plant      |
| Laundry                                 | 258              | 86                       | 0                         | 86                                | 0                                  | 86                              | 0                                | 0                              | 0                               | 0                                  | 0                                  | 0                              | 0                               | 0              | As Treatment Plant      |
| Advertising                             | 0                | 0                        | 0                         | 0                                 | 0                                  | 0                               | 0                                | 0                              | 0                               | 0                                  | 0                                  | 0                              | 0                               | 0              | As Treatment Plant      |
| Telephone                               | 1,834            | 611                      | 0                         | 611                               | 0                                  | 611                             | 0                                | 0                              | 0                               | 0                                  | 0                                  | 0                              | 0                               | 0              | As Treatment Plant      |
| Cell Phones                             | 1,323            | 441                      | 0                         | 441                               | 0                                  | 441                             | 0                                | 0                              | 0                               | 0                                  | 0                                  | 0                              | 0                               | 0              | As Treatment Plant      |
| Contract Services                       | 86,517           | 28,839                   | 0                         | 28,839                            | 0                                  | 28,839                          | 0                                | 0                              | 0                               | 0                                  | 0                                  | 0                              | 0                               | 0              | As Treatment Plant      |
| Memberships & Dues                      | 728              | 243                      | 0                         | 243                               | 0                                  | 243                             | 0                                | 0                              | 0                               | 0                                  | 0                                  | 0                              | 0                               | 0              | As Treatment Plant      |
| Mandatory Training                      | 1,872            | 624                      | 0                         | 624                               | 0                                  | 624                             | 0                                | 0                              | 0                               | 0                                  | 0                                  | 0                              | 0                               | 0              | As Treatment Plant      |
| Education Incentive Reimbursement       | 650              | 217                      | 0                         | 217                               | 0                                  | 217                             | 0                                | 0                              | 0                               | 0                                  | 0                                  | 0                              | 0                               | 0              | As Treatment Plant      |
| Technology Services Chargeback          | 13,856           | 4,619                    | 0                         | 4,619                             | 0                                  | 4,619                           | 0                                | 0                              | 0                               | 0                                  | 0                                  | 0                              | 0                               | 0              | As Treatment Plant      |
| Fixed Fleet Cost                        | 2,979            | 993                      | 0                         | 993                               | 0                                  | 993                             | 0                                | 0                              | 0                               | 0                                  | 0                                  | 0                              | 0                               | 0              | As Treatment Plant      |
| Variable Fleet Cost                     | 7,691            | 2,564                    | 0                         | 2,564                             | 0                                  | 2,564                           | 0                                | 0                              | 0                               | 0                                  | 0                                  | 0                              | 0                               | 0              | As Treatment Plant      |
| Total Environment Operations Laboratory | \$541,533        | \$213,135                | \$0                       | \$163,107                         | \$0                                | \$163,107                       | \$0                              | \$2,184                        | \$0                             | \$0                                | \$0                                | \$0                            | \$0                             | \$0            |                         |

|                                           | Total<br>FY 2014 | 0                   |                      | Strength Related                  |                                    |                                 |                                  | Weighted for:                  |                                 |                                    |                                    | Revenue<br>Related<br>(W - RR) | Revenue<br>Related<br>(WO - RR) | Direct<br>(DA) | Basis of Classification   |
|-------------------------------------------|------------------|---------------------|----------------------|-----------------------------------|------------------------------------|---------------------------------|----------------------------------|--------------------------------|---------------------------------|------------------------------------|------------------------------------|--------------------------------|---------------------------------|----------------|---------------------------|
|                                           |                  | Volume<br>(W - VOL) | Volume<br>(WO - VOL) | Bio-oxygen<br>Demand<br>(W - BOD) | Bio-oxygen<br>Demand<br>(WO - BOD) | Suspended<br>Solids<br>(W - SS) | Suspended<br>Solids<br>(WO - SS) | Actual<br>Customer<br>(W - AC) | Actual<br>Customer<br>(WO - AC) | Customer<br>Acct/Svcs<br>(W - WCA) | Customer<br>Acct/Svcs<br>(W - WCA) |                                |                                 |                |                           |
| Utilities Engineering                     |                  |                     |                      |                                   |                                    |                                 |                                  |                                |                                 |                                    |                                    |                                |                                 |                |                           |
| Salaries - Full Time                      | \$255,682        | \$126,013           | \$37,806             | \$45,918                          | \$0                                | \$45,946                        | \$0                              | \$0                            | \$0                             | \$0                                | \$0                                | \$0                            | \$0                             | \$0            | As Total Plant in Service |
| Hourly Wages - Temporary                  | 6,977            | 3,439               | 1,032                | 1,253                             | 0                                  | 1,254                           | 0                                | 0                              | 0                               | 0                                  | 0                                  | 0                              | 0                               | 0              | As Total Plant in Service |
| Vacation Buyout                           | 6,116            | 3,014               | 904                  | 1,098                             | 0                                  | 1,099                           | 0                                | 0                              | 0                               | 0                                  | 0                                  | 0                              | 0                               | 0              | As Total Plant in Service |
| Admin Buyout                              | 3,202            | 1,578               | 473                  | 575                               | 0                                  | 575                             | 0                                | 0                              | 0                               | 0                                  | 0                                  | 0                              | 0                               | 0              | As Total Plant in Service |
| Overtime-Permanent Full Time              | 210              | 103                 | 31                   | 38                                | 0                                  | 38                              | 0                                | 0                              | 0                               | 0                                  | 0                                  | 0                              | 0                               | 0              | As Total Plant in Service |
| Def Comp City Match                       | 1,785            | 880                 | 264                  | 321                               | 0                                  | 321                             | 0                                | 0                              | 0                               | 0                                  | 0                                  | 0                              | 0                               | 0              | As Total Plant in Service |
| Acting Pay                                | 53               | 26                  | 8                    | 9                                 | 0                                  | 9                               | 0                                | 0                              | 0                               | 0                                  | 0                                  | 0                              | 0                               | 0              | As Total Plant in Service |
| Standby Pay                               | 0                | 0                   | 0                    | 0                                 | 0                                  | 0                               | 0                                | 0                              | 0                               | 0                                  | 0                                  | 0                              | 0                               | 0              | As Total Plant in Service |
| Workers Comp/Liab Ins                     | 9,768            | 4,814               | 1,444                | 1,754                             | 0                                  | 1,755                           | 0                                | 0                              | 0                               | 0                                  | 0                                  | 0                              | 0                               | 0              | As Total Plant in Service |
| Retirement                                | 56,179           | 27,688              | 8,307                | 10,089                            | 0                                  | 10,095                          | 0                                | 0                              | 0                               | 0                                  | 0                                  | 0                              | 0                               | 0              | As Total Plant in Service |
| Alt Transportation Pay                    | 23               | 11                  | 3                    | 4                                 | 0                                  | 4                               | 0                                | 0                              | 0                               | 0                                  | 0                                  | 0                              | 0                               | 0              | As Total Plant in Service |
| Health Pay-In Lieu                        | 15,224           | 7,503               | 2,251                | 2,734                             | 0                                  | 2,736                           | 0                                | 0                              | 0                               | 0                                  | 0                                  | 0                              | 0                               | 0              | As Total Plant in Service |
| Retirement Health Svgs Plan               | 150              | 74                  | 22                   | 27                                | 0                                  | 27                              | 0                                | 0                              | 0                               | 0                                  | 0                                  | 0                              | 0                               | 0              | As Total Plant in Service |
| Life/Vision/Dental/Retire                 | 36,570           | 18,023              | 5,407                | 6,568                             | 0                                  | 6,571                           | 0                                | 0                              | 0                               | 0                                  | 0                                  | 0                              | 0                               | 0              | As Total Plant in Service |
| Health/Life/Vision Insurance              | 18,935           | 9,332               | 2,800                | 3,401                             | 0                                  | 3,403                           | 0                                | 0                              | 0                               | 0                                  | 0                                  | 0                              | 0                               | 0              | As Total Plant in Service |
| Unemployment Insurance                    | 1,307            | 644                 | 193                  | 235                               | 0                                  | 235                             | 0                                | 0                              | 0                               | 0                                  | 0                                  | 0                              | 0                               | 0              | As Total Plant in Service |
| Medicare Insurance                        | 3,966            | 1,955               | 586                  | 712                               | 0                                  | 713                             | 0                                | 0                              | 0                               | 0                                  | 0                                  | 0                              | 0                               | 0              | As Total Plant in Service |
| Personnel Offset                          | 0                | 0                   | 0                    | 0                                 | 0                                  | 0                               | 0                                | 0                              | 0                               | 0                                  | 0                                  | 0                              | 0                               | 0              | As Total Plant in Service |
| Office Supplies                           | 1,820            | 897                 | 269                  | 327                               | 0                                  | 327                             | 0                                | 0                              | 0                               | 0                                  | 0                                  | 0                              | 0                               | 0              | As Total Plant in Service |
| Postage                                   | 130              | 0                   | 0                    | 0                                 | 0                                  | 0                               | 130                              | 0                              | 0                               | 0                                  | 0                                  | 0                              | 0                               | 0              | 100% AC                   |
| Publications & Periodicals                | 464              | 228                 | 69                   | 83                                | 0                                  | 83                              | 0                                | 0                              | 0                               | 0                                  | 0                                  | 0                              | 0                               | 0              | As Total Plant in Service |
| Printing                                  | 2,086            | 1,028               | 308                  | 375                               | 0                                  | 375                             | 0                                | 0                              | 0                               | 0                                  | 0                                  | 0                              | 0                               | 0              | As Total Plant in Service |
| Copy Machine Costs                        | 1,632            | 804                 | 241                  | 293                               | 0                                  | 293                             | 0                                | 0                              | 0                               | 0                                  | 0                                  | 0                              | 0                               | 0              | As Total Plant in Service |
| Department Specific Supplies              | 14,658           | 7,224               | 2,167                | 2,632                             | 0                                  | 2,634                           | 0                                | 0                              | 0                               | 0                                  | 0                                  | 0                              | 0                               | 0              | As Total Plant in Service |
| Personal Protective Equipment             | 182              | 90                  | 27                   | 33                                | 0                                  | 33                              | 0                                | 0                              | 0                               | 0                                  | 0                                  | 0                              | 0                               | 0              | As Total Plant in Service |
| Advertising                               | 206              | 102                 | 30                   | 37                                | 0                                  | 37                              | 0                                | 0                              | 0                               | 0                                  | 0                                  | 0                              | 0                               | 0              | As Total Plant in Service |
| Telephone                                 | 1,206            | 595                 | 178                  | 217                               | 0                                  | 217                             | 0                                | 0                              | 0                               | 0                                  | 0                                  | 0                              | 0                               | 0              | As Total Plant in Service |
| Cell Phones                               | 2,405            | 1,185               | 356                  | 432                               | 0                                  | 432                             | 0                                | 0                              | 0                               | 0                                  | 0                                  | 0                              | 0                               | 0              | As Total Plant in Service |
| Maintenance - Equipment                   | 306              | 151                 | 45                   | 55                                | 0                                  | 55                              | 0                                | 0                              | 0                               | 0                                  | 0                                  | 0                              | 0                               | 0              | As Total Plant in Service |
| Contract Services                         | 86,264           | 42,515              | 12,755               | 15,492                            | 0                                  | 15,502                          | 0                                | 0                              | 0                               | 0                                  | 0                                  | 0                              | 0                               | 0              | As Total Plant in Service |
| Memberships & Dues                        | 2,079            | 1,024               | 307                  | 373                               | 0                                  | 374                             | 0                                | 0                              | 0                               | 0                                  | 0                                  | 0                              | 0                               | 0              | As Total Plant in Service |
| Conferences, Meetings, & Other Training   | 2,600            | 1,281               | 384                  | 467                               | 0                                  | 467                             | 0                                | 0                              | 0                               | 0                                  | 0                                  | 0                              | 0                               | 0              | As Total Plant in Service |
| Education Incentive Reimbursement         | 3,900            | 1,922               | 577                  | 700                               | 0                                  | 701                             | 0                                | 0                              | 0                               | 0                                  | 0                                  | 0                              | 0                               | 0              | As Total Plant in Service |
| "Conferences, Meetings, & Other Training" | 2,080            | 1,025               | 308                  | 374                               | 0                                  | 374                             | 0                                | 0                              | 0                               | 0                                  | 0                                  | 0                              | 0                               | 0              | As Total Plant in Service |
| Technology Services Chargeback            | 13,856           | 6,829               | 2,049                | 2,488                             | 0                                  | 2,490                           | 0                                | 0                              | 0                               | 0                                  | 0                                  | 0                              | 0                               | 0              | As Total Plant in Service |
| Fixed Fleet Cost                          | 2,943            | 1,450               | 435                  | 528                               | 0                                  | 529                             | 0                                | 0                              | 0                               | 0                                  | 0                                  | 0                              | 0                               | 0              | As Total Plant in Service |
| Variable Fleet Cost                       | 3,909            | 1,926               | 578                  | 702                               | 0                                  | 702                             | 0                                | 0                              | 0                               | 0                                  | 0                                  | 0                              | 0                               | 0              | As Total Plant in Service |
| Total Utilities Engineering               | \$558,872        | \$275,375           | \$82,617             | \$100,345                         | \$0                                | \$100,405                       | \$0                              | \$130                          | \$0                             | \$0                                | \$0                                | \$0                            | \$0                             | \$0            |                           |
| Additions                                 |                  |                     |                      |                                   |                                    |                                 |                                  |                                |                                 |                                    |                                    |                                |                                 |                |                           |
| New Staff Carryover                       | \$0              | \$0                 | \$0                  | \$0                               | \$0                                | \$0                             | \$0                              | \$0                            | \$0                             | \$0                                | \$0                                | \$0                            | \$0                             | \$0            | As O&M Above              |
| New Staff Req                             | 0                | 0                   | 0                    | 0                                 | 0                                  | 0                               | 0                                | 0                              | 0                               | 0                                  | 0                                  | 0                              | 0                               | 0              | As O&M Above              |
| Staff Equipment                           | 0                | 0                   | 0                    | 0                                 | 0                                  | 0                               | 0                                | 0                              | 0                               | 0                                  | 0                                  | 0                              | 0                               | 0              | As O&M Above              |
| Equipment                                 | 0                | 0                   | 0                    | 0                                 | 0                                  | 0                               | 0                                | 0                              | 0                               | 0                                  | 0                                  | 0                              | 0                               | 0              | As O&M Above              |
| Other                                     | 0                | 0                   | 0                    | 0                                 | 0                                  | 0                               | 0                                | 0                              | 0                               | 0                                  | 0                                  | 0                              | 0                               | 0              | As O&M Above              |
| Total Additions                           | \$0              | \$0                 | \$0                  | \$0                               | \$0                                | \$0                             | \$0                              | \$0                            | \$0                             | \$0                                | \$0                                | \$0                            | \$0                             | \$0            |                           |
| Total Operating & Maintenance Expense     | \$7,426,105      | \$3,073,609         | \$2,203,471          | \$889,330                         | \$0                                | \$889,759                       | \$0                              | \$53,506                       | \$0                             | \$316,431                          | \$0                                | \$0                            | \$0                             | \$0            |                           |

