



City of Woodland

Meeting Agenda - Final

Planning Commission

City of Woodland Planning
Commission
c/o Community
Development Department
300 First Street
Woodland, CA 95695

530-661-5820

Thursday, May 7, 2015

6:30 PM

Council Chambers

A. Call to Order

B. Roll Call

C. Approval of Minutes

D. Directors Report

This an opportunity for the Community Development Department's Director or designee to provide the Commission with information on any items other than those listed on the Agenda.

E. Public Comment

This is an opportunity for the public to speak to the Commission on any item other than those listed on the Agenda. The Chairman may impose a time limit on any speaker.

F. Communications

Commission Statements and Requests: This is an opportunity for the Commission members to make comments and announcements to express concerns or to request Commission's consideration of any items a Commission member would like to have discussed at a future Commission meeting.

G. Subcommittee Reports

H. Public Hearing

I. New Business

[14-724](#)

SUBJECT: City of Woodland 2015/16-2018/19 Capital Improvement Program
DATE: May 7, 2015

RECOMMENDATION:

Staff recommends that the Planning Commission:

- Review of the proposed City of Woodland Capital Improvement Program (CIP) for 2015/16 - 2018/19
- Make a finding that the proposed CIP for 2015/16 - 2018/19 is in conformity with the General Plan.

Attachments: [1. Summary of proposed CIP projects/General Plan Analysis](#)
[2. Funding summary of proposed CIP Projects](#)

[14-730](#)

SUBJECT: Design Review for D.R. Horton; Solara Ranch Subdivision
at Spring Lake

DATE: May 7, 2015

RECOMMENDATION: Staff recommends that the Planning
Commission:
Review and approve the proposed conceptual residential designs for
D.R. Horton; Solara Ranch Subdivision at Spring Lake

Attachments: [1. General Application Form](#)
[2. Solara Ranch Final Subivision Map #4853](#)
[3. Solara Ranch Development Agreement with Conditions of Approval](#)
[4. Floor Plans, Elevations and Color and Materials](#)
[5. Fence, Driveway and Frontyard Landscape Typicals](#)
[6. Lotting Development Plan](#)
[7. Lot Coverage Table](#)

J. Old Business

[14-743](#)

SUBJECT: Discussion Concerning Planning Commission
Subcommittees
DATE: May 7, 2015

RECOMMENDATION:
Staff recommends that the Planning Commission:
1) Review the staff report; and
2) Consider the formation of possible subcommittees including the
purpose, task and duration; and
3) Make a recommendation regarding the possible subcommittees and
appointment of members.

Attachments: [Ralph M. Brown Act Information.pdf](#)

K. Adjournment

The Planning Commission of the City of Woodland encourages all parties interested in a matter scheduled to be reviewed, discussed and acted on at a meeting, to participate in the public discourse, which may include the submission of written comments and materials. The Planning Commission notifies the public that those materials received less than 24 hours before a meeting date and time may not be able to be considered completely. Further, the Planning Commission encourages interested parties to attend the meeting to discuss any matter of concern and to explain their comments more fully.



Legislation Details (With Text)

File #: 14-724 **Version:** 1 **Name:**
Type: Staff Report **Status:** Agenda Ready
File created: 4/21/2015 **In control:** Planning Commission
On agenda: 5/7/2015 **Final action:**
Title: SUBJECT: City of Woodland 2015/16-2018/19 Capital Improvement Program
DATE: May 7, 2015

RECOMMENDATION:
Staff recommends that the Planning Commission:
· Review of the proposed City of Woodland Capital Improvement Program (CIP) for 2015/16 - 2018/19
· Make a finding that the proposed CIP for 2015/16 - 2018/19 is in conformity with the General Plan.

Sponsors:

Indexes:

Code sections:

Attachments: [1. Summary of proposed CIP projects/General Plan Analysis](#)
[2. Funding summary of proposed CIP Projects](#)

Date	Ver.	Action By	Action	Result
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City of Woodland

MEMORANDUM

TO: Members of the Woodland Planning Commission
FROM: Lynn Johnson, Senior Management Analyst
SUBJECT: City of Woodland 2015/16-2018/19 Capital Improvement Program
DATE: May 7, 2015

RECOMMENDATION:

Staff recommends that the Planning Commission:

- Review of the proposed City of Woodland Capital Improvement Program (CIP) for 2015/16 - 2018/19
- Make a finding that the proposed CIP for 2015/16 - 2018/19 is in conformity with the General Plan.

PROJECT PROPOSAL:

The projects contained in the Capital Improvement Program (CIP) have been reviewed and discussed with the City Manager to prioritize and program in alignment with projected revenues. Prior to City Council approval, California Government Code 65401 requires that the Planning Commission (in the case of a municipality) first determine that the proposed CIP is in conformity with the General Plan. A CIP project list for FY2016 and FY2017 with General Plan analysis is included as Attachment 1. All new projects that have not been reviewed by the Planning Commission previously are shown in bold. A list of all the CIP projects and their total project funding is included in Attachment 2.

The City Council will receive the proposed CIP on June 2, 2015 along with the Planning Commission conformity determination.

BACKGROUND:

The City of Woodland adopts a five-year CIP that represents a balanced spending plan. The CIP is evaluated and updated annually to ensure that project cost and scope are current and that projected revenues can support the proposed projects. Projects that utilize Measure E, the City's ½ cent supplemental sales tax, must first be included in an approved Measure E Spending Plan.

PROJECT ANALYSIS:

The community Development Department staff has reviewed these projects and is of the opinion that they are in conformity with the General Plan.

RECOMMENDATION:

Staff recommends that the Planning Commission:

- Review of the proposed City of Woodland Capital Improvement Program (CIP) for 2015/16 - 2018/19
- Make a finding that the proposed CIP for 2015/16 - 2018/19 is in conformity with the General Plan.

ATTACHMENTS:

1. Summary of proposed CIP projects/General Plan Analysis
2. Funding summary of proposed CIP Projects

CITY OF WOODLAND
10-YEAR CAPITAL IMPROVEMENT PROGRAM PROJECTS (FISCAL YEARS 15/16 TO 18/19)

Project No.	Category	Project Title	General Plan Policy Analysis
1	Planning	General Plan Update	GP Goal 10.2 - The City shall conduct a major review of the <i>General Plan</i> , including the <i>General Plan Policy Document</i> and <i>Background Report</i> , beginning every five years from the date of final approval of this General Plan, and shall revise it as deemed necessary.
2	Planning	Zoning Ordinance	GP Policy 1.A.4 - The City shall promote and support the development of a healthy balance of residential, commercial, and industrial development within the city.
3	Planning	MPFP Annual Update	GP Policy 4.A.6 – The City shall annually review the Major Projects Plan (MPFP) and every five years update the MPFP to ensure the implementation and adequacy of the MPFP Plan.
4	Arts & Culture	City Hall Annex Remodel/Woodland Opera House & Theatre Academy	GP Policy 5.K.3 – The City shall cooperate with other public and private agencies for joint use of facilities, where appropriate, for culture/arts.
5	Emergency Response	Community & Senior Center Emergency Generator	GP Policy 8.F.6 – The City shall ensure that the siting of critical emergency response facilities such as hospitals, fire stations, police offices and substations, dispatch centers, emergency operations centers, and other emergency service facilities and utilities have minimal exposure to flooding, seismic and geological effects, fire, and explosions.
6	Library	Library Material Collection	GP Policy 5.J.7. – The City shall strive to maintain a library standard of 1,800 volumes per 1,000 population with an annual acquisition rate of 200 volumes per 1,000 population.
7	Library	Library Facility Improvements	GP Policy 5.J.3. – The City shall actively support the library's six goals as stated in the 1993 <i>Woodland Public Library Planning Document</i> : a) Expand humanities programming; b) Strengthen children's and young adult materials and programs; c) Continue to provide literacy services; d) Strengthen and improve reference resources and offerings; e) Use new and developing technologies effectively to provide improved customer services; and f) Market library services to increase the general knowledge of the public about the services the library supplies now and its capacity for new services in the future.
8	Parks+Rec	SLSP Park N3-Land	GP Policy 5.A.8. – The City shall ensure that appropriate funding mechanisms are identified to adequately fund the development of new parks and recreational facilities and the redevelopment of existing parks and recreational facilities.
9	Parks+Rec	Play Equipment & Electrical Panel – Crawford Park	GP Policy 5.A.19. – The City shall maintain and systematically renovate and upgrade existing parks and recreation facilities. Existing parks and recreation facilities shall be retrofitted to meet all ADA requirements and Consumer Product Safety Commission

CITY OF WOODLAND
10-YEAR CAPITAL IMPROVEMENT PROGRAM PROJECTS (FISCAL YEARS 15/16 TO 18/19)

			recommendations.
10	Parks+Rec	Camarena Ball Field	GP Policy 5.A.19. – The City shall maintain and systematically renovate and upgrade existing parks and recreation facilities. Existing parks and recreation facilities shall be retrofitted to meet all ADA requirements and Consumer Product Safety Commission recommendations.
11	Parks+Rec	Main Distribution Panel – Brooks Swim Center	GP Policy 5.A.19. – The City shall maintain and systematically renovate and upgrade existing parks and recreation facilities. Existing parks and recreation facilities shall be retrofitted to meet all ADA requirements and Consumer Product Safety Commission recommendations.
12	Storm Drain	North Gibson Ponds Detention	GP Goal 4.E – To collect and dispose of stormwater in a manner that minimizes inconvenience to the public, minimizes potential water-related damage, and enhances the environment and complies with state and federal laws.
13	Storm Drain	FloodSAFE Yolo/Cache Creek Feasibility Study	GP Goal 4.E – To collect and dispose of stormwater in a manner that minimizes inconvenience to the public, minimizes potential water-related damage, and enhances the environment and complies with state and federal laws.
14	Storm Drain	Storz Pond Maintenance	GP Goal 4.b.-To ensure that adopted facility and service standards are achieved and maintained through the use of equitable funding methods.
15	Storm Drain	Stormwater Quality Design Manual Update & Hydromodification Exemption Efforts	GP Goal 4.E – To collect and dispose of stormwater in a manner that minimizes inconvenience to the public, minimizes potential water-related damage, and enhances the environment.
Sewer			
16	Sewer	Annual Sewer Repair & Replacement	GP Policy 4.D.1. – The City shall promote reduced wastewater system demand through efficient water use by: a) Requiring water conserving design and equipment in new construction; b) Encouraging retrofitting with water-conserving devices; and c) Designing, constructing, and repairing wastewater systems to minimize inflow and infiltration to the extent economically feasible.
17	Sewer	Large Diameter Wastewater Pipeline Repair, Replacement & Lining	GP Policy 4.D.1. – The City shall promote reduced wastewater system demand through efficient water use by: a) Requiring water conserving design and equipment in new construction; b) Encouraging retrofitting with water-conserving devices; and c) Designing, constructing, and repairing wastewater systems to minimize inflow and infiltration to the extent economically feasible.
18	Sewer	Water Pollution Asset Replacement	GP Policy 4.D.1.- The City shall promote reduced wastewater system demand through efficient water use by: a) Requiring water conservation design and equipment in new construction; b) Encouraging retrofitting with water-conserving devices; and c) Designing, constructing, and repairing wastewater systems to minimize inflow and infiltration to the extent economically feasible.
		Treatment Plant Exp -	GP Policy 4.D.1.- The City shall promote reduced wastewater system demand through

CITY OF WOODLAND
10-YEAR CAPITAL IMPROVEMENT PROGRAM PROJECTS (FISCAL YEARS 15/16 TO 18/19)

19	Sewer	Biosolids	efficient water use by: a)Requiring water conservation design and equipment in new construction; b) Encouraging retrofitting with water-conserving devices; and c) Designing, constructing, and repairing wastewater systems to minimize inflow and infiltration to the extent economically feasible.
20	Sewer	Sewer/Wastewater Master Plan	GP Policy 4.A.4. – The City shall update City facility master plans on a regular basis to ensure: compliance with appropriate state and federal laws; use of modern and cost-effective technologies; and compatibility with current land use policy.
21	Sewer	Aeration Retrofit of Oxidation Ditch	GP Policy 4.D.1.- The City shall promote reduced wastewater system demand through efficient water use by: a)Requiring water conservation design and equipment in new construction; b) Encouraging retrofitting with water-conserving devices; and c) Designing, constructing, and repairing wastewater systems to minimize inflow and infiltration to the extent economically feasible.
22	Sewer	Preliminary Odor Abatement	GP Implementation Program 4.8. – In connection with the <i>Wastewater Treatment and Disposal Master Plan</i> update, the City will investigate potential hazards associated with chlorine gas use and potential nuisance associated with odor at the plant, and will identify and implement buffer zone requirements or operational changes at the plant to address these issues including alternative disinfection purposes.
23	Sewer	Replace Orangeburg Pipe	GP Policy 4.D.1. - The City shall promote reduced wastewater system demand through efficient water use by: a)Requiring water conservation design and equipment in new construction; b) Encouraging retrofitting with water-conserving devices; and c) Designing, constructing, and repairing wastewater systems to minimize inflow and infiltration to the extent economically feasible.
24	Sewer	New Calibrated City Sewer Model	GP Policy 4.D.1. – The City shall promote reduced wastewater system demand through efficient water use by: a) Requiring water conserving design and equipment in new construction; b) Encouraging retrofitting with water-conserving devices; and c) Designing, constructing, and repairing wastewater systems to minimize inflow and infiltration to the extent economically feasible.
25	Sewer	Kentucky Avenue Sewer Rehabilitation	GP Policy 4.D.1.- The City shall promote reduced wastewater system demand through efficient water use by: a)Requiring water conservation design and equipment in new construction; b) Encouraging retrofitting with water-conserving devices; and c) Designing, constructing, and repairing wastewater systems to minimize inflow and infiltration to the extent economically feasible.
26	Sewer	Mechanical Screens Replacement – Phase 2	GP Policy 4.D.1.- The City shall promote reduced wastewater system demand through efficient water use by: a)Requiring water conservation design and equipment in new construction; b) Encouraging retrofitting with water-conserving devices; and c) Designing, constructing, and repairing wastewater systems to minimize inflow and infiltration to the extent economically feasible.
Transportation & Circulation			

CITY OF WOODLAND
10-YEAR CAPITAL IMPROVEMENT PROGRAM PROJECTS (FISCAL YEARS 15/16 TO 18/19)

27	Trans+Circ	Traffic Engineering Services	GP Policy 3.A.5. – The City shall pursue financing in a timely manner for all components of the transportation system to achieve and maintain adopted level of service standards.
28	Trans+Circ	Planning Analysis Studies	GP Policy 3.A.5. – The City shall pursue financing in a timely manner for all components of the transportation system to achieve and maintain adopted level of service standards.
29	Trans+Circ	Update Streets Master Plan	GP Goal 3.A. – To provide for the long-range planning and development of the city's roadway system to ensure the safe and efficient movement of people and goods.
30	Trans+Circ	Measure E Road Maintenance Planning	GP Policy 3.A.5. – The City shall pursue financing in a timely manner for all components of the transportation system to achieve and maintain adopted level of service standards.
31	Trans+Circ	Install traffic signal at Kentucky/Cottonwood	GP Policy 3.A.5. – The City shall pursue financing in a timely manner for all components of the transportation system to achieve and maintain adopted level of service standards.
32	Trans+Circ	Install traffic signal at Freeway Drive & E. Main Street	GP Policy 3.A.5. – The City shall pursue financing in a timely manner for all components of the transportation system to achieve and maintain adopted level of service standards.
33	Trans+Circ	I5/113 Phase 2	GP Policy 3.A.7. – The City shall complete a study of alternatives for completing the connection of SR 113 to I-5 to reduce the use of Woodland streets for this connection, and shall provide corridor protection for the selected route.
34	Trans+Circ	Kentucky Ave Widening	GP Policy 3.A.5. – The City shall pursue financing in a timely manner for all components of the transportation system to achieve and maintain adopted level of service standards.
35	Trans+Circ	2015 Maintenance (Seal) Project	GP Policy 3.A.5. – The City shall pursue financing in a timely manner for all components of the transportation system to achieve and maintain adopted level of service standards.
36	Trans+Circ	2016 Maintenance (Seal) Project	GP Policy 3.A.5. – The City shall pursue financing in a timely manner for all components of the transportation system to achieve and maintain adopted level of service standards.
37	Trans+Circ	2017 Maintenance (Seal) Project	GP Policy 3.A.5. – The City shall pursue financing in a timely manner for all components of the transportation system to achieve and maintain adopted level of service standards.
38	Trans+Circ	Annual O&M Support	GP Policy 3.A.5. – The City shall pursue financing in a timely manner for all components of the transportation system to achieve and maintain adopted level of service standards.
39	Trans+Circ	I-5/CR 102 Landscaping	GP Goal 1.K – To maintain and enhance the quality of Woodland's major corridors, City entrances, landscape, and streetscape.
40	Trans+Circ	Main St/Cleveland Signal Intersection Improvements	GP Policy 3.A.5. – The City shall pursue financing in a timely manner for all components of the transportation system to achieve and maintain adopted level of service standards.
41	Trans+Circ	E. Main Street Improvement Project	GP Goal 3.A – To provide for the long-range planning and development of the City's roadway system to ensure the safe and efficient movement of people and goods.
42	Trans+Circ	Community Center/Sports Park Frontage	GP Goal 1.K – To maintain and enhance the quality of Woodland's major corridors, City entrances, landscape, and streetscape.
43	Trans+Circ	2014/15 ADA Improvements	GP Goal 3.E. – To provide a safe, comprehensive, and integrated system of facilities for non-motorized transportation.

CITY OF WOODLAND
10-YEAR CAPITAL IMPROVEMENT PROGRAM PROJECTS (FISCAL YEARS 15/16 TO 18/19)

44	Trans+Circ	School Signalized Crosswalks	GP Goal 3.E. – To provide a safe, comprehensive, and integrated system of facilities for non-motorized transportation.
45	Trans+Circ	2015/16 ADA Improvements	GP Goal 3.E. – To provide a safe, comprehensive, and integrated system of facilities for non-motorized transportation.
46	Trans+Circ	2018 Road Maintenance Project	GP Policy 3.A.5. – The City shall pursue financing in a timely manner for all components of the transportation system to achieve and maintain adopted level of service standards.
47	Trans+Circ	2019 Road Rehabilitation Project	GP Policy 3.A.5. – The City shall pursue financing in a timely manner for all components of the transportation system to achieve and maintain adopted level of service standards.
48	Public Facilities	Downtown Streetscape Improvements	GP Policy 1.F.4. – The City shall work jointly with the Redevelopment Agency to undertake and maintain streetscape improvements Downtown to give the area a clear and visually-appealing identity. The Downtown landscaping program should distinguish Downtown from the rest of Main Street and include special street plantings at the eastern and western entrances to downtown.
49	Public Facilities	Main Street Streetscape – Walnut to Elm	GP Policy 1.F.4. – The City shall work jointly with the Redevelopment Agency to undertake and maintain streetscape improvements Downtown to give the area a clear and visually-appealing identity. The Downtown landscaping program should distinguish Downtown from the rest of Main Street and include special street plantings at the eastern and western entrances to downtown.
Water			
50	Water	Water System Leak Detection, Maintenance & Repairs	GP Goal 4.C – To maintain a safe, reliable, and sufficient water supply that will meet the future needs of the City.
51	Water	Destroy Old Wells	GP Goal 4.C – To maintain a safe, reliable, and sufficient water supply that will meet the future needs of the City.
52	Water	Future Aquifer Storage Recovery Well	GP Policy 4.C.9. – The City shall approve new development only where an adequate City water supply can be delivered and an adequate funding source is in place to finance system development and maintenance.
53	Water	Modify Well Casings	GP Goal 4.C – To maintain a safe, reliable, and sufficient water supply that will meet the future needs of the City.
54	Water	ASR Wells	GP Goal 4.C – To maintain a safe, reliable, and sufficient water supply that will meet the future needs of the City.
55	Water	Surface Water	GP Policy 4.C.1. – The City shall protect the groundwater basin from overdraft due to City pumpage. The City shall study the groundwater basin and the feasibility of using surface water supplies (e.g., obtaining water rights, transfers, or exchanges) for domestic and/or agricultural use within the Woodland area. Water management programs such as conjunctive use and recharge programs will also be considered. The City shall use this information to determine the most appropriate long-term water supply to serve Woodland.

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10-YEAR CAPITAL IMPROVEMENT PROGRAM PROJECTS (FISCAL YEARS 15/16 TO 18/19)

56	Water	East Water Transmission Line	GP Goal 4.C – To maintain a safe, reliable, and sufficient water supply that will meet the future needs of the city.
57	Water	West Water Transmission Line	GP Goal 4.C – To maintain a safe, reliable, and sufficient water supply that will meet the future needs of the city.
58	Water	Groundwater Monitoring Wells	GP 4.C.2 – The City shall study groundwater basin quality and seek to maintain or enhance the quality of the basin supply or of delivered potable water or both.
59	Water	Water Source Security Systems	GP Goal 4.C – To maintain a safe, reliable, and sufficient water supply that will meet the future needs of the City.
60	Water	Water Master Plan	GP Policy 4.A.4. – The City shall update City facility master plans on a regular basis to ensure: compliance with appropriate state and federal laws; use of modern and cost-effective technologies; and compatibility with current land use policy.
61	Water	Chromium 6 Investigations	GP Goal 4.C – To maintain a safe, reliable, and sufficient water supply that will meet the future needs of the city.
62	Water	ASR Testing & Modeling	GP Goal 4.C – To maintain a safe, reliable, and sufficient water supply that will meet the future needs of the city.
63	Water	Recycled Water Program	GP Policy 4.C.5 – The City shall investigate the use of reclaimed wastewater to offset the demand for new water supplies.
Spring Lake			
64	Spring Lake	Marston Drive between Parkland and Harry Lorenzo Ave	GP Policy 3.A.5- The City shall pursue financing in a timely manner for all components of the transportation system to achieve and maintain adopted level of service standards.
65	Spring Lake	Parkland Avenue between Heritage Pkwy and Marston	GP Policy 3.A.5- The City shall pursue financing in a timely manner for all components of the transportation system to achieve and maintain adopted level of service standards.
66	Spring Lake	Pioneer Avenue High School Entrance to FCR	GP Policy 3.A.5- The City shall pursue financing in a timely manner for all components of the transportation system to achieve and maintain adopted level of service standards.
67	Spring Lake	Beeghly Greenbelt	GP 5.A.6 – The City shall seek to establish and maintain a linear park system of greenbelts, bicycle paths, and pedestrian walkways that link the City park facilities, schools and Downtown.
68	Spring Lake	Farmers Central Road between Harry Lorenzo Ave and Pioneer	GP Policy 3.A.5- The City shall pursue financing in a timely manner for all components of the transportation system to achieve and maintain adopted level of service standards.
69	Spring Lake	Harry Lorenzo Ave between Gibson and Farmers Central Roads	GP Policy 3.A.5- The City shall pursue financing in a timely manner for all components of the transportation system to achieve and maintain adopted level of service standards.
70	Spring Lake	CR 25A between Harry Lorenzo Ave and SR113	GP Policy 3.A.5- The City shall pursue financing in a timely manner for all components of the transportation system to achieve and maintain adopted level of service standards.
	Spring Lake	Galvin Way Storm Drain	GP Goal 4.E – To collect and dispose of storm water in a manner that minimizes

CITY OF WOODLAND
10-YEAR CAPITAL IMPROVEMENT PROGRAM PROJECTS (FISCAL YEARS 15/16 TO 18/19)

71			inconvenience to the public, minimizes potential water-related damage, and enhances the environment and complies with state and federal laws.
72	Spring Lake	Meikle between Parkway and Road 25A	GP Policy 3.A.5- The City shall pursue financing in a timely manner for all components of the transportation system to achieve and maintain adopted level of service standards.
73	Spring Lake	Parkland Drive between Heritage Pkwy and Harry Lorenzo Ave	GP Policy 3.A.5- The City shall pursue financing in a timely manner for all components of the transportation system to achieve and maintain adopted level of service standards.
74	Spring Lake	Harry Lorenzo Ave between Farmers Central and Parkland	GP Policy 3.A.5- The City shall pursue financing in a timely manner for all components of the transportation system to achieve and maintain adopted level of service standards.
75	Spring Lake	SR113 Utility Crossings	GP Policy 3.A.5- The City shall pursue financing in a timely manner for all components of the transportation system to achieve and maintain adopted level of service standards.
76	Spring Lake	R&B Greenbelt	GP 5.A.6 – The City shall seek to establish and maintain a linear park system of greenbelts, bicycle paths, and pedestrian walkways that link the City park facilities, schools and Downtown.
77	Spring Lake	Monuments & Bus Shelters	GP 3.D.5 – The City shall require new development to provide sheltered public transit stops, with turnouts, where sufficient population or employment concentrations warrant an existing or future bus route.
78	Spring Lake	Update CIP	GP Goal 4.B – To ensure that adopted facility and service standards are achieved and maintained through the use of equitable funding methods.

City of Woodland
Capital Improvement Program
FY2015/16 - FY2018/19

Project Category	Project Number	Project Name	Total Funding
General	07-06	General Plan Update	\$ 1,643,000
General	07-07	Zoning Ordinance & CEQA	\$ 130,000
General	08-57	MPFP Annual Update	\$ 160,000
General	15-11	City Hall Annex Remodel/Woodland Opera House Dance & Theatre Academy	\$ 487,000
Library	15-08	Library Facility Improvements	\$ 600,000
Library	94-45	Library Material Collection	\$ 510,000
Park Facilities	13-07	Community & Senior Center Emergency Generator	\$ 220,000
Park Facilities	15-05	SLSP Neighborhood Park	\$ 3,900,000
Park Facilities	15-06	Play Equipment & Electrical Panel - Crawford Park	\$ 143,000
Park Facilities	15-07	Camarena Ball Field - Grant Match	\$ 50,000
Park Facilities	16-06	Main Distribution Panel - Brooks Swim Center	\$ 50,000
Sewer	08-35	New Calibrated City Sewer Model	\$ 40,000
Sewer	08-21	Annual Sewer Repair and Replacement	\$ 4,616,530
Sewer	08-22	Preliminary Odor Abatement	\$ 374,500
Sewer	10-11	Treatment Plant Exp-Biosolids	\$ 6,597,000
Sewer	12-02	Wastewater Aeration Retrofit	\$ 20,494,000
Sewer	14-02	Water Pollution Asset Replacement Project	\$ 3,451,238
Sewer	14-03	Replacement of Orangeberg Sewer Laterals	\$ 1,500,000
Sewer	14-07	Sewer Collection System Wastewater Treatment Master Plan	\$ 429,708
Sewer	14-15	Large Diameter Wastewater Pipeline Repair, Replacement, & Lining	\$ 3,142,000
Sewer	15-13	Kentucky Avenue Sewer Rehabilitation	\$ 610,000
Sewer	15-18	Mechanical Screens Replacement - Phase 2	\$ 951,881
SLIF Infrastructure	06-12	Spring Lake East Regional Pond Landscaping	\$ 484,000
SLIF Infrastructure	09-25	County Road 25A Improvement: SR 113 to Harry Lorenzo Ave	\$ 1,088,000
SLIF Infrastructure	11-03	Marston Drive between Parkland Ave and Harry Lorenzo Avenue	\$ 426,000
SLIF Infrastructure	11-04	Farmers Central Road between Harry Lorenzo Avenue and Pioneer Ave	\$ 2,429,000
SLIF Infrastructure	11-11	Parkland Avenue between Heritage Parkway and Marston	\$ 3,311,000
SLIF Infrastructure	11-13	North Gibson Ponds Modification for Storm Drainage	\$ 2,550,000
SLIF Infrastructure	14-01	Beeghly Greenbelt	\$ 570,000
SLIF Infrastructure	14-04	Monuments and Bus Shelters	\$ 50,000
SLIF Infrastructure	14-16	Pioneer Avenue High School Entrance to Farmer's Central Rd	\$ 2,300,000
SLIF Infrastructure	15-01	Meikle between Heritage Parkway and Road 25A	\$ 400,000
SLIF Infrastructure	16-04	Spring Lake CIP Update	\$ 125,000
SLIF Infrastructure	16-08	Harry Lorenzo Avenue between Gibson and Farmers Central Roads	\$ 1,097,000
SLIF Infrastructure	17-01	Galvin Way Storm Drain	\$ 88,000
SLIF Infrastructure	SL-015	Parkland Drive between Pioneer Avenue and Harry Lorenzo Avenue	\$ 2,294,000
SLIF Infrastructure	SL-018	Harry Lorenzo Avenue between Farmers Central and Parkland	\$ 516,000
SLIF Infrastructure	SL-019	SR 113 Utility Crossings	\$ 2,835,000
SLIF Infrastructure	SL-021	R&B Greenbelt	\$ 1,743,000
Storm Drain	09-31	Storz Pond Maintenance	\$ 110,000
Storm Drain	09-15	FloodSAFE Yolo/Cache Creek Feasibility Study	\$ 2,050,000
Storm Drain	16-03	Stormwater Quality Design Manual Update & Hydromodification Exemption Efforts	\$ 150,000
Transportation	95-24	Planning Analysis Studies	\$ 220,413
Transportation	00-06	I-5/SR113 Freeway to Freeway Connectors Phase 2	\$ 430,000
Transportation	02-28	Traffic Engineering Services	\$ 215,860
Transportation	04-07	Kentuck Avenue Widening and Reconstruction	\$ 15,647,600
Transportation	06-06	Measure E Planning-Management	\$ 250,000
Transportation	06-14	Annual In-House Road Program Support	\$ 2,000,000
Transportation	08-58	Downtown Streetscape Improvements	\$ 1,722,566
Transportation	11-15	Community Center/Sports Park Frontage	\$ 261,444
Transportation	11-24	I-5/CR 102 Interchange Landscaping	\$ 2,064,804
Transportation	11-27	Main St/Cleveland St Signal Intersection Improvements	\$ 462,000
Transportation	13-05	East Main Street Improvement Project	\$ 7,480,000
Transportation	15-03	2015 Road Maintenance Project	\$ 1,100,000
Transportation	15-09	2014/15 ADA Improvements	\$ 133,772
Transportation	15-16	Main Street Streetscape - Walnut to Elm	\$ 1,698,420
Transportation	16-01	2016 Road Maintenance Project	\$ 1,000,000
Transportation	16-02	Install traffic signal at Freeway Drive & E. Main Street	\$ 450,000
Transportation	16-05	School Signalized Crosswalks	\$ 100,000
Transportation	16-07	2015/16 ADA Improvements	\$ 135,845
Transportation	17-02	Install Traffic Signal at Kentucky/Cottonwood	\$ 450,000
Transportation	17-03	2017 Road Maintenance Project	\$ 1,000,000
Transportation	17-06	Update Street Master Plan	\$ 150,000
Transportation	TRANS-051	2018 Road Maintenance Project	\$ 1,000,000

City of Woodland
Capital Improvement Program
FY2015/16 - FY2018/19

Project Category	Project Number	Project Name	Total Funding
Transportation	TRANS-053	2019 Road Rehabilitation Project	\$ 2,000,000
Water	08-07	Surface Water Project	\$ 67,119,399
Water	08-28	Modify Well Casings	\$ 695,000
Water	08-29	Groundwater Monitoring Wells	\$ 66,000
Water	09-05	Water Source Security System	\$ 255,000
Water	09-23	Water System Leak Detection, Maintenance & Repairs	\$ 11,860,507
Water	11-10	Destroy Old Wells	\$ 550,066
Water	11-14	Water Transmission Main (East) - Surface Water Local	\$ 12,282,927
Water	12-05	Water Transmission Main (West) - Surface Water Local	\$ 6,796,000
Water	14-09	Water Master Plan Update	\$ 800,000
Water	14-13	ASR Testing and Modeling - Surface Water Local	\$ 600,000
Water	15-02	New ASR Well Construction	\$ 9,000,000
Water	15-04	Chromium 6 Investigations	\$ 75,000
Water	15-10	Recycled Water Program	\$ 6,550,000
Water	15-15	Dog Gone Alley Water Main Replacement	\$ 154,451
Water	15-19	Annual Water and Sewer Repair & Replacement	\$ 2,150,000
Water	17-04	Future ASR Wells	\$ 1,700,000
Water	17-05	ASR Wells	\$ 5,056,000
		GRAND TOTAL	\$ 240,398,931



Legislation Details (With Text)

File #: 14-730 Version: 1 Name:
Type: Staff Report Status: Agenda Ready
File created: 4/23/2015 In control: Planning Commission
On agenda: 5/7/2015 Final action:
Title: SUBJECT: Design Review for D.R. Horton; Solara Ranch Subdivision at Spring Lake
DATE: May 7, 2015

RECOMMENDATION: Staff recommends that the Planning Commission:
Review and approve the proposed conceptual residential designs for D.R. Horton; Solara Ranch Subdivision at Spring Lake

Sponsors:

Indexes:

Code sections:

Attachments: [1. General Application Form](#)
[2. Solara Ranch Final Subivision Map #4853](#)
[3. Solara Ranch Development Agreement with Conditions of Approval](#)
[4. Floor Plans, Elevations and Color and Materials](#)
[5. Fence, Driveway and Frontyard Landscape Typicals](#)
[6. Lotting Development Plan](#)
[7. Lot Coverage Table](#)

Date	Ver.	Action By	Action	Result
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MEMORANDUM

TO: Members of the Woodland Planning Commission
FROM: Erika Bumgardner, Senior Planner
SUBJECT: Design Review for *D.R. Horton; Solara Ranch Subdivision at Spring Lake*
DATE: May 7, 2015

RECOMMENDATION: Staff recommends that the Planning Commission:
Review and approve the proposed conceptual residential designs for *D.R. Horton; Solara Ranch Subdivision at Spring Lake*

PROJECT PROPOSAL:

An application has been filed for Site Plan and Design Review for a residential project (*D.R. Horton; Solara Ranch Subdivision at Spring Lake*) on 19.23 acres (94 residential lots) within the R-5 zone of the Spring Lake

Planning Area. The project consists of 84 single-family detached homes and 10 attached “duets” homes for a total of 94 units. The residential plans include 46 two-story elevations and 48 single-story elevations with six (6) floor plans and sixteen (16) elevations (**see Attachment 4**). The homes range in size from 1,570 square feet to 3,038 square feet (with optional loggia design feature on certain homes). The plan submittal includes a lot layout plan, typical front yard landscape plan, and a residential design booklet (**see Attachments 4 - 7**).

BACKGROUND:

The 19.23 acre Solara Ranch Subdivision is located northwest of Parkland Avenue and Marston Drive. The subdivision was created by the Solara Ranch Subdivision Map No. 4853 approved by the City Council on March 23, 2004 (**see Attachments 2 - 3**).

PROJECT ANALYSIS:

The project design review was performed using the Spring Lake Specific Plan (adopted December 18, 2001 and subsequently amended) and the Spring Lake Specific Plan Design Standards as approved May 20, 2003.

Compliance With Spring Lake Specific Plan (SLSP) Design Standards

To achieve architectural diversity within residential neighborhoods, the Spring Lake Design Standards requires four (4) floor plans and sixteen (16) elevations (4 per plan) for subdivisions between 76 and 120 units. The proposed 94 unit Solara Ranch Subdivision includes six (6) different floor plans and 16 elevations (the two “duets” plans have two elevations each and the four standard plans have three elevations each). Staff finds that the resulting unit and elevation mix meets the total requirement for 16 elevations types (by including an additional two floor plans beyond the required four) and meets the intent of the Spring Lake Specific Plan for architectural diversity. Each plan will be utilized on the following number of lots:

<u>Plan</u>	<u>Number of Lots</u>	<u>No. of Stories</u>
1(duet)	5	2
2(duet)	5	1
3	22	1
4	21	1
5	26	2
6	15	2

The exterior materials being proposed include:

<u>Features</u>	<u>Style or Material</u>
Roofs	Flat Shake and Low “S” Profile; Concrete
Masonry	Cultured Stone Veneer
Stucco	Rough and smooth finish on trim accents
Trim	1x Stucco Finish
Shutters	Faux Wood
Wood post & beam	Wood
Siding	Cementitious Siding

A desired intent of the Spring Lake Specific Plan is to create variety and interest along a street and provide opportunity for neighborhood social interaction. Toward this end, the applicant has worked to develop color pallets with a mix of architectural materials and roof styles and that are diverse yet appropriate to each

architectural style. Front porches are included on all of the 94 homes to enhance the street front appearance and are of sufficient size (minimum 6x8 feet) to allow for a table and chairs.

The applicant is providing water conserving landscaping with no turf as standard for all front yard landscaping as shown on the landscape plans. The applicant has also worked to develop a residential color pallet that is appropriate to each architectural style of the homes while also allowing for significant differentiation between plans.

Staff's review of the conceptual residential elevations and plans, finds the residential designs, as conditioned, substantially comply with the Spring Lake Specific Plan and the Spring Lake Design Standards. The proposed residential designs incorporate a variety of elevation styles, varied roof lines, and a mix of siding and accent materials.

The applicant shall comply with the following Conditions of Approval specific to the Design Review application, but shall also be subject to applicable conditions provided in the originally approved Development Agreement for the project (Attachment 3).

RECOMMENDED CONDITIONS OF APPROVAL

COA #1: *D.R. Horton; Solara Ranch Subdivision at Spring Lake* shall comply with Spring Lake Specific Plan and Spring Lake Design Standards for any changes proposed after the initial design review approval of May 7, 2015. Proposed changes shall be submitted to staff for review. Minor design or material changes and/or setback modifications consistent with the intent of the Spring Lake Specific Plan and Design Standards can be approved by staff and major changes will be reviewed by the Planning Commission.

COA #2: Prior to issuing any building permit, a final site and design review of final plans shall be conducted by staff. This final review may require further site and design changes to ensure compliance with the Spring Lake Specific Plan and Spring Lake Design Standards.

COA #3: All residential units shall include a separated, enhanced pedestrian pathway from back of walk to the courtyard, porch, or front door.

COA #4: Compliance with the following standards is required prior to issuance of a building permit:

- Public facilities shall be oriented and screened from public view to the greatest extent feasible.

COA #5: 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.

COA #6: Corner Lot Accent Treatment. Homes located on corner lots, and/or side and rear elevations that are visible to public view shall have enhanced treatment provided on sides in addition to the home front. Color, material and/or accent treatment shall be carried back to the fence line.

COA #7: Lot Coverage. The project shall comply with lot coverage requirements as specified in the

City's Zoning Ordinance. Lot coverage shall be clearly specified for each lot on the final lot layout and site plan prior to issuance of building permits. The applicant shall provide disclosure to property owners of the maximum lot coverage allowed on the lot they have purchased. At no time shall the housing footprint (including optional loggia) exceed the maximum lot coverage requirement of 50 percent.

COA #8: Landscape Plan Submittal. Detailed Landscape and Irrigation plans shall be submitted and approved by the Community Development, and Parks and Recreation Departments concurrent with public improvement plans and 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.
- Details of all irrigation (drip, sprinkler, and bubbler) as well as equipment such as backflow controller and water meter devices identified.

COA #9: Street Tree Master Plan. Street Tree Master Planting Plan shall be approved prior to the issuance of the first building permit. The plan shall be reviewed for conformance with the Spring Lake Design Standards and approved by the Community Development Department and the City's Public Works Department - tree division. A soils test shall be submitted that will assist in appropriate species selection.

COA #10: Public Landscaping. Final landscaping plans for all areas to be maintained by the SLSP Lighting and Landscape District shall be submitted for review and approval by Community Development and the Department of Parks and Recreation. Due to poor soil conditions in the project area, soil sample analysis shall be provided for publicly maintained landscaping areas.

COA #11: Timing of Public Landscaping. Landscaping of public areas is a public improvement. Design and construction of public landscaping areas shall proceed concurrent with adjacent development.

COA #12: Water Conservation. Applicant shall comply with the State of California's new Water Efficient Landscape Ordinance AB 1881. The landscape architect shall document and attest to the compliance with the new State ordinance on the final front yard landscape plans.

COA #13: 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.