|                                            | Total<br>FY 2014    | 0<br>Volume<br>(W - VOL) | 0<br>Volume<br>(WO - VOL) | Strength Related                  |                                    |                                 |                                  | Weighted for:                  |                                 |                                    |                                    | Revenue<br>Related<br>(W - RR) | Revenue<br>Related<br>(WO - RR) | Direct<br>(DA) | Basis of Classification |
|--------------------------------------------|---------------------|--------------------------|---------------------------|-----------------------------------|------------------------------------|---------------------------------|----------------------------------|--------------------------------|---------------------------------|------------------------------------|------------------------------------|--------------------------------|---------------------------------|----------------|-------------------------|
|                                            |                     |                          |                           | Bio-oxygen<br>Demand<br>(W - BOD) | Bio-oxygen<br>Demand<br>(WO - BOD) | Suspended<br>Solids<br>(W - SS) | Suspended<br>Solids<br>(WO - SS) | Actual<br>Customer<br>(W - AC) | Actual<br>Customer<br>(WO - AC) | Customer<br>Acct/Svcs<br>(W - WCA) | Customer<br>Acct/Svcs<br>(W - WCA) |                                |                                 |                |                         |
| <b>Net Capital Funded Through Rates</b>    | \$400,000           | \$197,139                | \$59,145                  | \$71,837                          | \$0                                | \$71,879                        | \$0                              | \$0                            | \$0                             | \$0                                | \$0                                | \$0                            | \$0                             | \$0            | As Plant Before General |
| Debt Service                               |                     |                          |                           |                                   |                                    |                                 |                                  |                                |                                 |                                    |                                    |                                |                                 |                |                         |
| 2002 LRB (Funded by 220)                   | \$405,160           | \$199,682                | \$59,908                  | \$72,763                          | \$0                                | \$72,806                        | \$0                              | \$0                            | \$0                             | \$0                                | \$0                                | \$0                            | \$0                             | \$0            | As Plant Before General |
| 2002 LRB (Funded by 585)                   | 1,206,435           | 594,590                  | 178,386                   | 216,666                           | 0                                  | 216,794                         | 0                                | 0                              | 0                               | 0                                  | 0                                  | 0                              | 0                               | 0              | As Plant Before General |
| 2005 WW (Funded by 220)                    | 670,629             | 330,518                  | 99,161                    | 120,439                           | 0                                  | 120,511                         | 0                                | 0                              | 0                               | 0                                  | 0                                  | 0                              | 0                               | 0              | As Plant Before General |
| 2005 WW (Funded by 585)                    | 501,799             | 247,311                  | 74,197                    | 90,119                            | 0                                  | 90,172                          | 0                                | 0                              | 0                               | 0                                  | 0                                  | 0                              | 0                               | 0              | As Plant Before General |
| 2009 WW                                    | 931,075             | 458,879                  | 137,671                   | 167,213                           | 0                                  | 167,312                         | 0                                | 0                              | 0                               | 0                                  | 0                                  | 0                              | 0                               | 0              | As Plant Before General |
| New Low Interest Loan                      | 0                   | 0                        | 0                         | 0                                 | 0                                  | 0                               | 0                                | 0                              | 0                               | 0                                  | 0                                  | 0                              | 0                               | 0              | As Plant Before General |
| New Revenue Bond                           | 0                   | 0                        | 0                         | 0                                 | 0                                  | 0                               | 0                                | 0                              | 0                               | 0                                  | 0                                  | 0                              | 0                               | 0              | As Plant Before General |
| <b>Total Debt Service</b>                  | \$3,715,098         | \$1,830,980              | \$549,322                 | \$667,200                         | \$0                                | \$667,595                       | \$0                              | \$0                            | \$0                             | \$0                                | \$0                                | \$0                            | \$0                             | \$0            |                         |
| Less: Development Fees                     | \$187,503           | \$92,410.70              | \$27,724.63               | \$33,674.02                       | \$0                                | \$33,693.95                     | \$0                              | \$0                            | \$0                             | \$0                                | \$0                                | \$0                            | \$0                             | \$0            | As Debt Service         |
| Less: Reserve Funding                      | \$85,000            | 41,892                   | 12,568                    | 15,265                            | 0                                  | 15,274                          | 0                                | 0                              | 0                               | 0                                  | 0                                  | 0                              | 0                               | 0              | As Debt Service         |
| <b>Net Debt</b>                            | <b>\$3,442,594</b>  | <b>\$1,696,677</b>       | <b>\$509,029</b>          | <b>\$618,261</b>                  | <b>\$0</b>                         | <b>\$618,627</b>                | <b>\$0</b>                       | <b>\$0</b>                     | <b>\$0</b>                      | <b>\$0</b>                         | <b>\$0</b>                         | <b>\$0</b>                     | <b>\$0</b>                      | <b>\$0</b>     |                         |
| <b>Change in Working Capital +/-</b>       | \$3,879             | \$1,912                  | \$574                     | \$697                             | \$0                                | \$697                           | \$0                              | \$0                            | \$0                             | \$0                                | \$0                                | \$0                            | \$0                             | \$0            | As Plant Before Beneral |
| <b>TOTAL REVENUE REQUIREMENTS</b>          | <b>\$11,272,578</b> | <b>\$4,969,337</b>       | <b>\$2,772,219</b>        | <b>\$1,580,124</b>                | <b>\$0</b>                         | <b>\$1,580,963</b>              | <b>\$0</b>                       | <b>\$53,506</b>                | <b>\$0</b>                      | <b>\$316,431</b>                   | <b>\$0</b>                         | <b>\$0</b>                     | <b>\$0</b>                      | <b>\$0</b>     |                         |
| <b>Less: Miscellaneous Revenue</b>         |                     |                          |                           |                                   |                                    |                                 |                                  |                                |                                 |                                    |                                    |                                |                                 |                |                         |
| PCP Land Lease                             | \$125,000           | \$55,104                 | \$30,741                  | \$17,522                          | \$0                                | \$17,531                        | \$0                              | \$593                          | \$0                             | \$3,509                            | \$0                                | \$0                            | \$0                             | \$0            | As Total Rev. Req.      |
| Interest Income                            | 9,566               | 4,217                    | 2,353                     | 1,341                             | 0                                  | 1,342                           | 0                                | 45                             | 0                               | 269                                | 0                                  | 0                              | 0                               | 0              | As Total Rev.Req.       |
| Total Miscellaneous Revenues               | \$134,566           | \$59,321                 | \$33,093                  | \$18,863                          | \$0                                | \$18,873                        | \$0                              | \$639                          | \$0                             | \$3,777                            | \$0                                | \$0                            | \$0                             | \$0            |                         |
| <b>NET REVENUE REQUIREMENTS FROM RATES</b> | <b>\$11,138,012</b> | <b>\$4,910,015</b>       | <b>\$2,739,126</b>        | <b>\$1,561,261</b>                | <b>\$0</b>                         | <b>\$1,562,090</b>              | <b>\$0</b>                       | <b>\$52,867</b>                | <b>\$0</b>                      | <b>\$312,653</b>                   | <b>\$0</b>                         | <b>\$0</b>                     | <b>\$0</b>                      | <b>\$0</b>     |                         |

**City of Woodland**  
**Sewer Utility**  
**Exhibit 11**  
**Allocation of Revenue Requirements**

| Classification Components                  | Net Revenue Requirement | Residential        | Commercial         | Institutional    | Correctional Facility | Allocation Factor |
|--------------------------------------------|-------------------------|--------------------|--------------------|------------------|-----------------------|-------------------|
| Volume Related                             |                         |                    |                    |                  |                       |                   |
| Volume Related - With Corr. Facility       | \$4,910,015             | \$3,974,165        | \$703,297          | \$192,669        | \$39,886              | (W - VOL)         |
| Volume Related - Without Corr. Facility    | 2,739,126               | 2,235,204          | 395,558            | 108,363          | 0                     | (WO - VOL)        |
| Total Volume Related                       | \$7,649,141             | \$6,209,369        | \$1,098,855        | \$301,032        | \$39,886              |                   |
| Strength Related                           |                         |                    |                    |                  |                       |                   |
| Bio-oxygen Demand - With Corr. Facility    | \$1,561,261             | \$1,100,102        | \$392,054          | \$53,333         | \$15,773              | (W - BOD)         |
| Bio-oxygen Demand - Without Corr. Facility | 0                       | 0                  | 0                  | 0                | 0                     | (WO - BOD)        |
| Suspended Solids - With Corr. Facility     | 1,562,090               | 1,098,352          | 391,592            | 53,248           | 18,897                | (W - SS)          |
| Suspended Solids - Without Corr. Facility  | 0                       | 0                  | 0                  | 0                | 0                     | (WO - SS)         |
| Total Strength Related                     | \$3,123,351             | \$2,198,454        | \$783,646          | \$106,582        | \$34,670              |                   |
| Customer Related                           |                         |                    |                    |                  |                       |                   |
| Actual Customer - With Corr. Facility      | \$52,867                | \$50,927           | \$1,840            | \$97             | \$3                   | (W - AC)          |
| Actual Customer - Without Corr. Facility   | 0                       | 0                  | 0                  | 0                | 0                     | (WO - AC)         |
| Weighted Customer - With Corr. Facility    | 312,653                 | 296,279            | 15,534             | 819              | 22                    | (W - WCA)         |
| Weighted Customer - Without Corr. Facility | 0                       | 0                  | 0                  | 0                | 0                     | (WO - WCA)        |
| Total Customer Related                     | \$365,520               | \$347,207          | \$17,373           | \$916            | \$24                  |                   |
| Revenue Related                            |                         |                    |                    |                  |                       |                   |
| Revenue Related - With Corr. Facility      | \$0                     | \$0                | \$0                | \$0              | \$0                   | (W - RR)          |
| Revenue Related - Without Corr. Facility   | 0                       | 0                  | 0                  | 0                | 0                     | (WO - RR)         |
| Total Revenue Related                      | \$0                     | \$0                | \$0                | \$0              | \$0                   |                   |
| Direct Assignment                          | \$0                     | \$0                | \$0                | \$0              | \$0                   | (DA)              |
| <b>NET REVENUE REQUIREMENT</b>             | <b>\$11,138,012</b>     | <b>\$8,755,030</b> | <b>\$1,899,874</b> | <b>\$408,529</b> | <b>\$74,579</b>       |                   |

City of Woodland  
Sewer Utility  
Exhibit 12  
Summary of the Cost of Service Analysis

|                                   | FY 2014<br>Expenses | Residential | Commercial   | Institutional | Correctional<br>Facility |
|-----------------------------------|---------------------|-------------|--------------|---------------|--------------------------|
| Revenues at Present Rates         | \$10,458,227        | \$8,101,029 | \$1,962,641  | \$323,844     | \$70,714                 |
| Allocated Revenue Requirement     | \$11,138,012        | \$8,755,030 | \$1,899,874  | \$408,529     | \$74,579                 |
| Balance/(Deficiency) of Funds     | (\$679,785)         | (\$654,001) | \$62,767     | (\$84,685)    | (\$3,865)                |
| <b>Required % Change in Rates</b> | <b>6.5%</b>         | <b>8.1%</b> | <b>-3.2%</b> | <b>26.2%</b>  | <b>5.5%</b>              |
|                                   |                     | 1.6%        | -9.7%        | 19.7%         | -1.0%                    |

City of Woodland  
Sewer Utility  
Exhibit 13  
Average Unit Cost

|                                   | Total     | Residential | Commercial | Institutional | Correctional Facility |
|-----------------------------------|-----------|-------------|------------|---------------|-----------------------|
| Volume \$/CCF [1]                 | \$3.54    | \$3.55      | \$3.55     | \$3.55        | \$2.27                |
| Strength \$/CCF                   | \$1.44    | \$1.26      | \$2.53     | \$1.26        | \$1.97                |
| Revenue/Direct \$/CCF             | \$0.00    | \$0.00      | \$0.00     | \$0.00        | \$0.00                |
| Total \$/CCF                      | \$4.98    | \$4.80      | \$6.08     | \$4.80        | \$4.24                |
| Customer Costs - \$/account/month | \$2.10    | \$2.10      | \$2.01     | \$2.01        | \$2.01                |
| Average Total Cost \$/CCF         | \$5.15    | \$5.00      | \$6.13     | \$4.81        | \$4.25                |
| Average Current Revenue \$/CCF    | \$4.84    | \$4.63      | \$6.34     | \$3.82        | \$4.03                |
| Basic Data:                       |           |             |            |               |                       |
| Annual Sewer Flow (in CCF)        | 2,162,522 | 1,750,345   | 309,754    | 84,857        | 17,567                |
| Number of Accounts                | 14,512    | 13,752      | 721        | 38            | 1                     |

Notes: [1] Volume per CCF is based on water usage values.

|                                                   |               | Sep-11           | Oct-11           | Nov-11           | Dec-11           | Jan-12           | Feb-12           | Mar-12           | Apr-12           | May-12           | Jun-12           | Jul-12           | Aug-12           | Total              |
|---------------------------------------------------|---------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|--------------------|
| <b>RESIDENTIAL</b>                                |               |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                    |
| <b><u>Flat Monthly Fixed Charge</u></b>           |               |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                    |
| <b>Residential</b>                                | \$ / month    |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                    |
| Single Family                                     | \$37.00       | 12,247           | 6,719            | 12,245           | 12,261           | 12,272           | 12,261           | 12,273           | 12,273           | 12,310           | 12,323           | 12,338           | 12,359           | 11,823             |
| Condo                                             | 24.79         | 300              | 300              | 300              | 300              | 300              | 300              | 300              | 300              | 300              | 300              | 300              | 300              | 300                |
| <b>Multi-Family</b>                               | \$/unit/month |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                    |
| Apartment/Mobile Home                             | \$24.79       | 5,838            | 5,839            | 5,840            | 5,841            | 5,842            | 5,843            | 5,844            | 5,845            | 5,846            | 5,847            | 5,848            | 5,849            | 5,844              |
| 4-plex or less                                    | 24.79         | 74               | 74               | 74               | 74               | 74               | 74               | 74               | 74               | 74               | 74               | 74               | 74               | 74                 |
| Residential Attached                              | 24.79         | 1,424            | 1,424            | 1,424            | 1,424            | 1,424            | 1,424            | 1,424            | 1,424            | 1,424            | 1,424            | 1,424            | 1,424            | 1,424              |
| Residential Multi-Unit                            | 30.82         | 31               | 31               | 31               | 31               | 31               | 31               | 31               | 31               | 31               | 31               | 31               | 31               | 31                 |
|                                                   |               | 19,914           | 14,387           | 19,914           | 19,931           | 19,943           | 19,933           | 19,946           | 19,947           | 19,985           | 19,999           | 20,015           | 20,037           | 19,496             |
|                                                   |               | 10               |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                    |
| <b>Consumption Charge</b>                         | \$ / CCF      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                    |
| Single Family Residential                         | \$0.00        | 236,787          | 141,803          | 121,149          | 91,269           | 101,178          | 86,010           | 94,269           | 117,313          | 249,869          | 331,828          | 332,636          | 343,743          | 2,247,853          |
| Condo                                             | 0.00          | 239              | 223              | 241              | 282              | 291              | 250              | 231              | 248              | 253              | 243              | 226              | 238              | 2,966              |
| Multi-Family (apartments, duplexes, mobile homes) | 0.00          | 51,107           | 41,369           | 52,534           | 40,267           | 41,621           | 39,020           | 36,955           | 42,954           | 54,175           | 66,729           | 67,789           | 72,547           | 607,066            |
|                                                   |               | 288,133          | 183,395          | 173,923          | 131,818          | 143,090          | 125,280          | 131,455          | 160,515          | 304,296          | 398,800          | 400,651          | 416,528          | 2,857,885          |
| <b>TOTAL RESIDENTIAL RATE REVENUE</b>             |               | <b>\$643,391</b> | <b>\$438,880</b> | <b>\$643,366</b> | <b>\$643,983</b> | <b>\$644,415</b> | <b>\$644,033</b> | <b>\$644,502</b> | <b>\$644,526</b> | <b>\$645,920</b> | <b>\$646,426</b> | <b>\$647,006</b> | <b>\$647,808</b> | <b>\$7,534,255</b> |