- COA #14: 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. All required notes/details shall be provided on plans prior to the issuance of permits. Fencing shall comply with Section 2.9 of the Spring Lake Design Standards including a 2 x 8 cap and 1 x 6 (or 1 x 8) panels.
- COA #15: Greenbelt Adjacent Fencing.** All fencing adjacent to the greenbelt shall be enhanced materially and aesthetically. All wood fencing shall be stained with a water sealant. Fence design shall be submitted for review and approval prior to the issuance of building permits.
- COA #16: Interconnecting Walks and Pathways.** Interconnecting walks and pathways shall be a minimum of 25 feet wide and landscaped consistent with Section 6.9 of the SL Design Standards. Details of the path design shall be provided on landscape plans prior to the issuance of building permits.
- COA #17: 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.
- COA #18: Trash and Recycling Container Storage.** All future development shall meet the requirements for trash and recycling container storage as provided in Design Standard 2.8. Information shall be provided on plans prior to issuance of building permits.
- COA #19: 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)
- COA #20: Energy Efficiency.** All future development shall meet the requirements for energy efficiency consistent with Section 2.11 of the Spring Lake Design Standards including the requirement that five (5) percent of all units shall have roof photovoltaic energy systems or other alternate energy systems.

RECOMMENDATION:

Staff recommends that the Planning Commission:

Review and approve the proposed conceptual residential designs for *D.R. Horton; Solara Ranch Subdivision at Spring Lake*.

RECOMMENDED ACTION: Staff recommends approval of the residential designs by making an affirmative motion as follows:

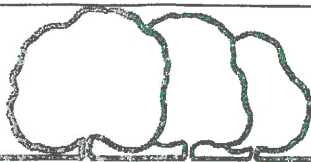
MOTION NO. 1: Move to APPROVE the residential design for *D.R. Horton, Solara Ranch Subdivision at Spring Lake*, as shown in the Plan Booklet, overall site exhibit (lot layout), and

color/materials boards, subject to the conditions of approval provided, a determination that:

- The project as conditioned is consistent with the Spring Lake Specific Plan.
- The project as conditioned is consistent with the Spring Lake Specific Plan Design Standards.

ATTACHMENTS:

1. General Application Form
2. Solara Ranch Final Subdivision Map #4853
3. Solara Ranch Development Agreement with Conditions of Approval
4. Floor Plans, Elevations and Color and Materials
5. Fence, Driveway and Frontyard Landscape Typicals
6. Lotting Development Plan
7. Lot Coverage Table



City of Woodland

City of Woodland, CA
Permits & Inspections PLNG-13-00083
003974-001 Debbie F. 10/08/2013 04:08PM
52298 - WESTERN PACIFIC HOUSING INC
Community Development Department
CITY ROUTING 300 First St, Woodland CA 95695
Paid Amount: (530) 661-5820 Fax (530) 406-0882
www.cityofwoodland.org

General Application Form

1. Owner/Applicant

~~\$2565 - owing~~ Paid

PROPERTY OWNER:

Western Pacific Housing

PROJECT APPLICANT

same

MAILING ADDRESS:

5050 Hopyard, S. 180

MAILING ADDRESS:

5050 Hopyard, Suite 180

CITY STATE ZIP CODE:

Pleasanton, CA 94588

CITY STATE ZIP CODE:

Pleasanton, CA 94588

PHONE NUMBER:

925-382-4180

PHONE NUMBER:

925-382-4180

E-MAIL ADDRESS:

compaglicrugby@aol.com

E-MAIL ADDRESS:

compaglicrugby@aol.com

2. Application Requested

- | | | |
|--|--|---|
| ☐ General Plan Petition | ☐ Zoning Amendment | ☐ General Plan Amendment |
| ☐ Tentative Subdivision Map | ☐ Tentative Parcel Map | ☐ Lot Line Adjustment |
| ☐ Site Plan Review | ☒ Design Review | ☐ Sign Design Review |
| ☐ Conditional Use Permit (CUP) | ☐ Zoning Administrator Permit | ☐ Variance |
| ☐ Public Convenience or Necessity | ☐ Other #4778 | |

Is this request part of another application? ☒ Yes ☐ No If so, what? Solara Subdivision

3. Project Description

Project Name:

Solara

Site address or location:

Heritage/Parkland

Total Acres or Square Feet

See Tentative map

Assessor's Parcel Number:

See tentative map

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.

PLNG-13-00083

OWNER'S STATEMENT

WE, THE UNDERSIGNED, DO HEREBY CONSENT TO THE PREPARATION AND FILING OF THIS MAP OF SUBDIVISION NO. 4853 FOR RECORD; AND WE DO HEREBY STATE THAT IN ORDER TO PASS CLEAR TITLE TO THE LAND DELINEATED WITHIN THE EXTERIOR BOUNDARY OF THIS MAP THE CONSENT OF NO OTHER PERSONS IS NECESSARY.

THE REAL PROPERTY DESCRIBED BELOW IS IRREVOCABLY DEDICATED, IN FEE, TO THE CITY OF WOODLAND, A MUNICIPAL CORPORATION, FOR PUBLIC PURPOSES; LOT A, LOT B, HARRY LORENZO AVENUE, HUNT STREET, MARSTON DRIVE, DAVIS STREET, READ COURT, DIGGS STREET, DIGGS COURT, AND PARKLAND AVENUE.

THE REAL PROPERTY DESCRIBED BELOW IS IRREVOCABLY DEDICATED, AS AN EASEMENT, TO THE CITY OF WOODLAND, A MUNICIPAL CORPORATION, FOR PUBLIC PURPOSES, MAINTENANCE AND OPERATION OF DRAINAGE, WATER, SEWER, GAS PIPES, POWER, LIGHTS, SIGNS, TELEPHONE, COMMUNICATION AND TELEVISION CABLES; AND ANY AND ALL OTHER UTILITY SERVICES TOGETHER WITH ANY AND ALL NECESSARY APPURTENANCES IN EACH CASE, IN, OVER AND ACROSS THOSE STRIPS OF LAND SHOWN OR DESIGNATED AS PUBLIC UTILITY EASEMENT (PUE)

IN WITNESS WHEREOF, THE UNDERSIGNED HAVE CAUSED THEIR NAMES TO BE SUBSCRIBED ON THIS 11th DAY OF 12/2014.

OWNER: WESTERN PACIFIC HOUSING INC., A DELAWARE CORPORATION

BY: [Signature]

NAME: Dean K. Mills

TITLE: Assistant Vice President

A NOTARY PUBLIC OR OTHER OFFICER COMPLETING THIS CERTIFICATE VERIFIES ONLY THE IDENTITY OF THE INDIVIDUAL WHO SIGNED THE DOCUMENT TO WHICH THIS CERTIFICATE IS ATTACHED, AND NOT THE TRUTHFULNESS, ACCURACY, OR VALIDITY OF THAT DOCUMENT.

NOTARY ACKNOWLEDGEMENT

STATE OF California)
COUNTY OF Alameda) S.S.

ON December 11, 2014, BEFORE ME, U. Snipes,
NOTARY PUBLIC, PERSONALLY APPEARED Dean K. Mills,
WHO PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE PERSON(S) WHOSE
NAME(S) IS/ARE SUBSCRIBED TO THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT
HE/SHE/THEY EXECUTED THE SAME IN HIS/HER/THEIR AUTHORIZED CAPACITY(IES), AND THAT BY
HIS SIGNATURE ON THE INSTRUMENT THE PERSON 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:

BY: [Signature]

NAME (PRINT): U. Snipes

NOTARY'S PRINCIPAL PLACE OF BUSINESS: Alameda

NOTARY'S COMMISSION EXPIRES: Sep. 17, 2015

NOTARY'S COMMISSION NO.: 1952579

DEDICATION STATEMENT

PURSUANT TO SECTION 66477.5 OF THE SUBDIVISION MAP ACT THE NAME AND ADDRESS OF THE GRANTOR OF THE DEDICATED PROPERTY IS AS FOLLOWS:

WESTERN PACIFIC HOUSING, INC.
5050 HOPYARD ROAD, SUITE 180
PLEASANTON, CA 94588

THE LEGAL DESCRIPTION OF THE PROPERTY DEDICATED IS AS FOLLOWS:

1. ALL ROADS, AVENUES, DRIVES, WAYS, AND COURTS SHOWN HEREON.
2. LOT A AS SHOWN HEREON FOR DRAINAGE PURPOSES AND LOT B AS SHOWN HEREON FOR LANDSCAPING PURPOSES.

THE CITY OF WOODLAND SHALL RECONVEY THE PROPERTY TO THE GRANTOR, OR THE SUCCESSOR(S) IN INTEREST, IF IT DETERMINES PURSUANT TO SECTION 66477.5 OF THE SUBDIVISION MAP ACT THAT THE SAME PUBLIC PURPOSE FOR WHICH THE PROPERTY WAS DEDICATED DOES NOT EXIST FOR ALL AND ANY PORTION OF THE PROPERTY THAT IS REQUIRED FOR THAT SAME PUBLIC PURPOSE OR FOR PUBLIC UTILITIES.

COMMUNITY DEVELOPMENT DIRECTOR'S STATEMENT

I HEREBY STATE THAT I HAVE EXAMINED THIS MAP AND HAVE FOUND IT TO BE SUBSTANTIALLY THE SAME AS IT APPEARED ON THE APPROVED TENTATIVE MAP, AND ANY APPROVED ALTERATIONS THEREOF, AND THAT THIS MAP COMPLIES WITH ALL APPLICABLE CITY ORDINANCES AND CONDITIONS OF APPROVAL.

DATE: 12/11/14

BY: [Signature]
KEN HATT, COMMUNITY DEVELOPMENT DIRECTOR, CITY OF WOODLAND

COUNTY TAX COLLECTOR'S STATEMENT

I, THE UNDERSIGNED, TAX COLLECTOR AND REDEMPTION OFFICER OF YOLO COUNTY, DO HEREBY STATE THAT ACCORDING TO THE RECORDS OF THIS OFFICE THERE ARE NO LIENS AGAINST THIS SUBDIVISION OR ANY PART THEREOF FOR UNPAID STATE, COUNTY, MUNICIPAL, OR LOCAL TAXES OR SPECIAL ASSESSMENTS COLLECTED AS TAXES, EXCEPT TAXES OR SPECIAL ASSESSMENTS NOT YET PAYABLE.

FURTHERMORE, PURSUANT TO THE YOLO COUNTY BOARD OF SUPERVISORS RESOLUTION NO. 89-168, I DO HEREBY CERTIFY ON BEHALF OF THE CLERK OF THE BOARD OF SUPERVISORS THAT CHAPTER 4, ARTICLE 8, OF THE SUBDIVISION MAP ACT HAS BEEN COMPLIED WITH REGARDING DEPOSITS.

IN WITNESS WHEREOF, THE UNDERSIGNED HAS CAUSED HIS NAME TO BE SUBSCRIBED ON THIS
9th DAY OF February, 2015.

[Signature]
COUNTY TAX COLLECTOR
HOWARD NEWENS

RECORDER'S STATEMENT

FILED THIS 10th DAY OF February, 2015 AT 10:45 A.M.

IN BOOK 2015 OF MAPS, AT PAGES 5-10

YOLO COUNTY RECORDS, AT THE REQUEST OF FIRST AMERICAN
TITLE COMPANY.

[Signature]
COUNTY RECORDER - COUNTY OF YOLO

BY: [Signature]



SURVEYOR'S STATEMENT

THIS MAP WAS PREPARED BY ME OR UNDER MY DIRECTION AND IS BASED ON A FIELD SURVEY IN CONFORMANCE WITH THE REQUIREMENTS OF THE SUBDIVISION MAP ACT AND LOCAL ORDINANCE AT THE REQUEST OF WESTERN PACIFIC HOUSING, INC. ON DECEMBER 2009. I HEREBY STATE THAT ALL THE MONUMENTS ARE OF THE CHARACTER AND OCCUPY THE POSITIONS INDICATED OR THAT THEY WILL BE SET IN THOSE POSITIONS BEFORE DECEMBER 2016, AND THAT THE MONUMENTS ARE, OR WILL BE, SUFFICIENT TO ENABLE THE SURVEY TO BE RETRACED, AND THAT THIS FINAL MAP SUBSTANTIALLY CONFORMS TO THE CONDITIONALLY APPROVED TENTATIVE MAP.

DATE: 11 Dec 14

BY: [Signature]
SABRINA KYEE PACK, P.L.S.
LS NO. 8164



CITY CONSULTANT'S STATEMENT

I HEREBY STATE, ON BEHALF OF THE CITY ENGINEER, THAT I HAVE EXAMINED THIS PLAT OF FINAL MAP ENTITLED "SUBDIVISION NO. 4853" AND I AM SATISFIED THAT SAID PLAT IS TECHNICALLY CORRECT.

DATE: 12-16-2014

BY: [Signature]
JON G. CRAWFORD
R.C.E. 32935



CITY ENGINEER'S STATEMENT

I HEREBY STATE THAT I HAVE EXAMINED THIS PLAT OF FINAL MAP ENTITLED "SUBDIVISION NO. 4853" AND FIND IT TO BE SUBSTANTIALLY THE SAME AS THE TENTATIVE MAP APPROVED BY THE PLANNING COMMISSION OF THE CITY OF WOODLAND, AND THAT ALL PROVISIONS OF THE SUBDIVISION MAP ACT AND ALL APPLICABLE CITY ORDINANCES HAVE BEEN COMPLIED WITH.

DATE: 12/16/2014

BY: [Signature]
BRENT MEYER, CITY ENGINEER
R.C.E. 52587
EXPIRES 12/31/2016

CITY CLERK'S STATEMENT

I HEREBY STATE THAT AT ITS REGULARLY SCHEDULED MEETING OF Dec. 16, 2014 M.
THE CITY COUNCIL OF THE CITY OF WOODLAND APPROVED THIS FINAL MAP OF SUBDIVISION NO. 4853
AND HAS ACCEPTED ON BEHALF OF THE PUBLIC, ALL LAND, RIGHTS OF WAY, AND EASEMENTS
HEREON OFFERED FOR DEDICATION.

PURSUANT TO SECTIONS 66499.20.2 AND 66434(g) OF THE SUBDIVISION MAP ACT, THE FOLLOWING
EASEMENTS AND RIGHTS OF WAY ARE HEREBY ABANDONED AND ARE NOT SHOWN HEREON: ALL
RIGHTS OF THE PUBLIC IN AND TO COUNTY ROAD 101 WITHIN THE BOUNDS OF THIS MAP.

DATE: 12/17/2014

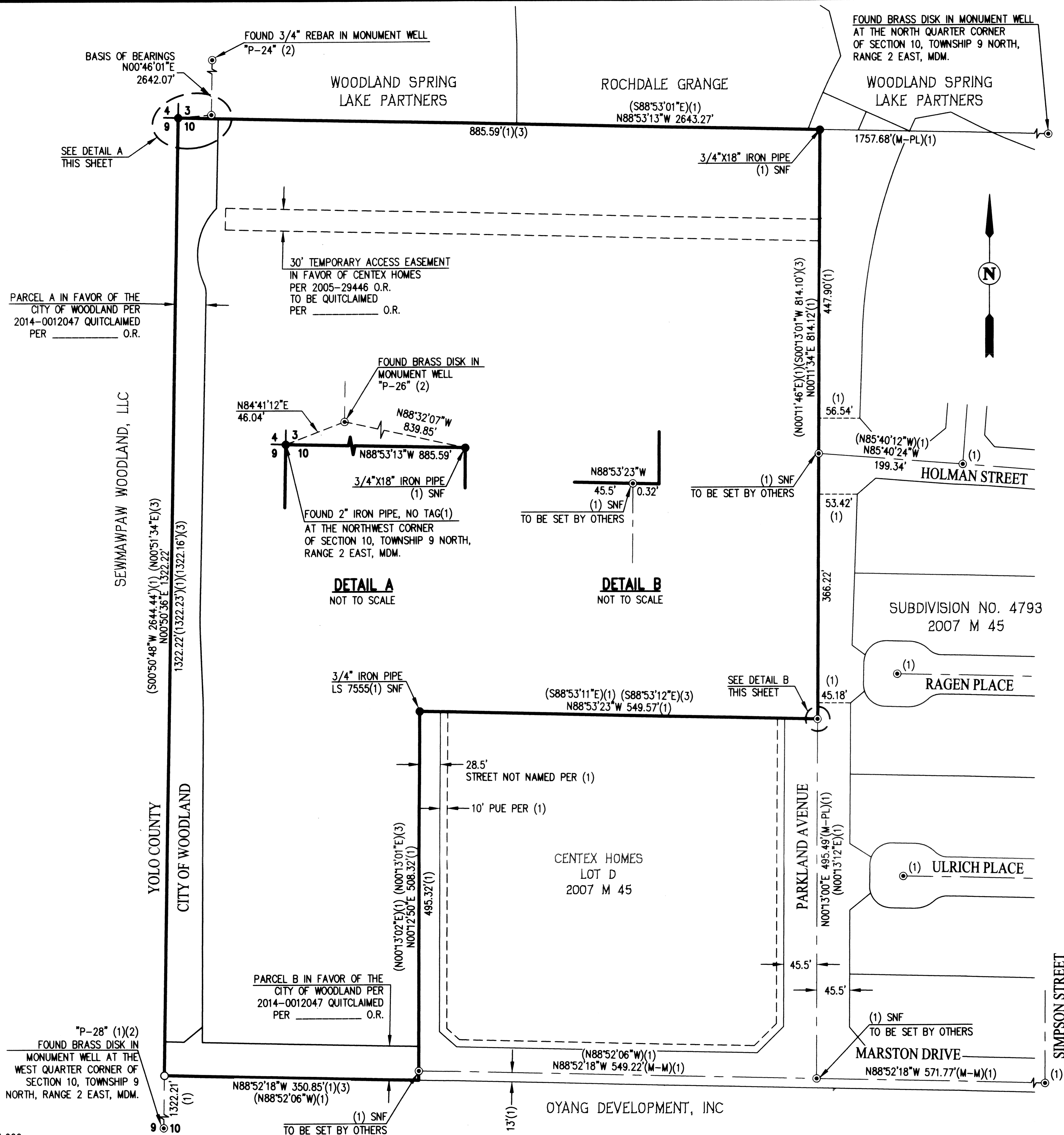
BY: [Signature]
CITY CLERK, CITY OF WOODLAND

SUBDIVISION NO. 4853 SOLARA RANCH

BEING PARCEL 3 OF PARCEL MAP NO. 4778, BEEGHLY RANCH, RECORDED IN
BOOK 2005 OF MAPS AT PAGE 123, YOLO COUNTY RECORDS
WOODLAND, CALIFORNIA

CARLSON, BARBEE & GIBSON, INC.

CIVIL ENGINEERS SURVEYORS PLANNERS
SAN RAMON, CALIFORNIA
DECEMBER 2014



BASIS OF BEARINGS

THE BASIS OF BEARINGS FOR THIS SURVEY IS BETWEEN STATION P-26 AND P-24 OF THE CITY OF WOODLAND GEODETIC CONTROL NETWORK. THE BEARING BEING N00°46'01"E (CALCULATED) PER 2002 MAPS 88. ALL DISTANCES SHOWN ARE GROUND DISTANCES.

LEGEND

—	SUBDIVISION BOUNDARY
—	RIGHT OF WAY LINE
—	LOT LINE
---	EASEMENT LINE
---	CENTERLINE
---	MONUMENT LINE
---	TIE LINE
(T)	TOTAL
(R)	RADIAL
(M-M)	MONUMENT TO MONUMENT
(M-PL)	MONUMENT TO PROPERTY LINE
(#)	INDICATES REFERENCE NUMBER
⊙	SET STANDARD STREET MONUMENT STAMPED LS 8164
⊙	STANDARD STREET MONUMENT AS NOTED
●	MONUMENT, AS NOTED
○	SET 5/8" REBAR AND CAP LS 8164
PUE	PUBLIC UTILITY EASEMENT
SF	SQUARE FEET
SNF	SEARCHED FOR, NOT FOUND

REFERENCES

- (1) SUBDIVISION 4793 (2007 M 45)
- (2) RECORD OF SURVEY (2002 M 88)
- (3) PARCEL MAP 4778 (2005 M 123)

NOTES

- (1) PURSUANT TO SECTIONS 66499.20.2 AND 66434(g) OF THE SUBDIVISION MAP ACT, THE FOLLOWING EASEMENTS AND RIGHTS OF WAY ARE HEREBY ABANDONED AND ARE NOT SHOWN HEREON: ALL RIGHTS OF THE PUBLIC IN AND TO COUNTY ROAD 101 WITHIN THE BOUNDS OF THIS MAP.