|                                           |                   | Sep-11           | Oct-11           | Nov-11           | Dec-11           | Jan-12           | Feb-12           | Mar-12           | Apr-12           | May-12           | Jun-12           | Jul-12           | Aug-12             | Total   |
|-------------------------------------------|-------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|--------------------|---------|
| <b>NON-RESIDENTIAL</b>                    |                   |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                    |         |
| <b>Monthly Fixed Charge</b>               | <b>\$ / month</b> |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                    |         |
| <i>Flat Rate Customers</i>                |                   |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                    |         |
| Commercial - Flat Rate                    | \$24.79           | 41               | 40               | 38               | 38               | 39               | 39               | 39               | 38               | 38               | 36               | 36               | 32                 | 38      |
| Other Commercial - Flat Rate              | 33.26             | 5                | 5                | 5                | 5                | 5                | 5                | 5                | 5                | 5                | 5                | 5                | 5                  | 5       |
| <i>Metered Customers</i>                  |                   |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                    |         |
| Commercial                                | \$24.79           | 614              | 613              | 613              | 615              | 616              | 617              | 618              | 619              | 619              | 622              | 625              | 628                | 618     |
| Hospital                                  | 24.79             | 1                | 1                | 1                | 1                | 1                | 1                | 1                | 1                | 1                | 1                | 1                | 1                  | 1       |
| Hotel/Motel                               | 24.79             | 17               | 17               | 17               | 17               | 17               | 17               | 17               | 17               | 17               | 17               | 17               | 17                 | 17      |
| Industrial                                | 24.79             | 24               | 24               | 24               | 24               | 24               | 24               | 24               | 24               | 24               | 24               | 24               | 24                 | 24      |
| Restaurant                                | 24.79             | 64               | 62               | 63               | 62               | 61               | 61               | 61               | 60               | 62               | 62               | 61               | 63                 | 62      |
| Special Rate                              | 24.79             | 4                | 4                | 4                | 4                | 4                | 4                | 4                | 4                | 4                | 4                | 4                | 4                  | 4       |
| Schools - ADA (38 accounts)               | 2.29              | 11,613           | 11,613           | 11,613           | 11,613           | 11,613           | 11,613           | 11,613           | 11,613           | 11,613           | 11,613           | 11,613           | 11,613             | 11,613  |
| Correctional Facility                     | 5,857.69          | 1                | 1                | 1                | 1                | 1                | 1                | 1                | 1                | 1                | 1                | 1                | 1                  | 1       |
|                                           |                   | -----            | -----            | -----            | -----            | -----            | -----            | -----            | -----            | -----            | -----            | -----            | -----              | -----   |
|                                           |                   | 12,384           | 12,380           | 12,379           | 12,380           | 12,381           | 12,382           | 12,383           | 12,382           | 12,384           | 12,385           | 12,387           | 12,388             | 12,383  |
| <b>Consumption Charge</b>                 | <b>\$ / CCF</b>   |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                    |         |
| <i>Flat Rate Customers</i>                |                   |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                    |         |
| Commercial - Flat Rate                    | \$0.00            | 0                | 0                | 0                | 0                | 0                | 0                | 0                | 0                | 0                | 0                | 0                | 0                  | 0       |
| Other Commercial - Flat Rate              | 0.00              | 0                | 0                | 0                | 0                | 0                | 0                | 0                | 0                | 0                | 0                | 0                | 0                  | 0       |
| <i>Metered Customers</i>                  |                   |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                    |         |
| Commercial                                | \$3.72            | 26,845           | 28,293           | 26,004           | 23,497           | 20,736           | 21,204           | 20,410           | 19,851           | 20,811           | 24,602           | 28,658           | 28,181             | 289,092 |
| Hospital                                  | 4.23              | 71               | 73               | 76               | 76               | 76               | 77               | 82               | 87               | 88               | 72               | 75               | 70                 | 920     |
| Hotel/Motel                               | 4.93              | 2,485            | 2,570            | 2,455            | 2,272            | 1,796            | 1,783            | 1,787            | 1,737            | 1,936            | 1,980            | 2,186            | 2,488              | 25,475  |
| Industrial                                | 3.72              | 22,875           | 16,394           | 15,565           | 19,854           | 19,148           | 17,815           | 17,891           | 18,976           | 10,011           | 20,045           | 20,997           | 21,539             | 221,110 |
| Restaurant                                | 9.34              | 3,952            | 3,765            | 3,235            | 3,116            | 2,782            | 2,844            | 3,066            | 2,731            | 3,634            | 3,570            | 3,432            | 3,334              | 39,460  |
| Special Rate                              | 2.88              | 1,716            | 1,720            | 1,464            | 1,450            | 1,177            | 537              | 476              | 617              | 1,557            | 1,777            | 1,722            | 1,599              | 15,812  |
| Institutional                             | 0.00              | 23,498           | 14,684           | 10,452           | 7,212            | 7,940            | 6,724            | 8,318            | 6,961            | 16,535           | 26,567           | 28,251           | 26,834             | 183,975 |
| Correctional Facility                     | 0.00              | 0                | 0                | 0                | 0                | 0                | 0                | 0                | 0                | 0                | 0                | 0                | 0                  | 0       |
|                                           |                   | -----            | -----            | -----            | -----            | -----            | -----            | -----            | -----            | -----            | -----            | -----            | -----              | -----   |
|                                           |                   | 81,442           | 67,500           | 59,251           | 57,476           | 53,655           | 50,983           | 52,028           | 50,960           | 54,571           | 78,614           | 85,321           | 84,043             | 775,844 |
| <b>TOTAL NON-RESIDENTIAL RATE REVENUE</b> | <b>\$290,944</b>  | <b>\$270,820</b> | <b>\$252,952</b> | <b>\$257,542</b> | <b>\$238,426</b> | <b>\$233,906</b> | <b>\$233,194</b> | <b>\$232,185</b> | <b>\$214,576</b> | <b>\$266,227</b> | <b>\$284,477</b> | <b>\$284,941</b> | <b>\$3,060,190</b> |         |

|                                      | Sep-11    | Oct-11    | Nov-11    | Dec-11    | Jan-12    | Feb-12    | Mar-12    | Apr-12    | May-12    | Jun-12    | Jul-12    | Aug-12                           | Total                  |
|--------------------------------------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|----------------------------------|------------------------|
| Summary of Revenues at Present Rates |           |           |           |           |           |           |           |           |           |           |           |                                  |                        |
| Total number of Customers            |           |           |           |           |           |           |           |           |           |           |           |                                  |                        |
| Residential                          |           |           |           |           |           |           |           |           |           |           |           |                                  |                        |
| Single Family                        | 12,547    | 7,019     | 12,545    | 12,561    | 12,572    | 12,561    | 12,573    | 12,573    | 12,610    | 12,623    | 12,638    | 12,659                           | 12,123                 |
| Condo                                | 300       | 300       | 300       | 300       | 300       | 300       | 300       | 300       | 300       | 300       | 300       | 300                              | 300                    |
| Apartment/Mobile Home                | 7,367     | 7,368     | 7,369     | 7,370     | 7,371     | 7,372     | 7,373     | 7,374     | 7,375     | 7,376     | 7,377     | 7,378                            | 7,373                  |
| Non-Residential                      |           |           |           |           |           |           |           |           |           |           |           |                                  |                        |
| Commercial                           | 660       | 658       | 656       | 658       | 660       | 661       | 662       | 662       | 662       | 663       | 666       | 665                              | 661                    |
| Hospital                             | 1         | 1         | 1         | 1         | 1         | 1         | 1         | 1         | 1         | 1         | 1         | 1                                | 1                      |
| Hotel/Motel                          | 17        | 17        | 17        | 17        | 17        | 17        | 17        | 17        | 17        | 17        | 17        | 17                               | 17                     |
| Industrial                           | 24        | 24        | 24        | 24        | 24        | 24        | 24        | 24        | 24        | 24        | 24        | 24                               | 24                     |
| Restaurant                           | 64        | 62        | 63        | 62        | 61        | 61        | 61        | 60        | 62        | 62        | 61        | 63                               | 62                     |
| Special Rate                         | 4         | 4         | 4         | 4         | 4         | 4         | 4         | 4         | 4         | 4         | 4         | 4                                | 4                      |
| Institutional                        | 11,613    | 11,613    | 11,613    | 11,613    | 11,613    | 11,613    | 11,613    | 11,613    | 11,613    | 11,613    | 11,613    | 11,613                           | 11,613                 |
| Correctional Facility                | 1         | 1         | 1         | 1         | 1         | 1         | 1         | 1         | 1         | 1         | 1         | 1                                | 1                      |
|                                      | 32,598    | 27,067    | 32,593    | 32,611    | 32,624    | 32,615    | 32,629    | 32,629    | 32,669    | 32,684    | 32,702    | 32,725                           | 32,179                 |
| Total Consumption                    |           |           |           |           |           |           |           |           |           |           |           |                                  |                        |
| Residential                          |           |           |           |           |           |           |           |           |           |           |           |                                  |                        |
| Single Family                        | 236,787   | 141,803   | 121,149   | 91,269    | 101,178   | 86,010    | 94,269    | 117,313   | 249,869   | 331,828   | 332,636   | 343,743                          | 2,247,853              |
| Condo                                | 239       | 223       | 241       | 282       | 291       | 250       | 231       | 248       | 253       | 243       | 226       | 238                              | 2,966                  |
| Apartment/Mobile Home                | 51,107    | 41,369    | 52,534    | 40,267    | 41,621    | 39,020    | 36,955    | 42,954    | 54,175    | 66,729    | 67,789    | 72,547                           | 607,066                |
| Non-Residential                      |           |           |           |           |           |           |           |           |           |           |           |                                  |                        |
| Commercial                           | 26,845    | 28,293    | 26,004    | 23,497    | 20,736    | 21,204    | 20,410    | 19,851    | 20,811    | 24,602    | 28,658    | 28,181                           | 289,092                |
| Hospital                             | 71        | 73        | 76        | 76        | 76        | 77        | 82        | 87        | 88        | 72        | 75        | 70                               | 920                    |
| Hotel/Motel                          | 2,485     | 2,570     | 2,455     | 2,272     | 1,796     | 1,783     | 1,787     | 1,737     | 1,936     | 1,980     | 2,186     | 2,488                            | 25,475                 |
| Industrial                           | 22,875    | 16,394    | 15,565    | 19,854    | 19,148    | 17,815    | 17,891    | 18,976    | 10,011    | 20,045    | 20,997    | 21,539                           | 221,110                |
| Restaurant                           | 3,952     | 3,765     | 3,235     | 3,116     | 2,782     | 2,844     | 3,066     | 2,731     | 3,634     | 3,570     | 3,432     | 3,334                            | 39,460                 |
| Special Rate                         | 1,716     | 1,720     | 1,464     | 1,450     | 1,177     | 537       | 476       | 617       | 1,557     | 1,777     | 1,722     | 1,599                            | 15,812                 |
| Institutional                        | 23,498    | 14,684    | 10,452    | 7,212     | 7,940     | 6,724     | 8,318     | 6,961     | 16,535    | 26,567    | 28,251    | 26,834                           | 183,975                |
| Correctional Facility                | 0         | 0         | 0         | 0         | 0         | 0         | 0         | 0         | 0         | 0         | 0         | 0                                | 0                      |
|                                      | 369,575   | 250,895   | 233,174   | 189,294   | 196,744   | 176,263   | 183,484   | 211,475   | 358,867   | 477,415   | 485,971   | 500,571                          | 3,633,729              |
| Total Revenue                        |           |           |           |           |           |           |           |           |           |           |           |                                  |                        |
| Residential                          |           |           |           |           |           |           |           |           |           |           |           |                                  |                        |
| Single Family                        | \$453,139 | \$248,603 | \$453,065 | \$453,657 | \$454,064 | \$453,657 | \$454,101 | \$454,101 | \$455,470 | \$455,951 | \$456,506 | \$457,283                        | \$5,249,597            |
| Condo                                | 7,437     | 7,437     | 7,437     | 7,437     | 7,437     | 7,437     | 7,437     | 7,437     | 7,437     | 7,437     | 7,437     | 7,437                            | 89,244                 |
| Apartment/Mobile Home                | 182,815   | 182,840   | 182,864   | 182,889   | 182,914   | 182,939   | 182,964   | 182,988   | 183,013   | 183,038   | 183,063   | 183,088                          | 2,195,414              |
| Non-Residential                      |           |           |           |           |           |           |           |           |           |           |           |                                  |                        |
| Commercial                           | 116,268   | 121,604   | 113,039   | 103,762   | 93,542    | 95,309    | 92,378    | 90,300    | 93,869    | 107,997   | 123,160   | 121,361                          | 1,272,589              |
| Hospital                             | 324       | 335       | 346       | 346       | 346       | 349       | 370       | 391       | 396       | 329       | 340       | 319                              | 4,191                  |
| Hotel/Motel                          | 12,674    | 13,094    | 12,523    | 11,621    | 9,274     | 9,214     | 9,229     | 8,987     | 9,964     | 10,184    | 11,199    | 12,686                           | 130,648                |
| Industrial                           | 85,690    | 61,580    | 58,497    | 74,451    | 71,827    | 66,867    | 67,149    | 71,185    | 37,836    | 75,163    | 78,705    | 80,718                           | 829,669                |
| Restaurant                           | 38,494    | 36,703    | 31,779    | 30,636    | 27,497    | 28,071    | 30,146    | 26,996    | 35,477    | 34,884    | 33,563    | 32,701                           | 386,948                |
| Special Rate                         | 5,042     | 5,053     | 4,316     | 4,274     | 3,488     | 1,645     | 1,469     | 1,875     | 4,584     | 5,218     | 5,059     | 4,704                            | 46,728                 |
| Institutional                        | 26,594    | 26,594    | 26,594    | 26,594    | 26,594    | 26,594    | 26,594    | 26,594    | 26,594    | 26,594    | 26,594    | 26,594                           | 319,125                |
| Correctional Facility                | 5,858     | 5,858     | 5,858     | 5,858     | 5,858     | 5,858     | 5,858     | 5,858     | 5,858     | 5,858     | 5,858     | 5,858                            | 70,292                 |
|                                      | \$934,334 | \$709,700 | \$896,318 | \$901,525 | \$882,841 | \$877,939 | \$877,696 | \$876,711 | \$860,497 | \$912,653 | \$931,483 | \$932,749                        | \$10,594,446           |
|                                      |           |           |           |           |           |           |           |           |           |           |           | FY 2013 Budget Target Difference | \$10,600,661 (\$6,215) |
|                                      |           |           |           |           |           |           |           |           |           |           |           | Percentage Off Target            | -0.1%                  |