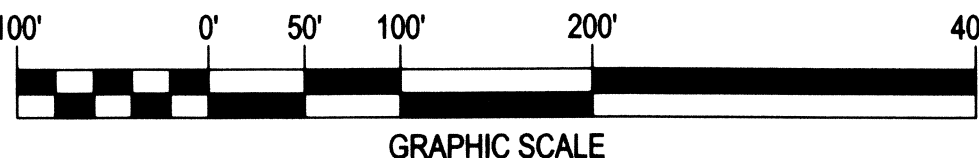
SUBDIVISION NO. 4853 SOLARA RANCH

BEING PARCEL 3 OF PARCEL MAP NO. 4778, BEEGLY RANCH, RECORDED IN BOOK 2005 OF MAPS AT PAGE 123, YOLO COUNTY RECORDS WOODLAND, CALIFORNIA

CARLSON, BARBEE & GIBSON, INC.

CIVIL ENGINEERS SURVEYORS PLANNERS
SAN RAMON, CALIFORNIA

SCALE: 1"=100' DECEMBER 2014



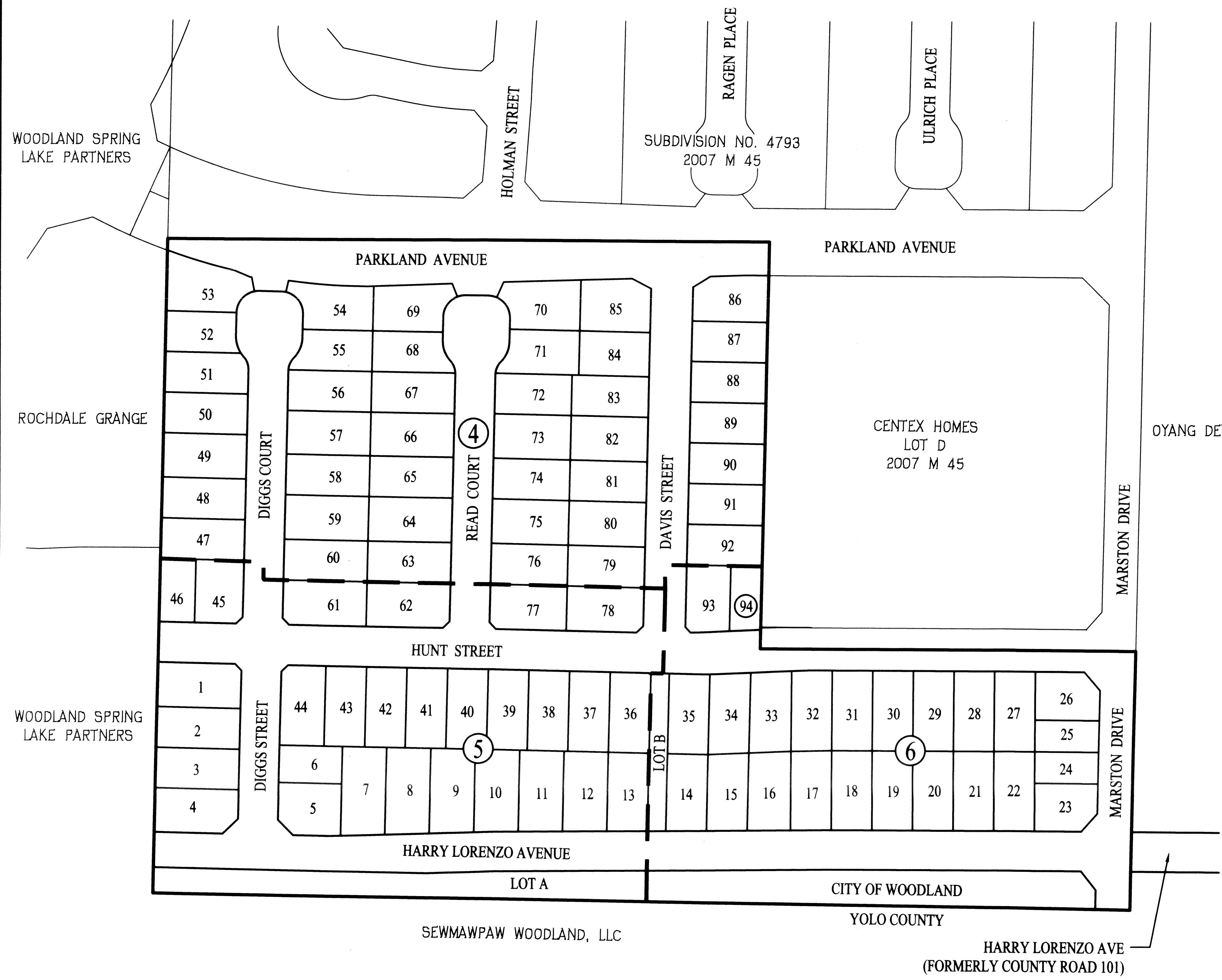


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LEGEND

- SUBDIVISION BOUNDARY
- RIGHT OF WAY LINE
- LOT LINE
- EASEMENT LINE
- CENTERLINE
- MONUMENT LINE
- TIE LINE
- TOTAL
- RADIAL
- MONUMENT TO MONUMENT
- MONUMENT TO PROPERTY LINE
- INDICATES REFERENCE NUMBER
- SET STANDARD STREET MONUMENT STAMPED LS 8164
- STANDARD STREET MONUMENT AS NOTED
- MONUMENT, AS NOTED
- SET 5/8" REBAR AND CAP LS 8164
- PUBLIC UTILITY EASEMENT
- SQUARE FEET
- SEARCHED FOR, NOT FOUND
- SHEET BOUNDARY
- SHEET NUMBER



INDEX SHEET

**SUBDIVISION NO. 4853
SOLARA RANCH**

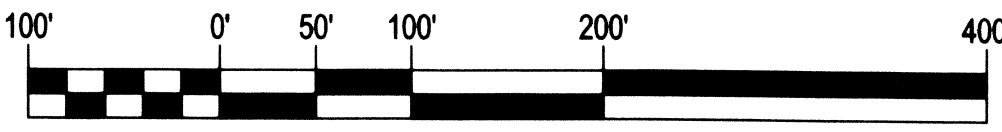
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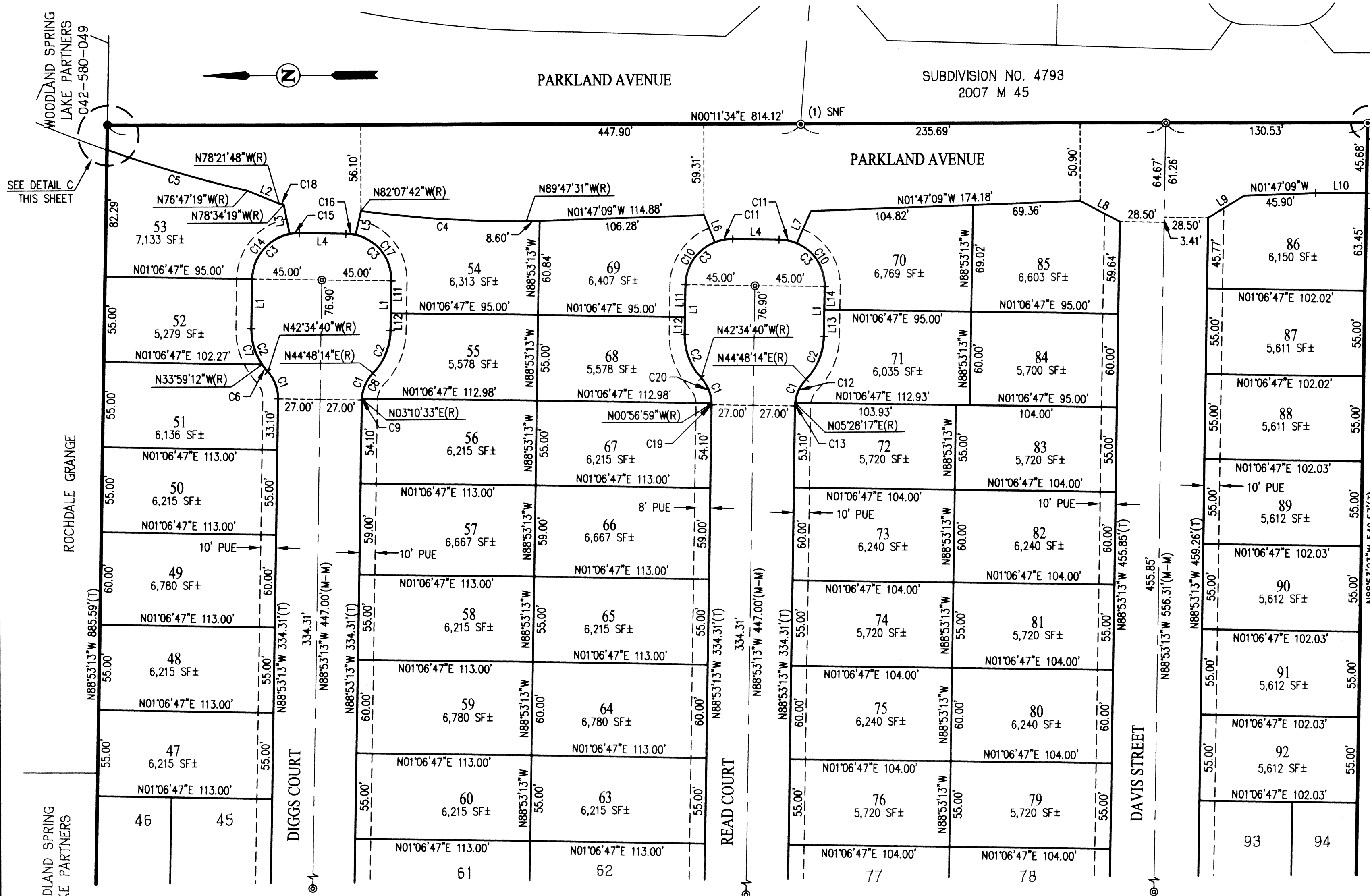
CIVIL ENGINEERS SURVEYORS PLANNERS
SAN RAMON, CALIFORNIA

DECEMBER 2014

SCALE: 1"=100'



GRAPHIC SCALE



BASIS OF BEARINGS

THE BASIS OF BEARINGS FOR THIS SURVEY IS BETWEEN STATION P-26 AND P-24 OF THE CITY OF WOODLAND GEODETIC CONTROL NETWORK. THE BEARING BEING N00°46'01"E (CALCULATED) PER 2002 MAPS 88. ALL DISTANCES SHOWN ARE GROUND DISTANCES.

LEGEND

	SUBDIVISION BOUNDARY
	RIGHT OF WAY LINE
	LOT LINE
	EASEMENT LINE
	CENTERLINE
	MONUMENT LINE
	TIE LINE
	TOTAL
	RADIAL
	MONUMENT TO MONUMENT
	MONUMENT TO PROPERTY LINE
	INDICATES REFERENCE NUMBER
	SET STANDARD STREET MONUMENT
	STAMPED LS 8164
	STANDARD STREET MONUMENT
	AS NOTED
	MONUMENT, AS NOTED
	SET 5/8" REBAR AND CAP LS 8164
	PUE
	SF
	SNF
	PUBLIC UTILITY EASEMENT
	SQUARE FEET
	SEARCHED FOR, NOT FOUND

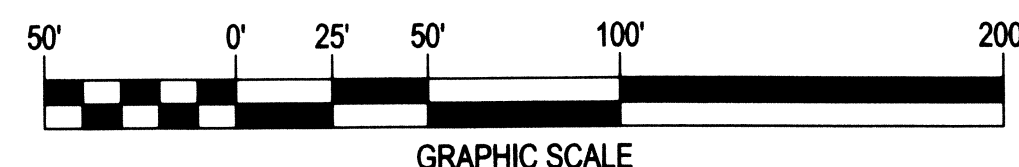
SUBDIVISION NO. 4853 SOLARA RANCH

BEING PARCEL 3 OF PARCEL MAP NO. 4778, BEEGLY RANCH, RECORDED IN BOOK 2005 OF MAPS AT PAGE 123, YOLO COUNTY RECORDS WOODLAND, CALIFORNIA

CARLSON, BARBEE & GIBSON, INC.

CIVIL ENGINEERS SURVEYORS PLANNERS
SAN RAMON, CALIFORNIA

SCALE: 1"=50' DECEMBER 2014



NO.	BEARING	LENGTH
L1	N88°53'13"W	32.00'
L2	N22°42'08"E	22.42'
L3	N79°05'23"E(R)	19.40'
L4	N01°06'47"E	30.00'
L5	N76°51'48"W(R)	15.88'
L6	N68°28'58"E(R)	18.99'
L7	N66°15'24"W(R)	22.79'
L8	N27°43'15"E	28.78'
L9	N31°28'22"W	27.57'
L10	N00°13'01"E	32.96'

NO.	BEARING	LENGTH
L11	N88°53'13"W	21.00'
L12	N88°53'13"W	11.00'
L13	N88°53'13"W	17.00'
L14	N88°53'13"W	15.00'

NO.	RADIUS	DELTA	LENGTH
C1	25.00'	43°41'27"	19.06'
C2	40.00'	43°41'27"	30.50'
C3	30.00'	90°00'00"	47.12'
C4	800.50'	07°39'49"	107.07'
C5	800.50'	06°45'41"	94.47'
C6	40.00'	08°35'28"	6.00'
C7	40.00'	35°05'59"	24.50'
C8	25.00'	41°37'41"	18.16'
C9	25.00'	02°03'46"	0.90'
C10	30.00'	67°22'11"	35.27'

NO.	RADIUS	DELTA	LENGTH
C11	30.00'	22°37'49"	11.85'
C12	25.00'	39°19'57"	17.16'
C13	25.00'	04°21'30"	1.90'
C14	30.00'	77°58'36"	40.83'
C15	30.00'	12°01'24"	6.30'
C16	30.00'	12°01'25"	6.30'
C17	30.00'	77°58'35"	40.83'
C18	804.50'	00°12'31"	2.93'
C19	25.00'	02°03'46"	0.90'
C20	25.00'	41°37'41"	18.16'



SEE SHEET 4

BASIS OF BEARINGS

THE BASIS OF BEARINGS FOR THIS SURVEY IS BETWEEN STATION P-26 AND P-24 OF THE CITY OF WOODLAND GEODETIC CONTROL NETWORK. THE BEARING BEING N00°46'01"E (CALCULATED) PER 2002 MAPS 88. ALL DISTANCES SHOWN ARE GROUND DISTANCES.

LEGEND

	SUBDIVISION BOUNDARY
	RIGHT OF WAY LINE
	LOT LINE
	EASEMENT LINE
	CENTERLINE
	MONUMENT LINE
	TIE LINE
(T)	TOTAL
(R)	RADIAL
(M-M)	MONUMENT TO MONUMENT
(M-PL)	MONUMENT TO PROPERTY LINE
(#)	INDICATES REFERENCE NUMBER
⊙	SET STANDARD STREET MONUMENT STAMPED LS 8164
⊙	STANDARD STREET MONUMENT AS NOTED
●	MONUMENT, AS NOTED
○	SET 5/8" REBAR AND CAP LS 8164
PUE	PUBLIC UTILITY EASEMENT
SF	SQUARE FEET
SNF	SEARCHED FOR, NOT FOUND

ROCHDALE GRANGE

WOODLAND SPRING
LAKE PARTNERS

SEE SHEET 6

Yolo County
Book of Maps
2015
Page 9

LINE TABLE		
NO.	BEARING	LENGTH
L1	N01°06'47"E	20.61' (M-M)
L2	N43°53'13"W	12.43'
L3	N46°06'47"E	12.43'
L4	N43°53'13"W	12.43'
L5	N46°06'47"E	12.43'
L6	N43°53'13"W	12.43'
L7	N46°06'47"E	29.20'
L8	N43°53'13"W	29.20'
L9	N88°53'13"W	35.26'
L10	N01°06'47"E	30.73'
L11	N01°06'47"E	78.38' (M-M)
L12	N01°35'37"W	8.77'
L13	N00°27'11"W	10.59'
L14	N01°06'47"E	62.00'

CURVE TABLE			
NO.	RADIUS	DELTA	LENGTH
C1	990.00'	02°42'24"	46.77'
C2	2044.00'	01°08'26"	40.69'
C3	1017.00'	02°42'24"	48.04' (M-M)
C4	2017.00'	01°08'26"	40.15' (M-M)
C5	1990.00'	01°08'26"	39.61'
C6	990.00'	01°56'43"	33.61'
C7	990.00'	00°45'41"	13.16'

(M-M)
(M-M)

SEWMAWPAW WOODLAND, LLC

YOLO COUNTY

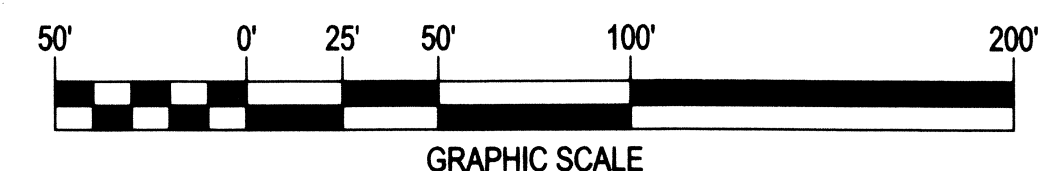
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CIVIL ENGINEERS SURVEYORS PLANNERS
SAN RAMON, CALIFORNIA

SCALE: 1"=50'
DECEMBER 2014



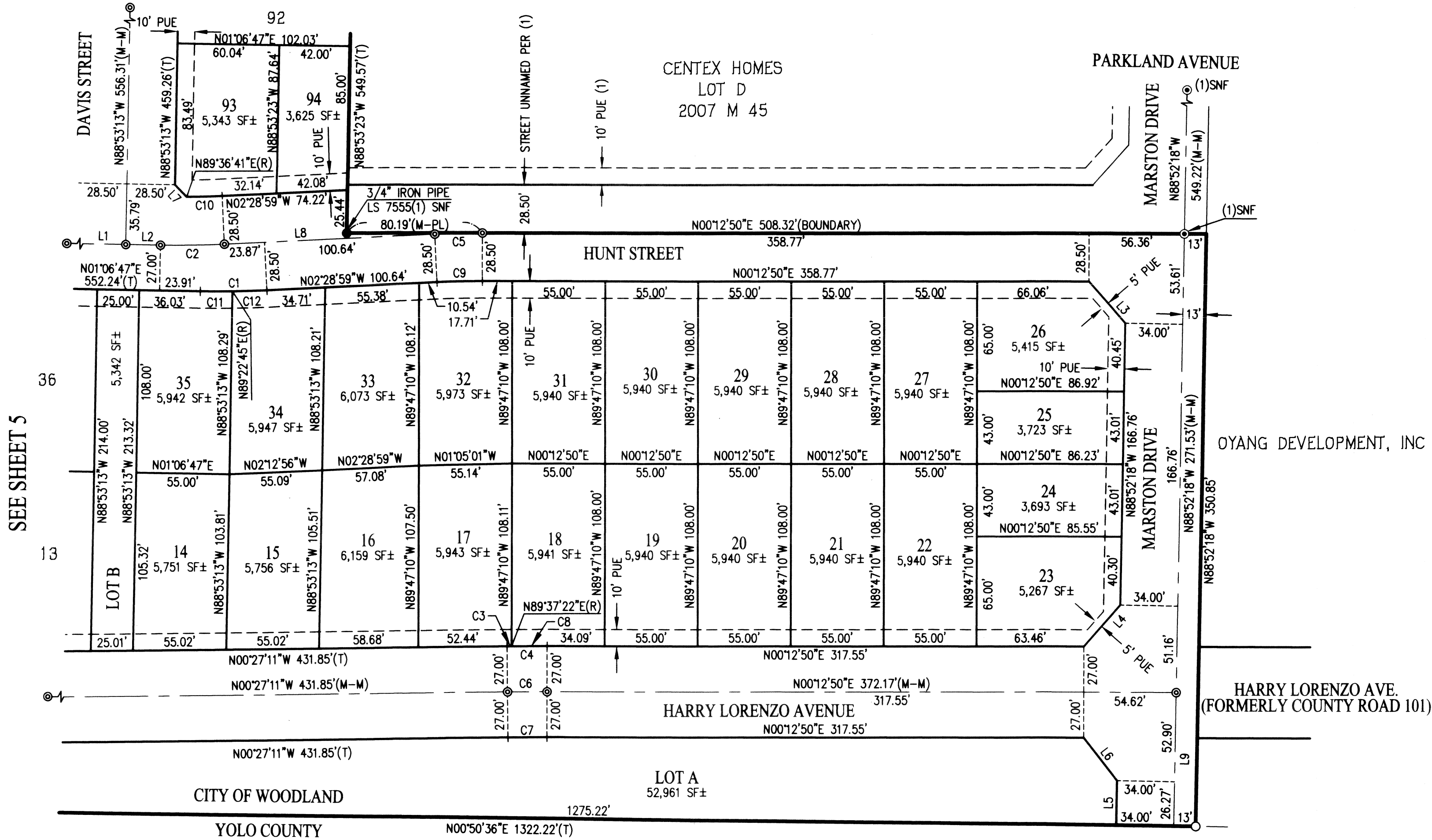
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LEGEND

- SUBDIVISION BOUNDARY
- RIGHT OF WAY LINE
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- EASEMENT LINE
- CENTERLINE
- MONUMENT LINE
- TIE LINE
- (T) TOTAL
- (R) RADIAL
- (M-M) MONUMENT TO MONUMENT
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- (#) INDICATES REFERENCE NUMBER
- ⊙ SET STANDARD STREET MONUMENT STAMPED LS 8164
- ⊙ STANDARD STREET MONUMENT AS NOTED
- MONUMENT, AS NOTED
- SET 5/8" REBAR AND CAP LS 8164
- PUE PUBLIC UTILITY EASEMENT
- SF SQUARE FEET
- SNF SEARCHED FOR, NOT FOUND



SEWMAWPAW WOODLAND, LLC

LINE TABLE		
NO.	BEARING	LENGTH
L1	N01°06'47"E	263.50' (M-M)
L2	N01°06'47"E	20.61' (M-M)
L3	N49°00'20"E	32.64'
L4	N48°49'38"W	32.71'
L5	N88°52'18"W	26.44'
L6	N52°14'52"E	32.15'
L7	N46°06'47"E	10.03'
L8	N02°28'59"W	124.51' (M-M)
L9	N88°52'18"W	79.17' (M-PL)

CURVE TABLE			
NO.	RADIUS	DELTA	LENGTH
C1	627.00'	03°35'46"	39.35' (M-M)
C2	600.00'	03°35'46"	37.66' (M-M)
C3	2027.00'	00°04'33"	2.68'
C4	2027.00'	00°40'01"	23.60' (M-M)
C5	600.00'	02°41'49"	28.24' (M-M)
C6	2000.00'	00°40'01"	23.28' (M-M)
C7	1973.00'	00°40'01"	22.97'
C8	2027.00'	00°35'28"	20.92'
C9	571.50'	02°41'49"	26.90'
C10	571.50'	02°05'40"	20.89'
C11	627.00'	01°44'02"	18.97'
C12	627.00'	01°51'44"	20.38'

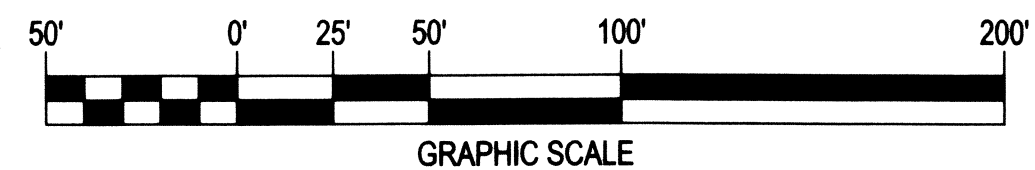
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CARLSON, BARBEE & GIBSON, INC.

CIVIL ENGINEERS SURVEYORS PLANNERS
SAN RAMON, CALIFORNIA

SCALE: 1"=50' DECEMBER 2014



CONFORMED COPY
NOT COMPARED
WITH ORIGINAL



Yolo Recorder's Office
Freddie Oakley, County Recorder
DOC- 2015-0002081-00

Acct 119-Woodland City

Thursday, JAN 29, 2015 10:00:00

Ttl Pd \$0.00

Rcpt # 0001128661

FRT/X9/1-56

RECORDED AT REQUEST OF:

REQUEST RECORDING WITHOUT FEE.
RECORD FOR THE BENEFIT OF THE CITY OF
WOODLAND PURSUANT TO SECTION 6103
OF THE GOVERNMENT CODE.

WHEN RECORDED MAIL TO:

CITY OF WOODLAND
300 First Street
Woodland, CA 95695
Attention: City Clerk

(Space Above this Line for Recorder's Use Only)

FIRST AMENDMENT TO DEVELOPMENT AGREEMENT

This First Amendment to Development Agreement (this "Amendment") is entered into by and between the CITY OF WOODLAND, a municipal corporation organized and existing under the laws of the State of California (the "City"), Centex Homes, a Nevada general partnership ("Centex"), and Western Pacific Housing Inc., a Delaware corporation ("WPHI"). Collectively, Centex and WPHI are referred to herein as the "Developers." City, Centex, and WPHI shall individually be referred to herein as a "party" and together as the "parties."

RECITALS

A. Centex and WPHI (each as a successor in interest to Turn of the Century, LLC, a California limited liability company) and the City are parties to that certain Development Agreement, for which a Memorandum of Agreement was recorded in the Official Records of Yolo County on March 2, 2004, as Instrument No. 2004-0008056-00 (the "Original Development Agreement"), which relates to the development of certain real property located in the City of Woodland, County of Yolo, State of California more particularly described and defined in the Original Development Agreement as the "Property." The Original Development Agreement, as amended by this Amendment, shall be hereinafter collectively referred to as the "Development Agreement" or the "Agreement."

B. Centex is or was the owner of that certain portion of the Property more particularly described on Exhibit A-1 attached hereto and incorporated herein by this reference (the "Centex Property").

C. WPHI is the owner of that certain portion of the Property more particularly described on Exhibit B-1 attached hereto and incorporated herein by this reference (the "WPHI Property").

D. City, Centex, and WPHI desire to make certain modifications to the Original Development Agreement in accordance with the terms and conditions set forth below. It is the intent of this Amendment to establish the allocation of the conditions of approval and to provide

for WPHI to cause the construction of the Remaining Shared Obligations (as defined in Section 1 below).

AGREEMENT

NOW THEREFORE, for valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties hereto agree as follows:

1. Definitions. All capitalized terms not otherwise specifically defined in this Amendment shall have the meanings ascribed to them in the Original Development Agreement. The "Conditions" described below refer to the "Conditions of Approval for Beeghly Ranch Project" that are listed in Exhibit C to the Original Development Agreement. The City and Developers have allocated the Conditions, as set forth in Exhibit C-1, attached hereto and incorporated herein by reference, into five categories: (i) Centex remaining obligations ("Centex Obligations"), (ii) WPHI remaining obligations ("WPHI Obligations"), (iii) remaining shared infrastructure obligations ("Remaining Shared Improvements") to be completed by WPHI, (iv) general shared obligations ("General Obligations") applicable to each Developer only with respect to the portion of the Property owned by such Developer, and (v) completed or removed obligations ("Completed Obligations"). The Completed Obligations are shown in Exhibit C-1 as strike-out text.

2. Installation of Landscaping/Greenbelt on the Eastern Edge of the Centex Property (Condition 18). Centex has constructed half of the landscaping for the greenbelt on the property immediately east of the Centex Property. Construction of the remaining half of the greenbelt on the eastern edge of the Centex Property (the "Remaining Greenbelt Work") is currently being done, or has been completed by, a third party. The City is currently holding a deposit that was made by Centex in the amount of Three Hundred Fifty Seven Thousand Seven Hundred Thirty Eight Dollars and Twenty Four cents. (\$357,738.24) ("Deposit") for such Remaining Greenbelt Work, design costs for Road 25A and certain other roads, staff time for processing of agreements and environmental documents, and certain other design and processing costs identified in an advance funding agreement between City and Centex. City shall reimburse the third party providing the Remaining Greenbelt Work from funds in the Deposit in the amount of One Hundred Eighteen Thousand Dollars (\$118,000) and the balance in the amount of \$239,738.24 shall be reimbursed to Centex within ninety (90) days following the Amendment Effective Date, due to the fact that that City and WPHI have executed a separate advance funding agreement for the Remaining Shared Improvements.

3. Construction of Road 25A (Condition 67).

a. Modification of Section 4.30 and Condition 67. Section 4.30 of the Development Agreement concerning the improvement of Road 25A from Road 101 to Highway 113 is hereby deleted.

b. Construction of Road 25A. Notwithstanding any triggering condition in Condition 67, WPHI agrees to begin construction of Road 25A on or before sixty (60) days following the Amendment Effective Date, provided that Road 25A has transferred from the County to City ownership, and subject to delays for Force Majeure events (defined in Section

11.8 of the Development Agreement) or delays during the winter months due to weather conditions. The date to begin construction shall be automatically extended until sixty (60) days after the foregoing conditions are satisfied (or until 60 days following the end of such Force Majeure event or weather conditions preventing commencement). WPHI shall provide an improvement agreement for Road 25A and a performance bond securing the obligation to construct Road 25A, as set forth in Section 4(c) below, in the amount required by the City's Municipal Code Section 21-13-(1) on the Amendment Effective Date (as defined in Section 10 below). All other terms of Condition 67 concerning reimbursement shall continue to apply except that WPHI shall not be required to complete a pavement evaluation, as that has been previously completed.

c. Design and Permits. City shall cause the design of Road 25A to be within the existing City right of way, such that no off-site land acquisition will be necessary for Road 25A. WPHI shall be responsible for obtaining any Cal Trans encroachment permits for the construction of Road 25A and for obtaining any temporary construction easement(s), as determined by WPHI's contract manager and contractor. Inspection Fees for Road 25A shall be paid by WPHI on or before the Amendment Effective Date in accordance with the City fee schedule.

d. Road 25A City Contribution/Reimbursement. The parties understand and agree that Road 25A is and will be a public road and that other development projects will be, and are, required to reimburse WPHI and Centex for WPHI's construction. All reimbursements shall be made directly to WPHI and Centex based on the percentages identified in Exhibit D-1 attached hereto. Reimbursement to WPHI and Centex for construction of the Road 25A improvements shall occur as follows:

i. City Contribution. City agrees to contribute One Hundred Thousand Dollars (\$100,000.00) towards the improvement of Road 25A. The parties understand and agree that the City spent Sixty-six Thousand Dollars (\$66,000.00) on a pavement evaluation study, which was formerly an obligation of Developer under this Development Agreement. City shall provide the balance, in the amount of Thirty-four Thousand Dollars (\$34,000.00), to WPHI upon WPHI's initiation of construction of the Road 25A improvements. WPHI shall provide City written notice of initiation of construction and City shall provide such reimbursement to WPHI within twenty-five (25) business days following receipt of such notice.

ii. SLIF Reimbursement. City shall allocate \$400,000 of the funds previously identified towards the 12" water line under Highway 113 in Table A-2 of the SLIF Nexus Study towards the reimbursement for Road 25A and such funds shall not be reallocated toward any other improvement. City shall collect the specified SLIF set-aside payment with each applicable building permit issued and shall pay WPHI and Centex the collected fees on an annual basis, on or around September 1 of each year. City shall have no obligation to make a payment to WPHI or Centex pursuant to this Section 3.d.ii until the land acquisition and storm drain pond projects listed in Exhibit A-2 of the SLIF nexus study have been fully funded. Following full funding of such land acquisition and storm drain pond projects, all remaining amounts collected by City in the set-aside account shall be paid as reimbursement to WPHI and Centex pursuant to the provisions of this Section 3.d.ii. The total amount of SLIF reimbursement funds to be paid to WPHI and Centex pursuant to this Section 3.d.ii. shall not exceed Four Hundred Thousand

Dollars (\$400,000.00). The remaining reimbursement for Road 25A shall be as set forth in this Section 3.d. The reallocation of the \$400,000 in funds as set forth in this Section 3.d.ii is contingent upon the approval of the City Council. If such reallocation of funds is not approved by the City Council prior to or concurrently with this First Amendment, WPHI and Centex shall each have the right to terminate this First Amendment within ten (10) days after such disapproval by the City Council and in the event of such termination, the parties shall have no further rights or obligations hereunder, and the Original Development Agreement shall remain in full force and effect.

iii. Other Development Project. City shall collect Seven Hundred Ninety-Four Dollars (\$794.00) per building permit from the Heidrick project, tentative map #4986, for which a development agreement has been executed requiring such payment towards Road 25A construction as and when required by the development agreement for such project. Such amount shall total \$78,606.00 (99 lots x \$794.00). City shall collect such fee and provide the accumulated amount to WPHI and Centex on or around September 1 of each year.

iv. Total Reimbursement for Road 25A. City shall include the design and improvement of Road 25A as a project to be funded from SLIF set-aside funding and shall collect the specified SLIF set-aside payment with each applicable building permit issued and shall pay WPHI and Centex the collected fees on an annual basis, on or around September 1 of each year. The total amount of reimbursement funds to be paid to WPHI and Centex pursuant to this Section 3.d. shall not exceed WPHI's costs for Road 25A as provided in the adopted SLIF program attached hereto as Exhibit F.

v. Balance. Any additional reimbursement shall be reimbursed in accordance with the terms of the Development Agreement and Master Reimbursement Agreement (defined in Section 5 below), including without limitation Section 3.9 of the Original Development Agreement.

4. Remaining Shared Improvements.

(a) Condition Precedent of Centex to Fund Escrow. Centex has funded to escrow all amounts required pursuant to that certain "First Amendment to Joint Work and Cost Sharing Agreement" between Centex and WPHI dated on or about ~~11-20-08~~ 2014 (to which the City is not a party) and provided evidence of such funding to City. Notwithstanding Section 10 below, this Agreement shall not be effective unless and until evidence of such funding has been provided to City. With its receipt of funds in escrow, Centex is hereinafter released from any and all obligations under the Development Agreement to construct or fund the Remaining Shared Improvements (defined in Section 4(b) below). WPHI shall be solely responsible and liable to the City for the Remaining Shared Improvements in accordance with the terms and conditions of this Amendment. City's remedies in the event of a default by WPHI with respect to the Remaining Shared Improvements shall be solely against WPHI as set forth herein. Centex shall retain all rights and obligations under the Development Agreement with respect to any Centex Obligations and any General Obligations for the remaining property owned by Centex that are subject to the Original Development Agreement.

(b) Construction of Remaining Shared Improvements. WPHI shall be responsible for the design, permitting, bonding, and construction of the Remaining Shared Improvements, including completion of all improvement plans for the Remaining Shared Improvements, and shall cause such Remaining Shared Improvements to be constructed as provided herein, subject to reimbursement from City as provided in the Original Development Agreement and the Reimbursement Agreement, as more fully described in Section 5 below. Subject to the terms of this Amendment, WPHI shall manage the design, permitting, bonding, engineering, and constructing of the Remaining Shared Improvements, in accordance with the improvement plans and specifications to be approved by the City, with minor field changes thereto to conform to conditions on the ground, and such other changes as may be required by governmental agencies. Upon the City's approval of a final subdivision map for the WPHI Property and approval of all of WPHI's in-tract and necessary off-site improvement plans (collectively, "Improvement Plans"), WPHI shall (i) obtain bids for and construct the Remaining Shared Improvements as listed and described on Exhibit C-1 attached hereto (provided however Road 25A shall be constructed as set forth in Section 3 above). Notwithstanding whether any of the Remaining Shared Improvements were or are a Centex or WPHI obligation pursuant to the Conditions of Approval or the Joint Work and Cost Sharing Agreement, all Remaining Shared Improvements shall be constructed by WPHI pursuant to the terms of this Amendment. Notwithstanding the foregoing, Road 25A shall be constructed by WPHI.

(c) Obligation to Construct. Upon approval of the Final Map, WPHI shall enter into a subdivision improvement agreement for the construction of the Remaining Shared Improvements. Thereafter, WPHI shall cause the work on the Remaining Shared Improvements to proceed diligently to completion in accordance with the terms and conditions of the applicable subdivision improvement agreement(s). Except for those provisions of this Amendment expressly providing for timing of commencement or completion, Section 3.3 of the Original Development Agreement shall remain in full force and effect.

(d) Security. Upon approval of the final map, WPHI and City shall enter into a subdivision improvement agreement for the construction of the Remaining Shared Improvements. Such subdivision improvement agreement shall govern the type and amount of security required by City in accordance with Woodland Municipal Code section 21-13-2 and shall be based on updated cost estimates for the Remaining Shared Improvements, as specified in Exhibit D-1. City shall accept bonds as acceptable security.

(e) SLIF Reimbursement. The costs for the design and construction of the Remaining Shared Improvements described on attached Exhibit D-1 are included in the Spring Lake Infrastructure Facilities ("SLIF") and are reimbursable, as specified in Section 5 below. All reimbursements shall be made directly to WPHI and Centex based on the percentages identified for each Remaining Shared Improvement identified in Exhibit D-1 attached hereto.

5. Reimbursement Agreement. All portions of the infrastructure listed in the updated SLSP SLIF capital improvement program (CIP) document that are eligible for reimbursement shall be reimbursed in accordance with the terms of the Funding and Reimbursement Agreement for Development Within The Spring Lake Specific Plan Area ("Master Reimbursement Agreement") and pursuant to the reimbursement agreement simultaneously entered into between City and the Developers for the Remaining Shared

Improvements. Reimbursements will be made by City directly to Centex and WPHI in accordance with the funding percentages shown in Exhibit D-1 attached hereto and incorporated herein solely for purposes of determining the applicable credit and reimbursement percentages.

6. Previously Constructed Improvements Subject to SLIF Credit/Reimbursement.

The parties acknowledge that the B-1 Improvements, which are the items identified in Condition of Approval 56(b) were previously constructed by Centex and accepted by the City. City acknowledges that the costs set forth in Exhibit E-1 attached hereto are the remaining unreimbursed costs for the B-1 Improvements and City shall provide SLIF credits and reimbursements as set forth in Exhibit E-1 attached hereto, including Centex's respective share of credits allocated to Centex for the previously constructed B-1 Improvements which are 74.77%. The remaining 25.23% of credits previously allocated to Centex are hereby assigned to WPHI.

7. No Cross-Default. Centex shall have no liability to City and shall not be deemed to be in breach of the Development Agreement for any actions (or non-actions) arising from or related to any of WPHI Obligations or the Remaining Shared Improvements. Similarly, WPHI shall have no liability to City and shall not be deemed to be in breach of the Development Agreement for any actions (or non-actions) arising from or related to any of Centex Obligations.

8. Notices. Section 2.7 of the Development Agreement is hereby amended in its entirety to read as follows:

If to CITY: Paul Navazio, City Manager
City of Woodland
300 First Street
Woodland, CA 95695

With a copy to: Kara K. Ueda
Best Best & Krieger LLP
500 Capitol Mall, Suite 1700
Sacramento, CA 95814

If to WPHI: D. R. Horton, America's Builder
5050 Hopyard Road, suite 180
Pleasanton, CA 94588
Attn: Richard P. Ambrosini, Division President and Kristin Schenone, Division Counsel
E-mail: rambrosini@drhorton.com;
kschenone@drhorton.com
Phone: 925-225-7400; ; Fax: 925-225-7402

With a copy to:

D. R. Horton, America's Builder – West Region
Attn: William E. Mayer, Esq.
501 W. Broadway, suite 1200
San Diego, CA 92101
E-mail: wemayer@drhorton.com
Phone: 619-849-4947

And a copy to:

D. R. Horton, Inc.
301 Commerce Street, Suite 500
Fort Worth, Texas 76102
Attn: Ted I. Harbour, Esq. and Mark Karnes, Esq.
E-mail: TedHarbour@drhorton.com;
mkarnes@drhorton.com
Phone: 817-390-8200; Fax 817-928-6120

D.R. Horton, America's Builder
12910 Totem Lake Blvd. NE Suite 220
Kirkland, WA 98034
Attn: Matt Farris
E-mail: mfarris@drhorton.com

If to Centex:

Pulte Home Corporation
6210 Stoneridge Mall Road, Suite 500
Pleasanton, CA 94588
Attn: Steve Kalmbach, Division President and Greg Van
Dam, Division Vice President of Land
E-mail: steve.kalmbach@pulte.com;
greg.vandam@pulte.com
Phone: 925-249-3253; 916-797-0327

With a copy to:

Pulte Home Corporation
27101 Puerta Real, Suite 300
Mission Viejo, CA 92691
Attn: Don Sajor, Esq.