## Technical Appendix B – Bill Comparisons

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**City of Woodland  
Sewer Utility  
Residential Customer Rates  
FY 2014 Rate Schedule - Option 1 - Status Quo**

| Customer                       | Consumption<br>per CCF | Present<br>Rates | Proposed Rates |            | Difference |         |
|--------------------------------|------------------------|------------------|----------------|------------|------------|---------|
|                                |                        |                  | Aug-13         | Jan-14     | Amount     | Percent |
|                                |                        |                  | Adjustment     | Adjustment |            |         |
| <b>Residential</b>             |                        |                  |                |            |            |         |
| Single Family                  | N/A                    | \$38.30          | \$38.30        | \$44.05    | \$5.75     | 15.01%  |
| Condo                          | N/A                    | \$24.99          | \$25.00        | \$28.75    | \$3.76     | 15.05%  |
| <b>Multi-Family (per unit)</b> |                        |                  |                |            |            |         |
| Apartment/Mobile Home          | N/A                    | \$24.99          | \$25.00        | \$28.75    | \$3.76     | 15.05%  |
| 4-plex or less                 | N/A                    | \$24.99          | \$25.00        | \$28.75    | \$3.76     | 15.05%  |
| Residential Attached           | N/A                    | \$31.07          | \$31.05        | \$35.70    | \$4.63     | 14.90%  |
| Residential Multi-Unit         | N/A                    | \$31.07          | \$31.05        | \$35.70    | \$4.63     | 14.90%  |

| PRESENT RATES                  |             | PROPOSED RATES FY 2014 |                                                |
|--------------------------------|-------------|------------------------|------------------------------------------------|
| <u>Meter Charges</u>           | (per month) | <u>Meter Charges</u>   | Aug-13<br>(per month)    Jan-14<br>(per month) |
| <b>Residential</b>             |             |                        |                                                |
| Single Family                  | \$38.30     | Single Family          | \$38.30    \$44.05                             |
| Condo                          | \$24.99     | Condo                  | \$25.00    \$28.75                             |
| <b>Multi-Family (per unit)</b> |             |                        |                                                |
| Apartment/Mobile Home          | \$24.99     | Apartment/Mobile Home  | \$25.00    \$28.75                             |
| 4-plex or less                 | \$24.99     | 4-plex or less         | \$25.00    \$28.75                             |
| Residential Attached           | \$31.07     | Residential Attached   | \$31.05    \$35.70                             |
| Residential Multi-Unit         | \$31.07     | Residential Multi-Unit | \$31.05    \$35.70                             |

**City of Woodland  
Sewer Utility  
Residential Customer Rates  
FY 2015 Rate Schedule - Option 1 - Status Quo**

| Customer                       | Consumption<br>per CCF | Present<br>Rates | Proposed<br>Rates | Difference |         |
|--------------------------------|------------------------|------------------|-------------------|------------|---------|
|                                |                        |                  |                   | Amount     | Percent |
| <b>Residential</b>             |                        |                  |                   |            |         |
| Single Family                  | N/A                    | \$44.05          | \$48.00           | \$3.95     | 8.97%   |
| Condo                          | N/A                    | \$28.75          | \$31.35           | \$2.60     | 9.04%   |
| <b>Multi-Family (per unit)</b> |                        |                  |                   |            |         |
| Apartment/Mobile Home          | N/A                    | \$28.75          | \$31.35           | \$2.60     | 9.04%   |
| 4-plex or less                 | N/A                    | \$28.75          | \$31.35           | \$2.60     | 9.04%   |
| Residential Attached           | N/A                    | \$35.70          | \$38.90           | \$3.20     | 8.96%   |
| Residential Multi-Unit         | N/A                    | \$35.70          | \$38.90           | \$3.20     | 8.96%   |

| PROPOSED JANUARY 2014 RATES    |             | PROPOSED JANUARY 2015 RATES    |             |
|--------------------------------|-------------|--------------------------------|-------------|
| <b><u>Meter Charges</u></b>    | (per month) | <b><u>Meter Charges</u></b>    | (per month) |
| <b>Residential</b>             |             | <b>Residential</b>             |             |
| Single Family                  | \$44.05     | Single Family                  | \$48.00     |
| Condo                          | \$28.75     | Condo                          | \$31.35     |
| <b>Multi-Family (per unit)</b> |             | <b>Multi-Family (per unit)</b> |             |
| Apartment/Mobile Home          | \$28.75     | Apartment/Mobile Home          | \$31.35     |
| 4-plex or less                 | \$28.75     | 4-plex or less                 | \$31.35     |
| Residential Attached           | \$35.70     | Residential Attached           | \$38.90     |
| Residential Multi-Unit         | \$35.70     | Residential Multi-Unit         | \$38.90     |

**City of Woodland  
Sewer Utility  
Residential Customer Rates  
FY 2016 Rate Schedule - Option 1 - Status Quo**

| Customer                              | Consumption<br>per CCF | Present<br>Rates | Proposed<br>Rates | Difference |         |
|---------------------------------------|------------------------|------------------|-------------------|------------|---------|
|                                       |                        |                  |                   | Amount     | Percent |
| <b><i>Residential</i></b>             |                        |                  |                   |            |         |
| Single Family                         | N/A                    | \$48.00          | \$52.30           | \$4.30     | 8.96%   |
| Condo                                 | N/A                    | \$31.35          | \$34.15           | \$2.80     | 8.93%   |
| <b><i>Multi-Family (per unit)</i></b> |                        |                  |                   |            |         |
| Apartment/Mobile Home                 | N/A                    | \$31.35          | \$34.15           | \$2.80     | 8.93%   |
| 4-plex or less                        | N/A                    | \$31.35          | \$34.15           | \$2.80     | 8.93%   |
| Residential Attached                  | N/A                    | \$38.90          | \$42.40           | \$3.50     | 9.00%   |
| Residential Multi-Unit                | N/A                    | \$38.90          | \$42.40           | \$3.50     | 9.00%   |

| PROPOSED JANUARY 2015 RATES           |             | PROPOSED JANUARY 2016 RATES           |             |
|---------------------------------------|-------------|---------------------------------------|-------------|
| <b><u>Meter Charges</u></b>           | (per month) | <b><u>Meter Charges</u></b>           | (per month) |
| <b><i>Residential</i></b>             |             | <b><i>Residential</i></b>             |             |
| Single Family                         | \$48.00     | Single Family                         | \$52.30     |
| Condo                                 | \$31.35     | Condo                                 | \$34.15     |
| <b><i>Multi-Family (per unit)</i></b> |             | <b><i>Multi-Family (per unit)</i></b> |             |
| Apartment/Mobile Home                 | \$31.35     | Apartment/Mobile Home                 | \$34.15     |
| 4-plex or less                        | \$31.35     | 4-plex or less                        | \$34.15     |
| Residential Attached                  | \$38.90     | Residential Attached                  | \$42.40     |
| Residential Multi-Unit                | \$38.90     | Residential Multi-Unit                | \$42.40     |

**City of Woodland  
Sewer Utility  
Residential Customer Rates  
FY 2017 Rate Schedule - Option 1 - Status Quo**

| Customer                              | Consumption<br>per CCF | Present<br>Rates | Proposed<br>Rates | Difference |         |
|---------------------------------------|------------------------|------------------|-------------------|------------|---------|
|                                       |                        |                  |                   | Amount     | Percent |
| <b><i>Residential</i></b>             |                        |                  |                   |            |         |
| Single Family                         | N/A                    | \$52.30          | \$57.00           | \$4.70     | 8.99%   |
| Condo                                 | N/A                    | \$34.15          | \$37.20           | \$3.05     | 8.93%   |
| <b><i>Multi-Family (per unit)</i></b> |                        |                  |                   |            |         |
| Apartment/Mobile Home                 | N/A                    | \$34.15          | \$37.20           | \$3.05     | 8.93%   |
| 4-plex or less                        | N/A                    | \$34.15          | \$37.20           | \$3.05     | 8.93%   |
| Residential Attached                  | N/A                    | \$42.40          | \$46.20           | \$3.80     | 8.96%   |
| Residential Multi-Unit                | N/A                    | \$42.40          | \$46.20           | \$3.80     | 8.96%   |

| PROPOSED JANUARY 2016 RATES           |             | PROPOSED JANUARY 2017 RATES           |             |
|---------------------------------------|-------------|---------------------------------------|-------------|
| <b><u>Meter Charges</u></b>           | (per month) | <b><u>Meter Charges</u></b>           | (per month) |
| <b><i>Residential</i></b>             |             | <b><i>Residential</i></b>             |             |
| Single Family                         | \$52.30     | Single Family                         | \$57.00     |
| Condo                                 | \$34.15     | Condo                                 | \$37.20     |
| <b><i>Multi-Family (per unit)</i></b> |             | <b><i>Multi-Family (per unit)</i></b> |             |
| Apartment/Mobile Home                 | \$34.15     | Apartment/Mobile Home                 | \$37.20     |
| 4-plex or less                        | \$34.15     | 4-plex or less                        | \$37.20     |
| Residential Attached                  | \$42.40     | Residential Attached                  | \$46.20     |
| Residential Multi-Unit                | \$42.40     | Residential Multi-Unit                | \$46.20     |

**City of Woodland  
Sewer Utility  
Residential Customer Rates  
FY 2018 Rate Schedule - Option 1 - Status Quo**

| Customer                       | Consumption<br>per CCF | Present<br>Rates | Proposed<br>Rates | Difference |         |
|--------------------------------|------------------------|------------------|-------------------|------------|---------|
|                                |                        |                  |                   | Amount     | Percent |
| <b>Residential</b>             |                        |                  |                   |            |         |
| Single Family                  | N/A                    | \$57.00          | \$62.15           | \$5.15     | 9.04%   |
| Condo                          | N/A                    | \$37.20          | \$40.55           | \$3.35     | 9.01%   |
| <b>Multi-Family (per unit)</b> |                        |                  |                   |            |         |
| Apartment/Mobile Home          | N/A                    | \$37.20          | \$40.55           | \$3.35     | 9.01%   |
| 4-plex or less                 | N/A                    | \$37.20          | \$40.55           | \$3.35     | 9.01%   |
| Residential Attached           | N/A                    | \$46.20          | \$50.35           | \$4.15     | 8.98%   |
| Residential Multi-Unit         | N/A                    | \$46.20          | \$50.35           | \$4.15     | 8.98%   |

| <b>PROPOSED JANUARY 2017 RATES</b> |             | <b>PROPOSED JANUARY 2018 RATES</b> |             |
|------------------------------------|-------------|------------------------------------|-------------|
| <b><u>Meter Charges</u></b>        | (per month) | <b><u>Meter Charges</u></b>        | (per month) |
| <b>Residential</b>                 |             | <b>Residential</b>                 |             |
| Single Family                      | \$57.00     | Single Family                      | \$62.15     |
| Condo                              | \$37.20     | Condo                              | \$40.55     |
| <b>Multi-Family (per unit)</b>     |             | <b>Multi-Family (per unit)</b>     |             |
| Apartment/Mobile Home              | \$37.20     | Apartment/Mobile Home              | \$40.55     |
| 4-plex or less                     | \$37.20     | 4-plex or less                     | \$40.55     |
| Residential Attached               | \$46.20     | Residential Attached               | \$50.35     |
| Residential Multi-Unit             | \$46.20     | Residential Multi-Unit             | \$50.35     |



**City of Woodland  
Sewer Utility  
Non-Residential Customer Rates  
FY 2014 Rate Schedule - Option 2 - AWWU**

| Customer                | Consumption<br>per CCF | Present<br>Rates | Proposed Rates       |                      | Difference |         |
|-------------------------|------------------------|------------------|----------------------|----------------------|------------|---------|
|                         |                        |                  | Aug-13<br>Adjustment | Jan-14<br>Adjustment | Amount     | Percent |
| Metered Customers       |                        |                  |                      |                      |            |         |
| Low                     | 0                      | \$24.99          | \$24.99              | \$27.25              | \$2.26     | 9.04%   |
|                         | 15                     | 81.24            | 24.99                | 111.10               | 29.86      | 36.76%  |
|                         | 25                     | 118.74           | 24.99                | 167.00               | 48.26      | 40.64%  |
|                         | 35                     | 156.24           | 24.99                | 167.00               | 10.76      | 6.89%   |
|                         | 45                     | 193.74           | 24.99                | 167.00               | (26.74)    | -13.80% |
|                         | 55                     | 231.24           | 24.99                | 167.00               | (64.24)    | -27.78% |
| Medium                  | 0                      | \$24.99          | \$24.99              | \$27.25              | \$2.26     | 9.04%   |
|                         | 30                     | 174.09           | 24.99                | 221.05               | 46.96      | 26.97%  |
|                         | 60                     | 323.19           | 24.99                | 414.85               | 91.66      | 28.36%  |
|                         | 90                     | 472.29           | 24.99                | 608.65               | 136.36     | 28.87%  |
|                         | 108                    | 561.75           | 24.99                | 724.93               | 163.18     | 29.05%  |
|                         | 135                    | 695.94           | 24.99                | 724.93               | 28.99      | 4.17%   |
| High                    | 0                      | \$24.99          | \$24.99              | \$27.25              | \$2.26     | 9.04%   |
|                         | 25                     | 260.24           | 24.99                | 210.75               | (49.49)    | -19.02% |
|                         | 50                     | 495.49           | 24.99                | 394.25               | (101.24)   | -20.43% |
|                         | 76                     | 740.15           | 24.99                | 585.09               | (155.06)   | -20.95% |
|                         | 100                    | 965.99           | 24.99                | 585.09               | (380.90)   | -39.43% |
|                         | 125                    | 1,201.24         | 24.99                | 585.09               | (616.15)   | -51.29% |
| Schools - (38 accounts) | Any                    | \$11,612.37      | \$11,612.37          | \$12,668.04          | \$1,055.67 | 9.09%   |
| Correctional Facility   | Any                    | \$5,857.69       | \$5,857.69           | \$6,384.88           | \$527.19   | 9.00%   |

| PRESENT RATES                   |             | PROPOSED RATES FY 2014          |             |             |
|---------------------------------|-------------|---------------------------------|-------------|-------------|
|                                 |             |                                 | Aug-13      | Jan-14      |
| <b><u>Meter Charges</u></b>     |             | <b><u>Meter Charges</u></b>     |             |             |
| <i>Metered Customers</i>        | (per month) | <i>Metered Customers</i>        | (per month) | (per month) |
| Commercial                      | \$24.99     | Low                             | \$24.99     | \$27.25     |
| Hospital                        | 24.99       | Medium                          | 24.99       | 27.25       |
| Hotel/Motel                     | 24.99       | High                            | 24.99       | 27.25       |
| Industrial                      | 24.99       | Schools - ADA (38 accounts)     | 2.31        | 2.52        |
| Restaurant                      | 24.99       | Correctional Facility           | 5,857.69    | 6,384.88    |
| Special Rate                    | 24.99       |                                 |             |             |
| Schools - (38 accounts)         | 2.31        |                                 |             |             |
| Correctional Facility           | 5,857.69    |                                 |             |             |
| <b><u>Consumption (ccf)</u></b> |             | <b><u>Consumption (ccf)</u></b> |             |             |
| Commercial                      | \$3.75      | Low Consumption                 | \$0.00      | \$5.59      |
| Hospital                        | 4.26        | Medium Consumption              | 0.00        | 6.46        |
| Hotel/Motel                     | 4.97        | High Consumption                | 0.00        | 7.34        |
| Industrial                      | 3.75        | Institutional                   | 0.00        | 0.00        |
| Restaurant                      | 9.41        | Correctional Facility           | 0.00        | 0.00        |
| Special Rate                    | 3.75        |                                 |             |             |

**City of Woodland  
Sewer Utility  
Non-Residential Customer Rates  
FY 2015 Rate Schedule - Option 2 - AWWU**

| Customer                | Consumption<br>per CCF | Present<br>Rates | Proposed<br>Rates | Difference |         |
|-------------------------|------------------------|------------------|-------------------|------------|---------|
|                         |                        |                  |                   | Amount     | Percent |
| Metered Customers       |                        |                  |                   |            |         |
| Low                     | 0                      | \$27.25          | \$29.15           | \$1.90     | 6.97%   |
|                         | 15                     | 111.10           | 118.85            | 7.75       | 6.98%   |
|                         | 25                     | 167.00           | 178.65            | 11.65      | 6.98%   |
|                         | 35                     | 167.00           | 178.65            | 11.65      | 6.98%   |
|                         | 45                     | 167.00           | 178.65            | 11.65      | 6.98%   |
|                         | 55                     | 167.00           | 178.65            | 11.65      | 6.98%   |
| Medium                  | 0                      | \$27.25          | \$29.15           | \$1.90     | 6.97%   |
|                         | 30                     | 221.05           | 236.45            | 15.40      | 6.97%   |
|                         | 60                     | 414.85           | 443.75            | 28.90      | 6.97%   |
|                         | 90                     | 608.65           | 651.05            | 42.40      | 6.97%   |
|                         | 108                    | 724.93           | 775.43            | 50.50      | 6.97%   |
|                         | 135                    | 724.93           | 775.43            | 50.50      | 6.97%   |
| High                    | 0                      | \$27.25          | \$29.15           | \$1.90     | 6.97%   |
|                         | 25                     | 210.75           | 225.40            | 14.65      | 6.95%   |
|                         | 50                     | 394.25           | 421.65            | 27.40      | 6.95%   |
|                         | 76                     | 585.09           | 625.75            | 40.66      | 6.95%   |
|                         | 100                    | 585.09           | 625.75            | 40.66      | 6.95%   |
|                         | 125                    | 585.09           | 625.75            | 40.66      | 6.95%   |
| Schools - (38 accounts) | Any                    | \$12,668.04      | \$13,572.90       | \$904.86   | 7.14%   |
| Correctional Facility   | Any                    | \$6,384.88       | \$6,831.82        | \$446.94   | 7.00%   |

| PROPOSED JANUARY 2014 RATES     |             | PROPOSED JANUARY 2015 RATES     |             |
|---------------------------------|-------------|---------------------------------|-------------|
| <b><u>Meter Charges</u></b>     | (per month) | <b><u>Meter Charges</u></b>     | (per month) |
| <i>Metered Customers</i>        |             | <i>Metered Customers</i>        |             |
| Low                             | \$27.25     | Low                             | \$29.15     |
| Medium                          | 27.25       | Medium                          | 29.15       |
| High                            | 27.25       | High                            | 29.15       |
| Schools - ADA (38 accounts)     | 2.52        | Schools - ADA (38 accounts)     | 2.70        |
| Correctional Facility           | 6,384.88    | Correctional Facility           | 6,831.82    |
| <b><u>Consumption (ccf)</u></b> |             | <b><u>Consumption (ccf)</u></b> |             |
| Low Consumption                 | \$5.59      | Low Consumption                 | \$5.98      |
| Medium Consumption              | 6.46        | Medium Consumption              | 6.91        |
| High Consumption                | 7.34        | High Consumption                | 7.85        |
| Institutional                   | 0.00        | Institutional                   | 0.00        |
| Correctional Facility           | 0.00        | Correctional Facility           | 0.00        |

**City of Woodland  
Sewer Utility  
Non-Residential Customer Rates  
FY 2016 Rate Schedule - Option 2 - AWWU**

| Customer                | Consumption<br>per CCF | Present<br>Rates | Proposed<br>Rates | Difference |         |
|-------------------------|------------------------|------------------|-------------------|------------|---------|
|                         |                        |                  |                   | Amount     | Percent |
| Metered Customers       |                        |                  |                   |            |         |
| Low                     | 0                      | \$29.15          | \$31.75           | \$2.60     | 8.92%   |
|                         | 15                     | 118.85           | 129.55            | 10.70      | 9.00%   |
|                         | 25                     | 178.65           | 194.75            | 16.10      | 9.01%   |
|                         | 35                     | 178.65           | 194.75            | 16.10      | 9.01%   |
|                         | 45                     | 178.65           | 194.75            | 16.10      | 9.01%   |
|                         | 55                     | 178.65           | 194.75            | 16.10      | 9.01%   |
| Medium                  | 0                      | \$29.15          | \$31.75           | \$2.60     | 8.92%   |
|                         | 30                     | 236.45           | 257.65            | 21.20      | 8.97%   |
|                         | 60                     | 443.75           | 483.55            | 39.80      | 8.97%   |
|                         | 90                     | 651.05           | 709.45            | 58.40      | 8.97%   |
|                         | 108                    | 775.43           | 844.99            | 69.56      | 8.97%   |
|                         | 135                    | 775.43           | 844.99            | 69.56      | 8.97%   |
| High                    | 0                      | \$29.15          | \$31.75           | \$2.60     | 8.92%   |
|                         | 25                     | 225.40           | 245.75            | 20.35      | 9.03%   |
|                         | 50                     | 421.65           | 459.75            | 38.10      | 9.04%   |
|                         | 76                     | 625.75           | 682.31            | 56.56      | 9.04%   |
|                         | 100                    | 625.75           | 682.31            | 56.56      | 9.04%   |
|                         | 125                    | 625.75           | 682.31            | 56.56      | 9.04%   |
| Schools - (38 accounts) | Any                    | \$13,572.90      | \$14,779.38       | \$1,206.48 | 8.89%   |
| Correctional Facility   | Any                    | \$6,831.82       | \$7,446.68        | \$614.86   | 9.00%   |

| PROPOSED JANUARY 2015 RATES             |          | PROPOSED JANUARY 2016 RATES             |          |
|-----------------------------------------|----------|-----------------------------------------|----------|
| <b><u>Meter Charges</u></b> (per month) |          | <b><u>Meter Charges</u></b> (per month) |          |
| <i>Metered Customers</i>                |          | <i>Metered Customers</i>                |          |
| Low                                     | \$29.15  | Low                                     | \$31.75  |
| Medium                                  | 29.15    | Medium                                  | 31.75    |
| High                                    | 29.15    | High                                    | 31.75    |
| Schools - ADA (38 accounts)             | 2.70     | Schools - ADA (38 accounts)             | 2.94     |
| Correctional Facility                   | 6,831.82 | Correctional Facility                   | 7,446.68 |
| <b><u>Consumption (ccf)</u></b>         |          | <b><u>Consumption (ccf)</u></b>         |          |
| Low Consumption                         | \$5.98   | Low Consumption                         | \$6.52   |
| Medium Consumption                      | 6.91     | Medium Consumption                      | 7.53     |
| High Consumption                        | 7.85     | High Consumption                        | 8.56     |
| Institutional                           | 0.00     | Institutional                           | 0.00     |
| Correctional Facility                   | 0.00     | Correctional Facility                   | 0.00     |