With a copy to:

9. General Provisions.

a. Counterparts. This Amendment may be executed in any number of counterparts with the same force and effect as if executed in the form of a single document.

b. Waiver. No waiver of any provision of this Amendment shall be effective unless in writing and signed by a duly authorized representative of the party against whom enforcement of a waiver is sought.

c. Successors and Assigns. This Amendment shall be binding on and shall inure to the benefit of the parties and their respective legal representatives, successors and assigns.

d. Governing Law. The validity and interpretation of this Amendment shall be governed by the laws of the State of California without giving effect to the principles of conflict of laws.

10. Effect of Amendment. Except as expressly modified by this Amendment, the Original Development Agreement shall continue in full force and effective according to its terms and conditions, and the City, Centex and WPHI hereby ratify and affirm all of their respective rights and obligations under the Original Development Agreement. In the event of any conflict between this Amendment and the Original Development Agreement or the Conditions, this Amendment shall control.

11. Effective Date. The City Council, following a duly noticed public hearing, has authorized the execution of this Amendment by its City Manager and attestation by its city clerk under the authority of Ordinance No. 1572 (the "Adopting Ordinance") adopted by the City Council of the City of Woodland on DEC. 16, 2014. This Amendment shall be effective ("Amendment Effective Date") upon the later of: thirty (30) days after the adoption of the Ordinance or (ii) full execution of this Amendment by all parties hereto.

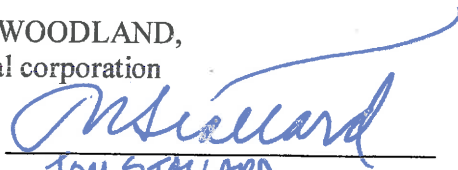
12. Memorandum. The City clerk shall record a Memorandum of this Amendment in the Official Records of the County within 10 days following the Amendment Effective Date.

[SIGNATURES TO APPEAR ON FOLLOWING PAGE]

IN WITNESS WHEREOF, the parties have executed this Amendment as of the day and year first above written.

CITY:

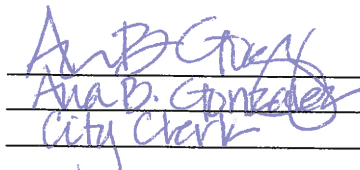
CITY OF WOODLAND,
a municipal corporation

By: 

Name: TOM STALLARD

Title: MAYOR

ATTEST:

By: 

Name: ANA D. GONZALEZ

Title: CITY CLERK

APPROVED AS TO FORM:

By: 

Name: KARAK K. UEDA

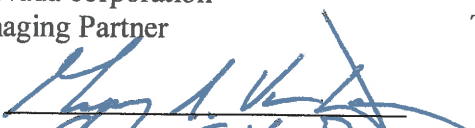
Title: CITY ATTORNEY

CENTEX:

CENTEX HOMES,
a Nevada general partnership

By: Centex Real Estate Corporation,
a Nevada corporation

Its: Managing Partner

By: 

Name: GREGORY S. VAN DAM

Title: VICE PRESIDENT OF LAND

WPHI:

Western Pacific Housing Inc.,
a Delaware corporation

By: _____

Name: _____

Title: _____

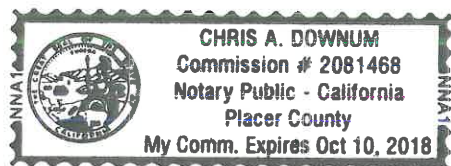
CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT
CIVIL CODE § 1189

State of California

County of PLACER

On December 8, 2014 before me, Chris A. Downum, Notary Public,
Date Name and Title of the Officer

personally appeared GREGORY S. VAN DAM---
Name(s) of Signer(s)



Place Notary Seal Above

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

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

WITNESS my hand and official seal.

Signature: Chris Downum

Signature of Notary Public

OPTIONAL

Though this section is optional, completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document

Title or Type of Document: _____ Document Date: _____

Number of Pages: _____ Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____

☐ Corporate Officer — Title(s): _____

☐ Partner — ☐ Limited ☐ General

☐ Individual ☐ Attorney in Fact

☐ Trustee ☐ Guardian or Conservator

☐ Other: _____

Signer's Name: _____

☐ Corporate Officer — Title(s): _____

☐ Partner — ☐ Limited ☐ General

☐ Individual ☐ Attorney in Fact

☐ Trustee ☐ Guardian or Conservator

☐ Other: _____

Signer Is Representing: _____

Signer Is Representing: _____

NOTARY ACKNOWLEDGEMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA)
)ss.
COUNTY OF YOLO)

On January 13, 2015, before me, ANA B. GONZALEZ, Notary Public, personally appeared Tom Stallard who proved to me on the basis of satisfactory evidence to be the person whose names is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

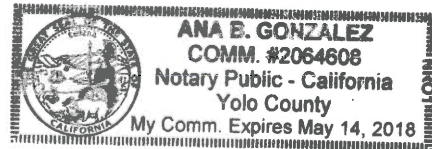
I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature _____

ANA B. GONZALEZ

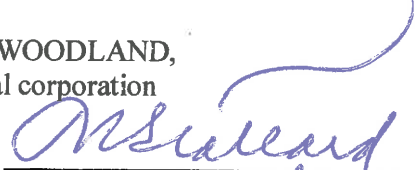
My commission expires May 14, 2018
Notary Commission No. 2064608



IN WITNESS WHEREOF, the parties have executed this Amendment as of the day and year first above written.

CITY:

CITY OF WOODLAND,
a municipal corporation

By: 

Name: Tom Stallard

Title: Mayor

ATTEST:

By: 

Name: Ana D. Gonzales

Title: City Clerk

APPROVED AS TO FORM:

By: 

Name: Kara K. Ueda

Title: City Attorney

CENTEX:

CENTEX HOMES,
a Nevada general partnership

By: Centex Real Estate Corporation,
a Nevada corporation

Its: Managing Partner

By: _____

Name: _____

Title: _____

WPHI:

Western Pacific Housing Inc.,
a Delaware corporation

By: 

Name: Dean K. Mills

Title: Asst. Vice President

NOTARY ACKNOWLEDGEMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

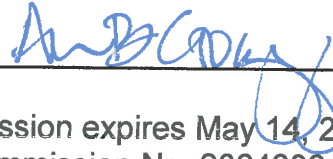
STATE OF CALIFORNIA)
)ss.
COUNTY OF YOLO)

On January 13, 2015, before me, ANA B. GONZALEZ, Notary Public, personally appeared Tom Stallard who proved to me on the basis of satisfactory evidence to be the person whose names is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

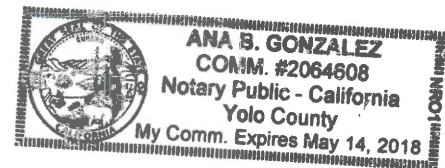
I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature



My commission expires May 14, 2018
Notary Commission No. 2064608



STATE OF CALIFORNIA)
)
COUNTY OF ALAMEDA)

On 12-9-14, before me, Tiffany M. Zamora, Notary Public,
personally appeared **Dean K. Mills** _____
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are
subscribed to the within instrument and acknowledged to me that he/she/they executed the same
in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument
the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

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

WITNESS my hand and official seal.


Signature

(Seal)



LIST OF EXHIBITS

Exhibit A-1	Legal Description of Centex Property
Exhibit B-1	Legal Description of WPHI Property
Exhibit C-1	Allocation of Conditions of Approval
Exhibit D-1	Description of Remaining Shared Improvements/Cost Estimates
Exhibit E-1	SLIF Credit/Reimbursement Allocation for Package B-1 Improvements
Exhibit F-1	Nexus Study provisions related to Road 25A

Exhibit A-1

Legal Description of Centex Property

EXHIBIT A-1

Legal Description for Centex Property

Real Property situated in the City of Woodland, County of Yolo, State of California more particularly described as follows:

Lots D and G of Subdivision No. 4793 Filed in Book 2007 of Maps at Pages 45-55.

Exhibit B-1

Legal Description of WPHI Property

EXHIBIT B-1

LEGAL DESCRIPTION

Real property in the City of Woodland , County of Yolo, State of California, described as follows:

PARCEL 3 AS SHOWN ON PARCEL MAP NO. 4778, BEEGLY RANCH, RECORDED JUNE 8, 2005, IN BOOK 2005 OF MAPS, PAGES 123 AND 124, YOLO COUNTY RECORDS.

EXCEPTING THEREFROM ALL INTEREST IN AND TO ALL MINERALS, MINERAL DEPOSITS AND NATURAL RESOURCES, INCLUDING ALL OIL, GAS AND OTHER HYDROCARBON SUBSTANCES IN AND UNDER SAID LAND BELOW A DEPTH OF FIVE HUNDRED (500) FEET, WITHOUT RIGHT OF SURFACE ENTRY INTO FIVE HUNDRED (500) FEET BELOW THE SURFACE OF THE LAND, AND ALL OF THE RIGHTS OF OWNERSHIP THERETO, AS RESERVED IN THE GRANT DEED FROM TURN OF THE CENTURY, A DELAWARE LIMITED LIABILITY COMPANY, RECORDED MARCH 3, 2005, AS INSTRUMENT NO. 2005-0010069.

APN: 042-580-010-000

Exhibit C-1

Allocation of Conditions of Approval

Exhibit to Development Agreement Amendment- Allocation of COA				
Allocation of Conditions of Approval				
WP/PHI	Centex	BOTH PARTIES FOR RESPECTIVE PROPERTIES	NOTES	
Community Development Department				
1. The project is as described in the staff report for the Beeghly Ranch Map prepared for the November 20, 2003 Planning Commission. The Centex project shall be substantially (as determined by the City) constructed as depicted on the maps and exhibits included in the December 4, 2003 staff report for the Beeghly Ranch Map, except as modified by these conditions of approval. The WP/PHI project shall be substantially (as determined by City) constructed as depicted in the _____ 2013 staff report for the Solara Ranch Tentative Map.				
2. The applicant shall hold harmless the City, its council members, officers, agents, employees, and representatives from liability for any award, damages, costs, and fees incurred by the city and/or awarded to any plaintiff in an action challenging the validity of this permit or any environmental or other documentation related to approval of the permit. Applicant further agrees to provide a defense for the City in any such action.		X		
3. Landscaping design, materials, installation, and maintenance in roadway 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 Requirement), 2.22 (Drought-Tolerant Plantings), 4.17 (Timing of Landscaping), 4.17.1 (Landscaping at Intersections), 4.18 and 4.19, and 7.13.		X		
4. The minimum paved section for any combined pedestrian/bicycle (multi-use) pathway is 10-feet, plus a two-foot clear area on either side, for a total of 14 feet (Development Regulation 4.19.1). Pathways shall be designed to satisfy and fully implement Development Regulation 4.21, 4.26, 4.27, and 5.26.		X		
5. Drainage of vacant parcels shall be maintained so as not to cause erosion or run-off problems.		X		

6. The location of all utility structures shall be coordinated with and depicted on the landscaping plan. 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 in landscaped areas shall be underground type unless otherwise approved by the Community Development Director and City Engineer. The applicant and the City shall ensure consistency with Development Regulation 2.11 (Utilities), 2.13 (Connectivity) 2.21 (Utility Facilities), and 6.17 through 6.19. Light poles shall not be located so as to conflict with the planting or future growth and shading of trees throughout the site.						
7. A design for fencing along Parkway Drive shall be submitted to the Community Development Director and Public Works Director for approval, and shall be subsequently. This design shall satisfy the requirements of the SLP Design Standards (Section 6.2.2, Privacy Walls, see photograph and description).					X	
8. Sidewalk access for handicapped shall conform to federal, state, and local requirements pursuant to Development Regulation 4.9.4. Sidewalks shall be linear pursuant to Development Regulation 2.22.3 (Sidewalk Design).					X	Centex side completed
9. Conceptual architectural plans and elevations shall be submitted for review and approval by the Planning Commission to ensure consistency with the Land Use Concept described on page 2-1 of the SLP and the SLP Design Standards. All mechanical equipment, whether roof-mounted or on the ground, shall be fully screened from view. 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 units shall be oriented towards 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, 7.20, and 7.21.1 and 7.21.2 relating to energy conservation shall be addressed.					X	
10. Setbacks and other area requirements for all homes and related structures shall be consistent with the approved Tentative Map dated _____, 2013 and any subsequent approvals required for the remaining Centex project.					X	
11. Deed disclosures that satisfy Development Regulation 2.1 (Disclosures) and Regulation 2.2.2 (Agricultural Disclosures) 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).					X	
12. Mitigation for loss of agricultural land and hawk habitat in the form of land set-asides shall be fully executed and in place pursuant to Development Regulation 2.2 (Land set-Asides) and 7.2 related to the 3.1 mitigation requirement. Fully executed, meaning signed and recorded with the County. The Merritt property (APN 041-060-17) has been proposed for project mitigation. Refer to Attachment 10 of the December 4, 2003 Planning Commission Staff Report.					X	Completed per Merit Ranch Agreement recorded Instrument #2006-0004651000

13. The applicant/project agrees to fund on a fair-share basis as determined by the City of Woodland's 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).						
14. 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.					X	
15. Satisfy and fully implement Development Regulations 2.12 (Grading and Construction), 2.22-1 (Vertical Curb), 2.27 (Local Builder Requirements), 6.15 and 7.14 (Construction Recycling), 7.3 and 7.4 related to grading and construction.					X	
16. Per Development Regulation 2.33 (Entry Features) and the Design Standards, the applicant shall identify neighborhood entry features at the following locations: either end of "C" Street and at the intersection of "G" Street at Pioneer. A design specification for these features shall be prepared for approval by the Community Development Director and Public Works Director. Prior to acceptance of final map, the applicant shall be required to submit a design theme for all entry features. Theme shall be consistent with the SLSP Design Standards and to the satisfaction of Community Development Director.					X	Centex work completed
17. Pursuant to Design Standard 1.5 (Subdivision Trails), the width of Lot F shall be a minimum of 25-feet with a 6 foot side walk. Fencing (over 3 ½ feet) for lots that side on to trails shall be open type for the front portions of the side yard.			X			
18. Pursuant to Development Regulation 4.26, greenbelts and pathways/trails shall be constructed at the same time (or earlier) as adjoining dwelling units. The subdivision trail shown at the east end of the map shall be development with the adjoining dwelling units for the Beeghly Ranch Map. Fencing (over 3 ½ feet) for lots that side on to trails shall be open type for the front portions of the side(yard) . (comment: Pulte to fund greenbelt along the east edge of project.)			X			Centex to fund greenbelt along eastern edge of project per terms of DA Amendment
19. Pursuant to Development Regulation 4.17, street landscaping must accompany street construction for both partial (interim) and full cross-sections. Landscaping is not allowed to be deferred.						
20. Deeds for the affordable units shall be restricted to qualified buyers pursuant to the SLSP Affordable Housing Plan. Affordable units shall be constructed at the same time (or earlier) as adjoining market-rate units pursuant to Development Regulation 3.2.					X	
21. The Off-Site Affordable Housing Fee shall be paid for each single-family market rate unit.					X	

22. Ten percent of all single-family units shall be designated affordable units. Based on 323 units in this map, 32 affordable units are required. Affordable units must be provided within each land use category. This map requires 22 affordable units in the R-5 area and 10 affordable units in the R-5 area. The affordable units shall be designated on this map on the following lots: G, 20 A&B, 29 A&B (B Street), 65 A&B, 66 A&B, 97 A&B (E Street), 23 A&B (H Street), 1 A&B, 5 A&B, 42 A&B, 22 A&B, (I Street), 22 A&B (B Street).					WPHI project is required to provide 10 affordable units on 5 lots (all be duplexes)
23. 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). 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 on pages 7-10 of the SLSP AHP.				X	
24. As allowed by the Affordable Housing Plan, affordable units may be smaller in square footage than the market-rate units to a minimum unit living area of 850 square feet. However, recognizing the need for some larger units for larger families, a mix of bedroom numbers and square footage among for-sale units is required.				X	
25. 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.				X	
26. Right-of-way at intersections with arterials and intersections with collectors sufficient to provide the required 6-foot pedestrian landing area and turn lanes without decreasing landscaping (Development Regulation 4.7.1) shall be provided to the satisfaction of the Public Works Director.				X	
27. Where site work results in the discovery of cultural resources (e.g. buried prehistoric or historic finds), work shall halt immediately for a distance of 100 feet from the discovery site, and the project archeologist and Native American Heritage Commission shall be contacted. In any human bone is located, the Yolo County Coroner must also be notified. The mitigation protocol identified in the Mitigation Monitoring Plan shall be implemented (MM 4.10-1).				X	
28. The following statements shall be added to the map: 1) The Tentative Map conforms with all requirements of the State of California Subdivision Map Act; and 2) The Tentative Map conforms with all requirements of the City of Woodland Subdivision Ordinance. 3) Map Number 4669.				X	
29. The applicant shall submit for approval by the Community Development Director and Public Works Director a design detail that addresses the safe routing of bicycles and pedestrians from those points where greenbelts/trails intersect mid-block at an arterial, to the nearest signal/crosswalk.				X	
30. The Nexus Study shall be finalized. The applicant must comply with the requirements of the SLSP Nexus Study.				X	

31. In satisfaction of Mitigation Measure 4.4-5, the applicant shall have performed a hydrological analysis of the interim impacts to agricultural wells from the first phase permanent water wells. Applicant may elect to request that the City perform the analysis, in which the applicant shall be required to fully fund the water well impact analysis. This analysis may be subject to reimbursement, if applicable.					
32. Pursuant to Mitigation measure 4.5-3(a), 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.				X	
33. 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 the proposed activity is planned to begin to determine if any nesting birds-of-prey would be affected.					
34. In accordance with Fish and Game Code Section 1900 et seq., DFG shall be given a minimum of 10-day notice prior to site grading or development to allow for salvage of any San Joaquin saltbush plant materials. (MM 4.5-1)				X	
35. Privacy fencing along arterials shall be constructed of suitable materials and in a suitable manner to be consistent with the Design Standards, but also meet specifications to provide appropriate noise attenuation. The design specifications for these fences shall be submitted for staff approval and shall require written sign-off by the project noise engineer.				X	
36. Final lots that have "second units" will be identified in conjunction with the required review of architectural plans and elevations prior to acceptance of final map (SLSP, page 2-25).					
37. Approval of a tentative map requires that all lots shall have a building unit allocation (BUA) assigned. No lots shall be final unless a BUA is provided.				X	projects have all BUA allocations for project
38. Applicant shall comply with Air Quality Management District directives for both off-road and on-road low-emissions heavy duty vehicles and construction equipment during all grading and construction (SLSP page 7-4 [Reg. 7.3]).					
39. 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.				X	
40. 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 (MM 4.13-18).				X	

41. Applicant shall comply with all dust suppression requirements during all grading and constructions activities (SLSP page 7-4 [Reg. 7.4]).					
42. Provisions in the CC&Rs shall be adopted that prohibit recreational vehicle parking in the front yard longer than 24 hours. This provision shall be enforced through mechanisms established in the CC&Rs.					X
43. Provisions in the CC&Rs 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. This provision shall be enforced through mechanisms established in the CC&Rs.					X
44. Provisions in the CC&Rs shall be adopted that prohibit any restrictions of colors on residential structures. This provision shall be enforced through mechanisms established in the CC&Rs.					X
45. Applicant shall comply with required lot width variation consistent with the approved tentative map and architectural plan.					X
46. Off-site improvements must satisfy the requirements of the SLSP and SLSP MM including but not limited to Development Regulation 6.13 and Mitigation Measure 4.5-7.					X
47. Prior to issuance of a building permit, the funding of public services shall be addressed pursuant to Development Regulations 2.7, 6.23, 6.31 and 6.45.					X
48. Where greenbelts and/or subdivision trails cross streets, enhanced crosswalks (e.g. raised decorative brick) shall be installed. See Public Works Conditions of Approval for additional conditions.					X
49. The Beeghly Map shall be corrected as follows: a) reflect compliance with all conditions; b) Assessor's Parcel No. 042-010-44; c) Sheet No. 1 Intersection Enhancement northeast corner shall read 25'; d) remove Lot G (R-15) from the Land Use Comparison Chart add this Area and Number of Unit to R-5 Use; e) correct the Land Use Comparison Chart for the SLSP acreage and unit count for R-5; f) Sheet No. 4 correct Subdivision Trail Crossing to read 25' and sidewalk shall not meander.					X
50. Final layout of the Lot G "affordable cluster" and design of the access road shall be subject to the approval of the Fire Chief, the Public Works Director, and the Community Development Director. Land use between Lot G and the Pioneer Avenue and Parkway Drive intersection shall be considered and incorporated into final site design for the "affordable cluster".				X	