**City of Woodland  
Sewer Utility  
Non-Residential Customer Rates  
FY 2017 Rate Schedule - Option 2 - AWWU**

| Customer                | Consumption<br>per CCF | Present<br>Rates | Proposed<br>Rates | Difference |         |
|-------------------------|------------------------|------------------|-------------------|------------|---------|
|                         |                        |                  |                   | Amount     | Percent |
| Metered Customers       |                        |                  |                   |            |         |
| Low                     | 0                      | \$31.75          | \$34.60           | \$2.85     | 8.98%   |
|                         | 15                     | 129.55           | 141.25            | 11.70      | 9.03%   |
|                         | 25                     | 194.75           | 212.35            | 17.60      | 9.04%   |
|                         | 35                     | 194.75           | 212.35            | 17.60      | 9.04%   |
|                         | 45                     | 194.75           | 212.35            | 17.60      | 9.04%   |
|                         | 55                     | 194.75           | 212.35            | 17.60      | 9.04%   |
| Medium                  | 0                      | \$31.75          | \$34.60           | \$2.85     | 8.98%   |
|                         | 30                     | 257.65           | 280.90            | 23.25      | 9.02%   |
|                         | 60                     | 483.55           | 527.20            | 43.65      | 9.03%   |
|                         | 90                     | 709.45           | 773.50            | 64.05      | 9.03%   |
|                         | 108                    | 844.99           | 921.28            | 76.29      | 9.03%   |
|                         | 135                    | 844.99           | 921.28            | 76.29      | 9.03%   |
| High                    | 0                      | \$31.75          | \$34.60           | \$2.85     | 8.98%   |
|                         | 25                     | 245.75           | 267.85            | 22.10      | 8.99%   |
|                         | 50                     | 459.75           | 501.10            | 41.35      | 8.99%   |
|                         | 76                     | 682.31           | 743.68            | 61.37      | 8.99%   |
|                         | 100                    | 682.31           | 743.68            | 61.37      | 8.99%   |
|                         | 125                    | 682.31           | 743.68            | 61.37      | 8.99%   |
| Schools - (38 accounts) | Any                    | \$14,779.38      | \$16,086.40       | \$1,307.02 | 8.84%   |
| Correctional Facility   | Any                    | \$7,446.68       | \$8,116.88        | \$670.20   | 9.00%   |

| PROPOSED JANUARY 2016 RATES     |             | PROPOSED JANUARY 2017 RATES     |             |
|---------------------------------|-------------|---------------------------------|-------------|
| <b><u>Meter Charges</u></b>     | (per month) | <b><u>Meter Charges</u></b>     | (per month) |
| <i>Metered Customers</i>        |             | <i>Metered Customers</i>        |             |
| Low                             | \$31.75     | Low                             | \$34.60     |
| Medium                          | 31.75       | Medium                          | 34.60       |
| High                            | 31.75       | High                            | 34.60       |
| Schools - ADA (38 accounts)     | 2.94        | Schools - ADA (38 accounts)     | 3.20        |
| Correctional Facility           | 7,446.68    | Correctional Facility           | 8,116.88    |
| <b><u>Consumption (ccf)</u></b> |             | <b><u>Consumption (ccf)</u></b> |             |
| Low Consumption                 | \$6.52      | Low Consumption                 | \$7.11      |
| Medium Consumption              | 7.53        | Medium Consumption              | 8.21        |
| High Consumption                | 8.56        | High Consumption                | 9.33        |
| Institutional                   | 0.00        | Institutional                   | 0.00        |
| Correctional Facility           | 0.00        | Correctional Facility           | 0.00        |

**City of Woodland  
Sewer Utility  
Non-Residential Customer Rates  
FY 2018 Rate Schedule - Option 2 - AWWU**

| Customer                | Consumption<br>per CCF | Present<br>Rates | Proposed<br>Rates | Difference |         |
|-------------------------|------------------------|------------------|-------------------|------------|---------|
|                         |                        |                  |                   | Amount     | Percent |
| Metered Customers       |                        |                  |                   |            |         |
| Low                     | 0                      | \$34.60          | \$37.70           | \$3.10     | 8.96%   |
|                         | 15                     | 141.25           | 153.95            | 12.70      | 8.99%   |
|                         | 25                     | 212.35           | 231.45            | 19.10      | 8.99%   |
|                         | 35                     | 212.35           | 231.45            | 19.10      | 8.99%   |
|                         | 45                     | 212.35           | 231.45            | 19.10      | 8.99%   |
|                         | 55                     | 212.35           | 231.45            | 19.10      | 8.99%   |
| Medium                  | 0                      | \$34.60          | \$37.70           | \$3.10     | 8.96%   |
|                         | 30                     | 280.90           | 306.20            | 25.30      | 9.01%   |
|                         | 60                     | 527.20           | 574.70            | 47.50      | 9.01%   |
|                         | 90                     | 773.50           | 843.20            | 69.70      | 9.01%   |
|                         | 108                    | 921.28           | 1,004.30          | 83.02      | 9.01%   |
|                         | 135                    | 921.28           | 1,004.30          | 83.02      | 9.01%   |
| High                    | 0                      | \$34.60          | \$37.70           | \$3.10     | 8.96%   |
|                         | 25                     | 267.85           | 291.95            | 24.10      | 9.00%   |
|                         | 50                     | 501.10           | 546.20            | 45.10      | 9.00%   |
|                         | 76                     | 743.68           | 810.62            | 66.94      | 9.00%   |
|                         | 100                    | 743.68           | 810.62            | 66.94      | 9.00%   |
|                         | 125                    | 743.68           | 810.62            | 66.94      | 9.00%   |
| Schools - (38 accounts) | Any                    | \$16,086.40      | \$17,544.23       | \$1,457.83 | 9.06%   |
| Correctional Facility   | Any                    | \$8,116.88       | \$8,847.40        | \$730.52   | 9.00%   |

| PROPOSED JANUARY 2017 RATES     |             | PROPOSED JANUARY 2018 RATES     |             |
|---------------------------------|-------------|---------------------------------|-------------|
| <b><u>Meter Charges</u></b>     | (per month) | <b><u>Meter Charges</u></b>     | (per month) |
| <i>Metered Customers</i>        |             | <i>Metered Customers</i>        |             |
| Low                             | \$34.60     | Low                             | \$37.70     |
| Medium                          | 34.60       | Medium                          | 37.70       |
| High                            | 34.60       | High                            | 37.70       |
| Schools - ADA (38 accounts)     | 3.20        | Schools - ADA (38 accounts)     | 3.49        |
| Correctional Facility           | 8,116.88    | Correctional Facility           | 8,847.40    |
| <b><u>Consumption (ccf)</u></b> |             | <b><u>Consumption (ccf)</u></b> |             |
| Low Consumption                 | \$7.11      | Low Consumption                 | \$7.75      |
| Medium Consumption              | 8.21        | Medium Consumption              | 8.95        |
| High Consumption                | 9.33        | High Consumption                | 10.17       |
| Institutional                   | 0.00        | Institutional                   | 0.00        |
| Correctional Facility           | 0.00        | Correctional Facility           | 0.00        |



## Technical Appendix C – Sewer Pre-Treatment Fees

# Technical Memorandum

To: Mark Severeid and Lynn Johnson, City of Woodland

From: Shawn Koorn , HDR

Project: Pretreatment Fee Analysis

CC:

Date: August 23, 2013

## RE: TM – Pretreatment Fee Analysis

HDR Engineering, Inc. (HDR) is currently assisting the City of Woodland (City) in the development of sewer rates for the next five years. As part of the sewer utility, but separate from the sewer utility operations and HDR rate study, the City operates a pre-treatment program. This program is in place to work with customers, both residential and commercial, to minimize the impacts of higher strength waste sent to the wastewater treatment plant.

The City currently has a separate fee structure in place to recover the expenditures associated with this program. Recently the City requested that HDR assist the City in the review and update of the pre-treatment fees. The approach to the review will be similar to that of the sewer rate study as the costs associated with the program will need to be distributed between the various customers served reflecting the benefits received from the program.

## OBJECTIVE

This technical memorandum covers the review of the current pretreatment fees rate structure and development of an update to these fees based on generally accepted cost of service methodologies.

Specific topics covered in this technical memorandum are as follows:

- The review of existing pretreatment fees.
- The development of an update to the fees based on the FY 2013 budget which will be an equitable cost recovery rate for the City's current pretreatment program.
- The development of a 10-year financial plan to determine the revenues necessary to properly operate the pre-treatment program.
- The equitable distribution of costs to operate the pretreatment program.
- Development of proposed pretreatment fees for the next five years.

## OVERVIEW

This Technical Memorandum will discuss the review of the existing pretreatment fees and provided an update to these fees for implementation based on cost of service methodologies. The City should continue to update these fees at a minimum of every three to five years. If large changes occur in either operational costs or regulatory requirements, then the pretreatment fees should also be updated at that time.

It is important to collect revenue from customers who benefit directly from specific services rather than charging the broader customer base, who may not receive a direct or indirect benefit for such services. Establishment of pretreatment fees provides a total cost recovery of the City's operations where the service or benefits occur.

## EXISTING PRETREATMENT FEES

The current Pretreatment Program was established in 1985 as a result of the U.S. Environmental Agency requiring municipalities that operate wastewater treatment plants with capacity greater than 5 million gallon per day and which receive industrial wastewater to develop and implement a Pretreatment Program.

Woodland's Pretreatment Program consists of a Wastewater Industrial Pretreatment Program (WIPP) and a Pollution Prevention Program (PPP).

The Wastewater Industrial Pretreatment Program regulates Significant Industrial Users (SIUs) which discharge at least 25,000 gallons of wastewater per day. These users have potential to interfere with treatment plant operations and to cause pass-through and sludge contamination. The City operates a state-certified environmental testing laboratory which supports the pretreatment program by testing for process control and regulatory compliance.

The Pollution Prevention Program targets commercial and industrial discharges not regulated under the WIPP review. Pollution prevention includes both education and enforcement to prevent sewer overflows.

The City's current WIPP fee schedule is a monthly fee based on user group. The user groups are Residential, Non-PPP Commercial, PPP Commercial, and Significant Industrial Users (SIUs). The fee for residential and non-PPP commercial is based on number of units. The fees are listed below in Table 1.

| Table 1<br>Summary of the Present WIPP Fees |             |
|---------------------------------------------|-------------|
| User Group                                  | Monthly Fee |
| Residential                                 | \$1.57      |
| Non-PPP Commercial                          | \$1.57      |
| PPP Commercial                              | \$8.57      |
| SIUs                                        | \$185.12    |

The Residential and Non-PPP Commercial are based on number of units. The PPP Commercial and SIUs are based on number of customers.

## DEVELOPMENT OF THE FINANCIAL PLAN

To determine the rate to be charged for pretreatment a revenue requirement analysis, or financial plan, is developed. A revenue requirement, or financial plan, was developed for the pretreatment program for a 10-year period. The starting point of the analysis was the adopted 2013 budget. Expenses were escalated using the same escalation (inflation) factors as used in the sewer rate study for the 10-year period. No additional or extraordinary expenses were included in the analysis. Revenues were calculated based on the number of billed customers from the most recent 12-month period and the current rates as shown in Table 1. No capital improvements are funded through the pretreatment fund. Based on the projection of revenues and expenses a summary of the financial plan was developed. Provided in Table 2 is a summary of the 10-year financial plan.



Table 2  
Summary of the 10-Year Financial Plan (\$000's)

|                                                  | FY<br>2013   | FY<br>2014   | FY<br>2015   | FY<br>2016   | FY<br>2017   | FY<br>2018   | FY<br>2019   | FY<br>2020   | FY<br>2021   | FY<br>2022   |
|--------------------------------------------------|--------------|--------------|--------------|--------------|--------------|--------------|--------------|--------------|--------------|--------------|
| <b>Sources of Funds</b>                          |              |              |              |              |              |              |              |              |              |              |
| Operating Revenues                               | \$413        | \$415        | \$418        | \$422        | \$426        | \$430        | \$435        | \$439        | \$444        | \$450        |
| Other Revenue                                    | <u>15</u>    | <u>4</u>     | <u>5</u>     | <u>5</u>     | <u>5</u>     | <u>5</u>     | <u>6</u>     | <u>7</u>     | <u>8</u>     | <u>8</u>     |
| <b>Total Sources of Funds</b>                    | <b>\$427</b> | <b>\$419</b> | <b>\$423</b> | <b>\$426</b> | <b>\$431</b> | <b>\$435</b> | <b>\$441</b> | <b>\$446</b> | <b>\$452</b> | <b>\$458</b> |
| <b>Applications of Funds</b>                     |              |              |              |              |              |              |              |              |              |              |
| Operation & Maintenance Expense                  |              |              |              |              |              |              |              |              |              |              |
| Bill & Collect - Wastewater                      | \$71         | \$74         | \$78         | \$81         | \$85         | \$89         | \$93         | \$98         | \$103        | \$108        |
| Wastewater Pretreatment                          | 409          | 425          | 442          | 460          | 479          | 499          | 520          | 543          | 567          | 592          |
| <b>Total Operating &amp; Maintenance Expense</b> | <b>\$480</b> | <b>\$499</b> | <b>\$519</b> | <b>\$541</b> | <b>\$564</b> | <b>\$588</b> | <b>\$614</b> | <b>\$641</b> | <b>\$670</b> | <b>\$700</b> |
| Net Capital Funded Through Rates                 | \$0          | \$0          | \$0          | \$0          | \$0          | \$0          | \$0          | \$0          | \$0          | \$0          |
| Transfer To Reserves                             | <u>\$0</u>   | <u>\$0</u>   | <u>\$0</u>   | <u>\$0</u>   | <u>\$0</u>   | <u>\$0</u>   | <u>\$0</u>   | <u>\$0</u>   | <u>\$0</u>   | <u>\$0</u>   |
| <b>Total Revenue Requirements</b>                | <b>\$480</b> | <b>\$499</b> | <b>\$519</b> | <b>\$541</b> | <b>\$564</b> | <b>\$588</b> | <b>\$614</b> | <b>\$641</b> | <b>\$670</b> | <b>\$700</b> |
| Total Balance/(Deficiency) of Funds              | (\$52)       | (\$80)       | (\$97)       | (\$115)      | (\$133)      | (\$153)      | (\$173)      | (\$195)      | (\$217)      | (\$242)      |
| Proposed Adjustment - July of FY                 | 0.0%         | 0.0%         | 0.0%         | 0.0%         | 0.0%         | 0.0%         | 0.0%         | 0.0%         | 0.0%         | 0.0%         |
| Proposed Adjustment - January of FY              | 0.0%         | 7.5%         | 7.5%         | 7.5%         | 7.5%         | 7.5%         | 3.0%         | 2.5%         | 2.5%         | 2.5%         |
| Ending Reserve Fund Levels                       | \$409        | \$345        | \$297        | \$266        | \$256        | \$269        | \$295        | \$318        | \$338        | \$353        |

As shown in Table 2, current pretreatment revenues are not recovering the expenses of the program. Based on the analysis, proposed revenue adjustments of 7.5% per year have been developed. This will allow a transition to cost-based levels over the 5-year period. However, during the initial years of the analysis, revenues will not be sufficient to adequately fund operating expenses. In those years where revenues are not sufficient to fund annual operating expenses available reserves are used to transition to cost-based revenue levels. During the time period reviewed the fund maintains adequate reserve fund levels.

## **ANALYSIS OF PRETREATMENT FEES FOR 2013**

To determine the equity of the current pretreatment fees a “cost of service” analysis is typically utilized. A cost of service equitably functionalizes and classifies a utility’s operating expenses between the various aspects of providing service. These aspects are generally related to how the expenses occur. For the pretreatment program they are monitoring related pretreatment and pollution, actual customer, revenue, and direct assignment. The results of the cost of service analysis provide the cost basis for establishing the unit cost (rate) per customer.

A cost of service analysis is a two step process, which includes the functionalization and classification of costs. The first analytical step in the cost of service is called functionalization. Functionalization is the arrangement of expenses by major operating functions within the utility. Within this study, the functionalization of the cost data was largely accomplished through the City’s system of accounts. The second analytical task performed is the classification of the functionalized expenses to cost components. This task reviews each cost and attempts to determine why the cost was incurred and what type of need was being met (e.g. pretreatment, pollution, etc.). The step of classifying the costs segregates the costs between pretreatment-related, pollution-related components and customer related.

Pretreatment-related costs are those that are incurred to reduce the amount of pollutants, elimination of pollutants, or the alteration of the nature of the pollutant properties in wastewater to be less harmful prior to or in lieu of discharging into the POTW (publicly owned treatment works). A majority of the costs are included in this component.

Pollution-related costs are those costs associated with regulating, monitoring and enforcing the restriction of discharge that is prohibited for program customers. The City currently has 2 permitted SIUs and 7 other permitted IUs. SIUs are tested more frequently than other commercial customers.

A cost may also be a function of both of these classification categories such as the education to prevent conditions that lead to sanitary sewer overflows. In other words the City may incur a cost as a function of the pretreatment program and the pollution program.

Once the costs have been functionalized and classified the costs can be placed in a per unit measurement. The total costs, by component, are divided by the number of units.

The City’s pretreatment budgeted 2013 operating expenses were used in the cost of service analysis. Table 3 provides a summary of the classification of operating expenses. A more detailed review of the classification of expenses can be found in the attached Technical Appendices.

| Table 3<br>Summary of the Classification of Expenses |                      |                   |                  |
|------------------------------------------------------|----------------------|-------------------|------------------|
| Category                                             | Pretreatment Related | Pollution Related | Customer Related |
| Billing & Collection                                 | 0%                   | 0%                | 100%             |
| Pretreatment                                         | 100%                 | 0%                | 0%               |
| Printing, Dept Specific Supplies, Advertising [1]    | 42%                  | 58%               | 0%               |
| Labs                                                 | 42%                  | 58%               | 0%               |

[1] Education related items within Pretreatment are printing, dept specific supplies, and advertising.

The summary of the functionalized and classified costs detail the costs by cost component. A summary of the cost of service analysis by cost component is shown below in Table 4.

| Table 4<br>Summary of Allocated Costs |                 |
|---------------------------------------|-----------------|
| Classification Component              | Allocated Costs |
| Pretreatment                          | \$369,800       |
| Pollution                             | 26,334          |
| Customer                              | <u>68,884</u>   |
| Total Costs                           | \$465,018       |

Pretreatment costs benefit all customers and were allocated to each customer based on the number of billing units. SIUs were given a higher weighting factor to reflect the significant usage (i.e. flows) and level of staff effort when working with the SIUs which are not evident if only billing units are used.

Pollution costs is based on monitoring and prevention of program customers and allocated to program costs based on number of program customers which are PPP Commercial and SIUs. SIU customers are tested more frequently and a significant level of staff time is related to assisting SIU customers. Therefore, SIUs were given a greater weighting factor to reflect the additional staff time.

Customer costs include billing and collecting. These costs were allocated to each customer based on the number of actual customers.

A number of key assumptions were used within the City's cost of service study. Below is a brief discussion of the major assumptions used.

- The overall methodology used within this study is consistent with general cost of service methodologies
- The test period used for the cost of service analysis was 2013.
- The classification of expenses was developed based upon generally accepted cost allocation techniques. Furthermore, the analyses were developed using the City specific data.
- Customer data figures used within this study were provided for each class of service from historical information provided by the City.

In summary form, this cost of service analysis began by functionalizing the City's operating expenses. The functionalized expense accounts were then classified into their various cost components. The individual classification totals were then allocated to the various customer groups based upon the appropriate allocation factors. The allocated expenses for each customer group were then aggregated to determine each customer group's overall revenue responsibility. A summary of the detailed cost responsibility developed for each class of service for 2013 is shown in Table 5.

| Table 5<br>Summary of the Pretreatment 2013 Cost of Service Analysis |                       |                  |                   |              |
|----------------------------------------------------------------------|-----------------------|------------------|-------------------|--------------|
| Class of Service                                                     | Present Rate Revenues | Allocated Costs  | \$ Difference     | % Difference |
| Residential                                                          | \$252,866             | \$281,935        | \$(29,069)        | 11.5%        |
| Non-PPP Commercial                                                   | 132,492               | 153,009          | (20,517)          | 15.5%        |
| PPP Commercial                                                       | 16,172                | 17,944           | (1,772)           | 11.0%        |
| SIUs                                                                 | <u>11,107</u>         | <u>12,130</u>    | <u>(1,023)</u>    | <u>9.2%</u>  |
| <b>Total</b>                                                         | <b>\$412,637</b>      | <b>\$465,018</b> | <b>\$(52,381)</b> | <b>12.7%</b> |

The allocation of costs attempted to align the facilities and costs allocated to each customer class with their respective benefit from services. Given the range of assumptions that may be used in a cost of service analysis, a general "guideline" that may be considered when viewing a cost of service analysis is if a class is within +/- 5% of the overall required adjustment the class, then it may be considered as being within a "reasonable range" of paying its "fair share". The results show that, in general, the customer classes are paying their equitable share of costs.

## PROPOSED PRETREATMENT FEES

The final step of the rate study process is the design of rates to collect the desired levels of revenues, based on the results of the analysis. As indicated in the financial analyses, an annual adjustment of 7.5% is needed to meet expenses over the next 5-year period. A summary of the proposed rates for the next five year period is provided in Table 6. No change in rate structure, or adjustments between customers are recommended at this time.

| Table 6<br>Summary of the Pretreatment 2013 Unit Costs |               |                  |                  |                  |                  |                  |
|--------------------------------------------------------|---------------|------------------|------------------|------------------|------------------|------------------|
| Class of Service                                       | Present Rates | Proposed FY 2014 | Proposed FY 2015 | Proposed FY 2016 | Proposed FY 2017 | Proposed FY 2018 |
| Residential                                            | \$1.57        | \$1.69           | \$1.82           | \$1.96           | \$2.11           | \$2.27           |
| Non-PPP Commercial                                     | \$1.57        | \$1.69           | \$1.82           | \$1.96           | \$2.11           | \$2.27           |
| PPP Commercial                                         | \$8.57        | \$9.21           | \$9.90           | \$10.64          | \$11.44          | \$12.30          |
| SIUs                                                   | \$185.12      | \$199.00         | \$213.93         | \$229.97         | \$247.22         | \$265.76         |

These pretreatment rates were developed using "generally accepted" rate making methods and principles. The proposed adjustments in 2014 through 2018 are necessary to fund the operating expenses of the fund. Adoption of the proposed pretreatment rates will provide adequate funding for the fund through 2018.