51. Locust trees located along existing CR 101 on Lots 6-9 and 11-15 as well as on the 1-acre Beeghly Life estate shall be preserved as follows:					
a. The trees remain in a non-irrigated landscape. All irrigation shall be kept 10' away.					
b. Prior to site grading for these lots a tree preservation plan shall be developed and submitted for approval to the Community Development Department. If, for any reason tree removal is proposed in the future, City approval is required.					
c. Lotting plan submitted for design review shall depict tree location and drip line in relation to building envelope for tree preservation. The Policies and Procedures for work shall be conducted in accordance with the City of Woodland Tree Plan Information.	X				
52. The Beeghly 1-acre life estate is proposed to create a 1-acre envelope around the existing farm house and will be held in ownership by the current owner for life. City approval of fencing for this estate is required with surrounding development site design review.					
53. Pursuant to Development Regulation 8.2, when triggered, construction of the first neighborhood park shall be completed within 15 months. Park development shall be consistent with Development Regulation 5.8, 5.9, 5.10 and 5.11. (comment: (A2) Need to further research development regulation 8.2.)					
54. The first final map to be approved on the Beeghly Ranch tentative map shall be contiguous to an approved final map on the adjacent property.				X	
Public Works Conditions					
Street Improvements					
All proposed roads within the subdivision shall comply with the City's Engineering Standard Specifications & Details, dated 3/2002 except as specified in the adopted Spring Lake Specific Plan and conditions set forth below. Note: The roadway dimensions on the proposed tentative map do not necessarily comply with the City Standards.					
All maps and plans shall comply with the City's electronic submission ordinance upon its adoption.					X

55. Pioneer Drive The following improvements will be constructed:	a. Partial street improvements shall be constructed from the Farmers Central Road to the southerly extension of Pioneer Ave at the south boundary of the Pioneer High School. The east side street cross-section shall match existing street cross-section being constructed with the new Pioneer High School with the exception that a 6-foot AC interim pathway shall be constructed and the landscaping shall be deferred until the Westside landscaping improvements are constructed. The east side street improvements shall be constructed with the SLSIP First final map.									
	b. Widen the southbound lanes for the segment of Pioneer Avenue, from East Gibson Road to Collector 4, to its ultimate width. Upon the approval of the final map that triggers the 1000th unit in the SLSIP planning area East of Highway 113.									
	c. Extend Pioneer Ave. to the north to the intersection of Farmers Central Rd. Partial street improvements shall be constructed to include two 12' vehicle lanes and 6' paved shoulders on both sides, or other street section to be approved by the City Engineer. This condition is an alternate to the improvement and construction of Road 101 and Farmer's Central Road connection to the north or the improvement and construction of Collector 1 and Farmers Central Road (west of Pioneer Ave.). This Connection to Gibson Road shall be provided as part of the first final map recorded on the Beeghly property through one of the following connections: Parkway Dr. to Collector 1 to Farmer's Central Road, Parkway Dr. to Road 101 to Farmer's Central Road, or Pioneer Ave. from Parkway Dr. to Farmers Central Road. The alternative implemented shall be tied to the location of the first final map in relation to either Collector 1, Road 101, or the northbound extension of Pioneer Ave. Prior to approval of the first final map, a traffic analysis shall be performed at the applicant's expense. For the purpose of assisting the City Engineer in identifying which alternative to be implemented. The City has the option to perform the evaluation. Improvements for Pioneer Ave., Collector 1, and Farmers Central Road, and interim improvements or repairs to existing Road 101 will be made as required by the Tentative Map Conditions of Approval for the above mention roadway segments.									
	d. Full roadway improvements including landscaping shall be constructed from Collector 2 to Parkway Drive per the approved Specific Plan. Interim intersection improvements at Parkway Drive and Pioneer Ave. shall be constructed as approved by the City Engineer.							X		
	e. The intersection of (Pioneer) (comment: (A3) Parkland) Drive, at Collector 2 shall be widened to accommodate a southbound left and right turn lanes and northbound transit bus stop turn out. Bus stop turnout and turn lanes shall not be taken from landscape corridors. A 6-foot wide pedestrian landing median shall be required per City standards.							X		

f. Restricted (no) access shall be designated on the final map on east side of Pioneer Ave. fronting Lot "G", from the intersection of Parkway Drive southerly to lot number 1 as shown on the tentative map and on the west side of Pioneer Ave. fronting Lot "D", from Collector 2 northerly to Lot 82 as shown on the tentative map. No other access shall be allowed on Pioneer Ave., except at street intersections as approved by the City Engineer.			Completed
g. Intersection of Pioneer Avenue and Collector 4/High School shall include construction of signal improvements as identified in the traffic study (with 700th building permit). Signal is to be constructed at applicant's expense subject to a reimbursement from the financing district.			
h. Install a traffic signal at the intersection of Pioneer Avenue/Farmer's Central Road intersection when Farmer's Central Road is extended from Pioneer Avenue to CR 101. 56. Parkway Drive The following improvements will be constructed: a. County Road 102 (CR 102) to east boundary of tentative map. If development to the east the tentative map is not constructed. Parkway Drive shall be constructed to include full roadway improvements from the south ROW to the north ROW, to include installation of all landscaping. Roadway improvements shall transition to the west to match temporary roadway improvements at the east tentative map boundary and/or within Lot "A", if ROW can not be obtained to the north along the north side boundary of the tentative map west of Lot "A".			
b. East boundary of the tentative map to Pioneer Ave. If full ROW for roadway improvements from the property to the north cannot be obtained, Parkway Drive shall be constructed to include full south side landscape improvements and Bike lane, two 12 foot lanes, with 6' shoulder on north side. If full ROW can be obtained, Parkway Drive shall be constructed to include full roadway improvements from the south ROW to the north ROW, to include installation of all landscaping. If full ROW cannot be obtained portions of interim/temporary roadway that must be removed for future median installation shall be a direct development cost and not reimbursable from the SJIF. c. The intersection of Parkway Dr. at "Collector No. 1" Street as shown on the approved IQC West Vesting Tentative Subdivision Map No. 4649 shall be widened to accommodate an eastbound and westbound left turn lanes. Sufficient width shall be provided to allow for full Specific Plan landscape corridors. Required right of way for turn lanes shall not be taken from landscape corridors.			

d. The intersection of Parkway Dr. at CR 102 as shown on the approved TOC East Vesting Tentative Subdivision Map No. 4648 shall be widened to accommodate an eastbound left turn lanes and transit bus stop turn out. Bus stop turnout may be incorporated within the 30.5 feet landscape corridor if it can be shown that the turn out does not interfere with the required right of way for the pedestrian/bicycle path. Required right of way for turn lanes shall not be taken from landscape corridors. A 6 foot wide pedestrian landing median shall be required per City standards.				
e. Emergency Vehicle Access (EVA) at Parkway Dr. and "E" Street as shown on the approved TOC East Vesting Tentative Subdivision Map No. 4648 shall be constructed with landscape features that will accommodate emergency vehicle weights. Lockable removal bollards shall be installed as approved by the Fire Department.				
f. The intersection of Parkway Dr. at "A" Street as shown on the approved TOC East Vesting Tentative Subdivision Map No. 4648 shall be widened to accommodate an eastbound and westbound left turn lanes. Sufficient width shall be provided to allow for full Specific Plan landscape corridors. Required right of way for turn lanes shall not be taken from landscape corridors.				
g. Provisions shall be made at Lot "C" as shown on the approved TOC East Vesting Tentative Subdivision Map No. 4649, for a Pedestrian/Bicycle underpass at Parkway Dr. Should an underpass not be technically feasible to construct, based on final approval of the City, special enhanced landscaped barrier features shall be constructed on the north and south side of the 40 foot greenbelt to direct pedestrian and bicycle traffic to controlled intersections at Collector No. 1 and CR 102.				
h. With the connection of Parkway Drive to CR 102, the intersection shall be controlled by a traffic signal. Signal is to be constructed at applicant's expense subject to a reimbursement from the financing district.				
i. Restricted (No) access shall be designated on the Final map on south side of Parkway Drive fronting Lot "G", from the intersection of Parkway Drive easterly to lot number 4 as shown on the tentative map. No other access shall be allowed on Parkway Drive, except at street intersections as approved by the City Engineer. With the exception that Lot G may have pedestrian access only to Parkway Drive				
j. No parking shall be allowed on Parkway Drive.				
57. "C" Street				
The following improvements will be constructed: a. "C" Street shall have traffic calming landscape bulb out features at the intersections of "B" Street with raised decorative stamped concrete or brick paver crosswalks.				

b. Pedestrian crossing across Parkway Drive shall not be allowed and connections shall not be made across planter strips. Signing shall be as approved by the City Engineer at the time of sub-division improvement plans.						
c. At Parkway, "C" Street left turns from "C" Street onto Parkway Drive shall be prohibited and prevented by a positive barrier). (comment: (A4) Some conforming issues here.)						
58. "g" Street The following improvements will be constructed: a. Streets shall be constructed to a 57-foot local street width between Pioneer Ave. and "D" Street; and between "D" Street and "C" Street.						
b. At Pioneer Ave., Left turns from "B" Street shall be prohibited and positive barrier features (median) on Pioneer Ave. to preclude such movements shall be constructed when "B" Street is constructed.			X			
c. "B" Street shall have traffic calming landscape bulb-out features at the intersections of "C" Street with raised decorative stamped concrete or brick paver crosswalks. Final improvements shall be enhanced by a method determined by the City Engineer at the time of Sub-Division Improvement plans, said enhancements may include architectural features.						
d. "B" Street shall have traffic calming landscape bulb-out features at the intersections of "E" Street with raised decorative stamped concrete or brick paver crosswalks.						completed and accepted by City
59. "G" Street The following improvements will be constructed:						
a. Streets shall be constructed to a 57-foot local street width between Pioneer Ave. and "H" Street.			X			
b. At Pioneer Ave., left turns from "G" Street shall be prohibited and positive barrier features (median) on Pioneer Ave. to prevent the movement shall be constructed when "B" Street is constructed.						
60. "H" Street The following improvements will be constructed:			X			
a. Streets shall be constructed to a 57-foot local street width between Collector 2 and "G" Street.						
c. Provide concept plan for the extension of "H" from the north tentative map boundary into the future north development prior to approval of first final map.						
d. "H" Street shall have traffic calming landscape bulb-out features at the intersections of "G" Street with raised decorative stamped concrete or brick paver crosswalks.						
e. "H" Street shall have traffic calming landscape bulb-out features at the intersections of "Court 7" Street with raised decorative stamped concrete or brick paver crosswalks.)			X			

61. "E" Street The following improvements will be constructed:					
a. Streets shall be constructed to a 57 foot local street width between Collector 2 and "5" Court.					
62. County Rd 102 The following improvements will be constructed: a. Landscaping and street improvements shall be constructed from Gibson Rd to Farmers Central Rd per the approved Specific Plan. As approved by the City Engineer, street improvements and landscaping shall be constructed from Farmers Central Rd. to Parkway Drive. b. The intersection of CR102 at Farmers Central Rd shall be widened to accommodate a southbound and northbound left turn lanes. Sufficient width shall be provided to allow for full Specific Plan landscape corridors. Required right of way for turn lanes shall not be taken from landscape corridors. c. The intersection of CR102 at Parkway Dr. shall be widened to accommodate a southbound and northbound left turn lanes. Sufficient width shall be provided to allow for full Specific Plan landscape corridors. Required right of way for turn lanes shall not be taken from landscape corridors. d. An interim southbound right turn deceleration lane and right turn acceleration lane shall be constructed with the dimensions designed to the satisfaction of the City Engineer in the portion of the right of way reserved for future widening for a second southbound through lane on Rd 102. e. No parking shall be allowed on CR 102.					
63. Farmers Central Road. The following improvements will be constructed: a. If the roadway connection to Gibson Road is by way of Rd 101, then with the first final map, Farmers Central Rd from Pioneer Ave. to Rd 101 shall be constructed to full width street improvements. If interim improvements are allowed, the required minimum interim roadway section that would be allowed would be a 32 foot wide roadway section, but may be greater depending on the status of other development fronting Farmers Central Rd. Any interim improvements that may be allowed to be constructed shall be as approved by the City Engineer. b. Install a traffic signal at the intersection of Farmer's Central Road/Collector 1 intersection upon the approval of the final map that triggers the 1400th unit in the SISP area east of Highway 113.					

c. Provide a structural pavement section for the segment of Farmer's Central Road, from Pioneer Avenue to Collector 1, based on minor arterial standards. Provide an eastbound right turn lane on Farmer's Central Road at Collector 1. d. If the connection to Gibson Road is by way of Parkway Dr. to Collector 1, to Farmers Central Road, Pioneer Ave., then Farmers Central Rd from Pioneer Ave. to Collector 1 shall be constructed to full width street improvements. If interim improvements are allowed, the required minimum interim roadway section that would be allowed would be a 32 foot wide roadway section, but may be greater depending on the status of other development fronting Farmers Central Rd. Any interim improvements that may be allowed to be constructed shall be as approved by the City Engineer.				
64. Collector 1 If the connection to Gibson Road is by way of Parkway Dr. to Collector 1, to Farmers Central Road and Pioneer Ave., then Collector 1 from Parkway Dr. to Farmers Central Rd. shall be constructed to full width street improvements. If interim improvements are allowed, the required minimum interim roadway section that would be allowed would be a 32 foot wide roadway section but, may be greater depending on the status of other development fronting Collector 1. Any interim improvements that may be allowed to be constructed shall be as approved by the City Engineer.				
65. "I" Street (Rd 101) a. Horizontal curve for "I" Street shall be moved to the west and Road 101/I Street shall have a complete 90-degree intersection constructed within the SLSP area. b. If "I" Street is not improved to a local street with the first final map, existing Rd 101 from south boundary of tentative map to the north boundary of the tentative map shall be improved to the satisfaction of the City Engineer. Prior to approval of the first final map, Applicant shall pay for a roadway and pavement evaluation for the purpose of identifying the type permanent or interim improvements needed. The City has the option to perform the evaluation. Improvements shall be constructed with the first final map				X

66. Rd 101	a. The first final map in the Specific Plan area that triggers a connection to Road 25 A, via Road 101 as a condition, will be required to improve CR 101 from the connection to CR 101 from the Beeghly map to Road 25 A. The existing CR 101 shall be evaluated for roadway condition at the time the RD25A road improvements are required. Applicant shall pay for a roadway and pavement evaluation for the purpose of assisting the City Engineer in identifying the type permanent or interim improvements needed. The City has the option to perform the evaluation. This connection shall be subject to future reimbursement on a pro-rata basis, which reimbursement is required as additional final maps within the Specific Plan, which connect to Road 25A are approved. Any amount, which has not been reimbursed prior to the Second Release, will be made by the Second Release property owners as set forth in Section 3.9.					X			
	b. If the roadway connection to Gibson Road is by way of Rd 101, then existing Rd 101 from north boundary of tentative map to Farmers Central Rd. shall be improved to the satisfaction of the City Engineer. Prior to approval of the first final map, Applicant shall pay for a roadway and pavement evaluation for the purpose of identifying the type permanent or interim improvements needed. The City has the option to perform the evaluation. Improvements shall be constructed with the first final map.								
	c. Applicant shall contract a certified arborist to make recommendations as to health of existing trees located along Road 101; and then the improvement plans shall have a specific section for the maintenance of the health of the trees and their incorporation into the ultimate public improvements. Said section shall be subject to the approval of the City Engineer at the time of sub division improvement plan submission.					X			
67. Rd 25A	The first final map in the Specific Plan area that triggers a connection to Road 25 A, via Road 101 as a condition, will be required to improve 25 A from Road 101 to Highway 113. The existing roadway east of Hwy 113 shall be evaluated for roadway condition at the time the RD25A road improvements are required. Applicant shall pay for a roadway and pavement evaluation for the purpose of assisting the City Engineer in identifying the type permanent or interim improvements needed. The City has the option to perform the evaluation. This connection shall be subject to future reimbursement on a pro-rata basis, which reimbursement is required as additional final maps within the Specific Plan, which connect to Road 25A are approved. Any amount, which has not been reimbursed prior to the Second Release, will be made by the Second Release property owners as set forth in Section 3.9 of the project development agreement.					X			
	68. Collector 2 a. Horizontal curve for Collector 2 shall be moved to the west and Road 101/"n" Street shall have a complete 90 degree intersection constructed within the SLSP area.					X			

b. Full street improvements shall be constructed and shall include full street cross-section improvements per the approved Specific Plan, to include the south side landscaping corridor with and Class 1 bike path.	X				
c. "Collector 2" Street shall have traffic calming landscape bulb-out features at the intersections of "C" Street, "I" Street, and at the intersection of the 40' Subdivision Trail Corridor.	X				
d. As part of the final map, Collector 2 shall be constructed to RD (101)	X				
69. Intersection Enhancement Details The following improvements will be constructed:					
a. Island Planters and crosswalks shall be constructed of colored brick pavers, stamped concrete or other enhanced feature as approved by the City Engineer.				X	
b. Provisions shall be made at Parkway Drive and the 40' Subdivision Trail Corridor to restrict/prevent crossing at this location. Special enhanced landscaped barrier features shall be constructed on the north and south side of the 40-foot trail to direct pedestrian and bicycle traffic to controlled.					
c. Pedestrian crossing of the 40' subdivision trail at Collector 2 and at "A" Street shall be enhanced with pedestrian crossing features as specified by the City Engineer at the time of subdivision improvements design. This may include raised pedestrian crossing and pedestrian crossing flashing warning lights in each direction in advance of pedestrian crossing		X			Satisfied by \$118,000 payment per Section 2 of DA Amendment
70. Local Streets The following improvements will be constructed: Local streets shall provide for ADA compliant sidewalk turnouts where sidewalk widths do not meet ADA.					
Tentative Map Street Cross-Sections, Sheet 4 of 4, dated September 30, 2003). Conditions and Changes shall be made as follows:				X	
71. 20' Subdivision trail cross-section needs to be revised to show as 25' section to be consistent with Lot F on Sheet 1 of 4					completed - no further obligation
72. Street Section (Local 54)					completed - no further obligation
a. Add all street names that will be 54' to the detail heading.					completed - no further obligation
73. Street Section (Local 57)					completed - no further obligation
a. Add all street names that will be 57' to the detail heading					completed - no further obligation
74. Street Section - Collector with Greenbelt (Collector 2)					completed - no further obligation
a. Add street cross-section showing interim (temporary) improvements, should the City approve temporary improvements.					completed - no further obligation
75. Street Section - Arterial 2 Lane (Pioneer Ave.) Remove bicycle symbol shown on detail. Pioneer Ave. from Parkway to Rd 25A is not designated with off-street bike path.					completed - no further obligation
76. Street Section - Arterial 2 Lane (Temporary Parkway Drive). If the City Engineer allows interim improvements, a 27' pavement section is not adequate for an interim improvement. Minimum cross-section shall be changed to include a 5' bike lane (north side), two 12' travel lanes, and a 6' shoulder/bike lane (south side)					completed - no further obligation

77. Street Detail - Arterial 2 Lane (Half Street Improvements - Parkway Drive) a. Change this detail to reflect a connection to Pioneer Ave. City Engineer shall have final approval on improvements required for the connection to Pioneer Ave.					completed-no further obligation
78. Street Detail - Beeghly 1-Acre Life Estate a. Change this detail to reflect existing Rd 101 and Collector 2 aligning at 90-degree right angles. This will require shifting the horizontal curve to the west, into the Master Plan Remainder Area. b. Change 4' shoulders to 6' shoulders	X				
79. ADD NEW STREET CROSS SECTION - Arterial 2 Lane with off-street Pathway (Parkway Dr.)				X	
80. ADD NEW DETAIL - Future 40' Subdivision Trail (on east edge of Map) a. Add cross section detail of subdivision trail-					
81. ADD NEW STREET CROSS SECTION - Pioneer Ave., Farmers Central Rd to High School. a. Street cross section shall be modified to clearly depict improvements to be constructed with first final map. The east side street cross shall match existing street cross section being constructed with the new Pioneer High School. Landscaping, with the exception of trees, may be deferred until the west side landscaping improvements are constructed. A 6 foot AC interim pathway shall be constructed. The east side street improvements shall be constructed with the first final map-					
82. ADD NEW STREET CROSS SECTION - Pioneer Ave., Parkway Drive to Farmers Central Rd. a. Minimum improvements shall include a 19' southbound pavement section, 14' raised median and a 19' northbound pavement section. The 19 foot pavement section shall include a 6 foot bike lane/shoulder and a 13' travel lane.					
83. ADD NEW STREET CROSS SECTION - Farmers Central Rd., Pioneer Ave. to Existing Rd 101 a. Minimum improvements shall include two 12 foot travel lanes and two 6 foot shoulders.					
84. ADD NEW STREET CROSS SECTION - Pioneer Ave., Gibson Rd to Collector 4. a. Street cross section shall reflect full roadway improvements.					
87. Street Cross section details, including all intersection geometric design, complying with the conditions of approval, shall be revised on tentative map, submitted to the City, and approved by the City Engineer prior to submitting a final map and improvement plans.				X	
88. Construction of the intersections of Parkway Drive and Pioneer Avenue and Pioneer Avenue and Collector 2 shall include the construction of the underground portions of future traffic signals and the above ground portions as the City Engineer deems necessary at the time of sub division improvement plans.	X				Southside modification to Pioneer Ave. Construction of roundabout with WPHI project at Marsten and Parkland
89. Additional traffic related improvements shall be incorporated upon completion of the traffic study. These may include off site improvements to CR 101 and CR 25A as well as additional traffic signal improvements.	X				Traffic Study has been completed. All improvements on C-1, C-2 plans

90. A signing and striping, and stop plan is required and shall be approved by the City Engineer. All signing and striping shall be in accordance with the City of Woodland Design and Construction Standards.					
91. Prior to approval of the first tentative the project must determine an fund a fair share of the capital and operating costs associated with providing public transit service to the Plan area per SISP regulation 4.35 and TOC EIR MM 4.6.3.				X	
92. Prior to approval of the first tentative the project must prepare and have approved by the City and Transportation District, a transit plan per SISP regulation 4.36 and TOC EIR MM 4.6.4					
93. Street light types shall be those historic types identified in the SISP Design Standards. The City is updating its design standards and details for spacing historic lights. Improvement plans for street light types shall be designed to design standards adopted.					
Storm Drainage and Site Grading (Sheet 2)					
94. A comprehensive storm drainage master plan shall be prepared by a registered civil engineer for project watershed(s), including the entire SISP area, and shall be submitted to the Public Works Director for review and approval. The master 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 and engineering calculations. Said plan shall also include provisions for cost sharing among affected adjacent development for facilities sized to accommodate off-site storm water.				X	
95. Tentative Map Area Storm Drainage Master Plan shall be submitted for approval by the Public Works Director prior to submittal of the final map and/or construction drawings for checking. The applicant shall pay the cost associated with all improvements required by the study, 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.					
96. The Tentative Map area drainage plan shall be prepared and shall identify specific storm drainage design features to control increased runoff from the project site. This may be achieved through one or more of the following: onsite detention, channel modifications, and/or equally effective measures to control the rate and volume of runoff. 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 Public Works Department 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 Standard Specifications and Details.					Master Study Completed

97. 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.					X	
98. 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.					X	
99. 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.					X	
100. Drainage fees shall be paid prior to issuance of a building permit.					X	
101. All perimeter parcels and lots shall be protected against surface runoff from adjacent properties in a manner acceptable to the City Engineer.					X	
102. Prior to approval of the first Final Map, Applicant shall prepare a written agreement with the other participating SLP property owners for the disposal and sharing of the excavated soil from the construction of the East Regional Detention.					X	
103. All projects shall comply with the City's Storm Water ordinance, which includes implementation of post-construction best management practices (BMP). Post construction BMP's shall be identified on improvement plans and approved by the City Engineer.					X	
104. Construction of projects disturbing more than one acre of soil shall require a National Pollution Discharge Elimination System (NPDES) construction permit.					X	
105. 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.					X	
106. Construction materials for storm drainpipes within the water table shall be pre-cast rubber-gasket reinforced concrete pipe (RGRCP). Depth of the water table. The City Engineer shall approve water table depth at the time of submission of the sub division improvement plans.					X	

107. An erosion and sedimentation control plan shall be included as part of the improvement plan package. The plan shall be prepared by the applicant's civil engineer and approved by the City Engineer. The plan shall include but not be limited to interim protection measures such as benching, sedimentation basins, storm water retention basins, energy dissipation structures, and check dams. The erosion control plan shall also include all necessary permanent erosion control measures, and shall include scheduling of work to coordinate closely with grading operations. Replanting of graded areas and cut and fill slopes is required and shall be indicated accordingly on plans, for approval by City Engineer.					X	
108. Landscaped slopes along streets shall not exceed 5:1; exceptions shall require approval of the City Engineer. Level areas having a minimum width of two (2) feet shall be required at the toe and top of said slopes.					X	
109. Applicants for projects draining into water bodies shall obtain a National Pollutant Discharge Elimination System (NPDES) Permit from the Regional Water Quality Control Board prior to commencement of grading.					X	
Wastewater and Sewer Collection System (Sheet 3)						
110. The applicant shall obtain a no-cost Wastewater Discharge Permit from the Public Works Department prior to the issuance of a Building Permit.					X	
111. 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.					X	
112. Prior to approval of the first tentative map, a comprehensive on-site sewer collection system master plan shall be prepared by a registered civil engineer for project, including the entire SISP area, and shall be submitted to the Public Works Director for review and approval. The master plan shall include final sizing and location of on-site conveyance facilities, structures, and engineering calculations. Said plan shall also include provisions for cost sharing among affected adjacent development for facilities sized to accommodate the SISP area.						
113. A Tentative Map Area Sewer Collection System Master Plan shall be submitted for approval by the Public Works Director prior to submittal of the final map and/or construction drawings for checking. The applicant shall pay the cost associated with all improvements required by the study, 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. Reference the City of Woodland Engineering Design and Construction Standards for additional requirements.						
114. 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.					X	

115.	Construction of deep sewer mains shall be connected to laterals by a parallel main and connections at Manholes.				X	
Water Infrastructure Conditions (Sheet 3)						
116.	All materials and installation of the water system shall be at the applicant's expense per City of Woodland Standard Specifications and Details.					
117.	If required, per SB221, project Applicant shall obtain a Water Verification (WV) prior to approval of final map. Verification shall the following conditions.				X	
118.	Actual water service to the subdivision will be predicated upon satisfaction of terms and conditions set by the water supplier				X	
119.	The WV is non-transferable, and can only be used for the specific tentative map for which it was issued.				X	
120.	The WV shall expire along with the tentative map subdivision map if a final map is not recorded within time allowed under law				X	
121.	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.				X	
122.	Based on SLSP water modeling two new wells are needed to serve the first stage of development as identified in the SLSP. If the parcels required for the two new wells have not been acquired, the project applicant shall be required to acquire said parcels prior to approval of the first final map. The City will oversee the design and construction of two new wells. No building permits will be issued prior to construction and operation of two (2) new wells to serve the SLSP area. Only if the City acquires and develops the existing County well or the College well as municipal wells and develops the City's Regional Park well as a municipal well as interim water production facilities will the applicant be able to defer construction of the two new wells. Either a development agreement or the subdivision improvement agreement will provide for reimbursement or credit against water connection fees to cover the development of this facility.				X	
123.	The Applicant shall submit a well site plan with facility elevations for City approval with the final map application:					
124.	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 SLSP. 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.					
125.	At the time the Building Permit is issued, the applicant will be required to pay the appropriate City connection Fees. All domestic water services will be metered.				X	
						X

126. 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 applicant'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.					
127. Per the City of Woodland Cross Connection Control Program, fire protection systems are required to maintain approved backflow prevention, at the applicant's expense. Required location, service size and flow-rate for the fire protection system must be submitted. Actual location is subject to the review and approval of the Public Works Department, Fire Department, and Community Development Department.				X	
128. The City of Woodland Plan Review Fee applies and is due upon submittal of the maps and plans for review.				X	
129. FINAL PLANS, PERIODIC TESTS FOR FIRE HYDRANTS: All final plans for fire hydrant systems and private water mains supplying a fire hydrant system shall be submitted to the City of Woodland Fire Department for approval prior to construction of the system. All fire protection systems and appurtenances thereto shall be subject to such periodic tests as required by the City of Woodland Fire Department.				X	
130. REFLECTORS FOR FIRE HYDRANTS: 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.				X	
131. MEDIANS, FIRE HYDRANT PLACEMENT: When Median strip is to be installed in the center of a street; the fire hydrant will be spaced not more than 300 feet on both sides of the divider on the curb side of the street. Final approval and approval of any changes is the responsibility of the City Engineer.				X	
132. Prior to approval of the first tentative map, a comprehensive on-site water system master plan shall be prepared by a registered civil engineer for project, including the entire SISP area, and shall be submitted to the Public Works Director for review and approval. The master plan shall include final sizing and location of on-site conveyance facilities, structures, and engineering calculations. Said plan shall also include provisions for cost sharing among affected adjacent development for facilities sized to accommodate the SISP area.					
133. A Tentative Map Area Water System Master Plan shall be submitted for approval by the Public Works Director prior to submittal of the final map and/or construction drawings for checking. The applicant shall pay the cost associated with all improvements required by the study, 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. Reference the City of Woodland Engineering Design and Construction Standards for additional requirements.					

General Public Works Conditions				
134. The conditions as set forth in this document are not all inclusive. Applicant shall thoroughly review all City, state and federal planning documents associated with this tentative map and comply with all regulations, mitigations and conditions set forth.				
135. Closure calculations shall be provided at the time of initial map check submittal. All calculated points within the map shall be based upon one common set of coordinates. All information shown on the map shall be directly verifiable by information shown on the closure calculation print out. The point(s) of beginning shall be clearly defined and all lot acreage shall be shown and verifiable from information shown on the closure calculation print out. Additionally, the square footage of each lot shall be shown on the subdivision map. Reference the City of Woodland Engineering Design and Construction Standards for additional requirements.				X
136. Applicant shall be required to comply with the SLSP Final Environmental Report (FEIR) Mitigation Measures and Final Supplemental EIR relating to this Project.				X
137. A subdivision map (Final or Parcel) shall be processed and shall be recorded prior to issuance of a Building Permit.				X
138. U.S. Post Office mailbox locations shall be shown on the improvement plans subject to approval by the City Engineer and Postmaster.				X
139. 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.				X
140. Joint trench/utility plans shall be submitted to the City Engineer for review, prior to approval of the final map and improvement plans.				X
141. All existing and proposed utilities within 100 feet of the project boundary shall be installed underground per the subdivision ordinance and shall meet the policies, ordinances, and programs of the City of Woodland and the utility providers.				X
142. Street lighting location plan shall be submitted and approved by the Department of Public Works, prior to approval of improvement plans and final recordation of Map.				X
143. Roads must be constructed and paved prior to issuance of any building permit. Under specific circumstances, temporary roads may be allowed, but must be approved by the City of Woodland Public Works Director and Fire Department				X
144. Occupancy of residential or business units shall not occur until off-site improvements (water, sewer, streets, etc.) have been accepted by the City Council, and the City has approved as-built drawings, and the unit has been issued a Certificate of Occupancy by the Building Official. Applicants, contractors, and/or owners shall be responsible to so inform prospective buyers, lessees, or renters of particular units to be occupied of this condition.				X
145. If relocation of existing facilities is deemed necessary, the applicant shall perform the relocation, at the applicant's expense unless otherwise provided for through a reimbursement agreement. All public utility standards for public easements shall apply.				X

146. A Subdivision Improvement Agreement shall be entered into and recorded prior construction of improvements, issuance of any building permits, or recordation of a final map.					X	
Easements and Right of Way						
147. Appropriate easements shall be required for City maintained facilities located outside of City owned property or the public right-of-way.					X	
148. The applicant shall facilitate, with City cooperation, the abandonment of all City easements and dedications currently held but no longer necessary as determined by the Public Works Department.					X	
149. A ten (10) foot public utility easement back of 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. Exception- Not required on Pioneer Ave or Parkway Drive.					X	
150. Per the project level Development Agreement, 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.						Developer needs to be responsible for offsite land.
151. The final map shall identify a relinquishment of access rights along County Road 102, Parkway Drive, and Pioneer Ave. Except pedestrian access may be provided to lot D and G to the adjacent arterial sidewalk.	X					
Reimbursements for Applicant Install Improvements						
152. Applicant shall pay appropriate reimbursements for benefiting improvements installed by others, in the amount and at the time specified by existing reimbursement agreements.	X					
Landscaping and Lighting					X	
153. Project proponents shall enter into the Landscape and Lighting District, in order to maintain and provide for the future needs of parks, open space, street lighting, landscaping, sound walls, and other related aspects of development. The project proponent is responsible for all costs associated with this condition. The project proponent shall fulfill this condition prior to the sale of any buildable lots or parcels within the project area.						
154. Applicant of multi-family residential, commercial and industrial project shall provide refuse enclosure detail showing bin locations and recycling facilities to the approval of the Public Works Department per the SLSP and SLSP Design Guidelines.					X	
155. Prepare, and submit for approval, a utility site plan prior to preparation of full improvement plans.		X				X

156. Prepare improvement plans for any work within the public right-of-way and submit them to the Public Works department 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.					
157. Each residence in the cul-de-sac must be able to accommodate parking for 3 vehicles: either (3) on site parking spaces or two (2) on site spaces and (1) on street space. The on street space shall be along the frontage of the subject property with no more than a 10-foot overlap across the frontage of adjacent parcels.					X
158. Underground any overhead utilities within the project.					X
159. Submit proposed Street names for approval by the City of Woodland.					X
160. Conform to County Health regulations and requirements for the abandonment of a septic tanks and water wells.					X
161. Public improvements in addition to roadway construction shall include water; sewer and storm drain mains, Fire hydrants, streetlights and railroad crossing improvements.					X
162. Encroachment permits if necessary from will be acquired from Yolo County, Cal-Trans and the railroad.					X
163. 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.					X
164. All public landscape areas shall include water laterals with meters and PG&E power service points for automatic controllers.					X
165. Prior to recording of the final map, if required, provide evidence of payment for the Habitat Mitigation Fee. This fee is paid to the Yolo County Planning Department.					X
166. If improvements are constructed and/or installed by a party or parties other than the Applicant, which improvements benefit Applicant's property, prior to issuance of a building permit (approval of the final map) on Applicant's property, Applicant 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 Applicant.					X

Fire Department							
167. The plan as submitted does not follow the City of Woodland Standards, Specifications and Details 2002 Manual in regards to section 7.13 FIRE HYDRANTS. Please be advised that "hydrants shall have a minimum spacing of 300-feet in all areas (1-94)."							
168. It is the preference of the Woodland Fire Department that fire hydrants shall be located at corners and intersections whenever practical for ease of access to firefighting operations. The plan as submitted has hydrants located predominately in mid-block locations. Please note this change and revise the current plan to locate the fire hydrants along corners and at intersections where practical to do so.						X	
169. The Woodland Fire Department has noted that additional hydrants are needed along Pioneer Avenue in order to meet the requirements listed in section 7.13 FIRE HYDRANTS as noted in the City of Woodland Standards, Specifications and Details 2002 Manual.						X	
						X	

Exhibit D-1

Description of Remaining Shared Improvements/Cost Estimates

EXHIBIT D-1
Summary of Improvements to be Constructed by WPHI

COA Improvement

	Centex	WPHI	Ref	Improvement Cost Prelim Engineers Opinion	Notes
Pioneer Drive (Identified as Pioneer Avenue from East Gibson to E. Heritage Pkwy, then Parkland Drive south of E. Heritage Pkwy)					
55 Full roadway improvements, including landscaping, shall be constructed from Collector 2 (Marston Drive) to Parkway Drive (East Heritage Parkway)	74.77% \$2,285,196 \$184,084	25.23% \$771,104 \$62,116	[1] [1]	\$3,056,300 \$246,200	To be constructed by WPHI SLIF Creditable Non-Creditable Portion
60 a. Streets shall be constructed to a 57-foot local street width between Pioneer Avenue (Parkland Avenue) and Collector 2 (Marston Drive) and "G" Street.	100% \$66,000	100% \$73,000	[2]	\$139,000	1/2 width Hunt St cost fronting Centex parcel. Based on lineal foot Not Creditable
66 a. The first final map that triggers a connection of CR 25A via CR 101 as a condition, will be required to improve CR 101 from the connection with CR 101 from the Beeghly map to CR 25A.	74.77% \$31,478	25.23% \$10,622	[1]	\$42,100	WPHI to construct Not Creditable
67 a. The first final map that triggers a connection to CR 25A via CR 101 as a condition, will be required to improve CR 25A from CR 101 to Highway 113.	74.77% \$352,611	25.23% \$118,983	[1]	\$471,594	WPHI to construct SLIF Creditable City Contribution/SLIF set-aside/Heidrich project fees
68 a. As part of the first final map, Collector 2 (Marston Drive) shall be constructed to CR 101.	88.60% \$190,401 \$791,552	11.40% \$24,499 \$101,848	[1] [1]	\$214,900 \$893,400	WPHI to construct Creditable Portion Not Creditable Portion
Improvements Proposed to be Completed by WPHI					
City Contribution/SLIF Set-Aside/Heidrich Project Fee Portion	\$383,276	\$129,330		\$512,606	Estimate
SLIF Creditable Portion	\$2,828,208	\$914,586		\$3,742,794	
Non-SLIF Creditable Portion	\$1,073,114	\$747,586		\$1,820,700	
	\$4,284,598	\$1,291,502		\$5,576,100	

Notes:

- [1] Per Cunningham Engineering preliminary engineer's opinion of probable costs. Costs include a 10% contingency and 24% for soft costs.
[2] Per Carlson, Bartee & Gibson Engineer's Preliminary Cost Estimate

Exhibit E-1

SLIF Credit/Reimbursement Allocation for Package B-1 Improvements

EXHIBIT E-1

	Context Previously Completed Items		Total Unreimbursed Improvement Cost
	SLIF Creditable Portion	Non-SLIF Creditable Portion	
		Context	WPPI
		\$2,616,797	\$882,999
		\$2,616,797	\$882,999
			\$3,499,796
			\$3,499,796

[1] Amount represents B-1 improvement costs waiting reimbursement by the City of Woodland.

Exhibit F-1

Nexus Study Provisions Related to Road 25A

Exhibit F-1

Draft Report

**Spring Lake Infrastructure Fee Nexus
Study and Reconciliation Update
And
Spring Lake Specific Plan Financing
Plan Update**

The Economics of Land Use



Prepared for:

City of Woodland

Prepared by:

Economic & Planning Systems, Inc.

Economic & Planning Systems, Inc.
2150 River Plaza Drive, Suite 400
Sacramento, CA 95833-3863
916 649 8010 fax
916 649 2070 fax

Berkeley
Sacramento
Denver

www.epsys.com

January 7, 2010

EPS #19539



APPENDIX B:

Spring Lake Specific Plan

Capital Improvement Plan Costs

Table B-1	SLSP CIP Summary (7 pages)	B-1
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DRAFT

Page 1 of 7

Table B-1
2010 SLIF Nexus Study and SLSP Financing Plan Update
SLSP CIP Summary

Item	Pct.	Spring Lake Specific Plan					
		TOTAL	Roads	Water	Sewer	Drainage	Admin.
Package A							
Facilities		\$ 17,306,601	\$ 9,344,758	\$ 1,892,748	\$ 1,699,433	\$ 4,369,662	\$ 0
Soft Costs		\$ 4,308,660	\$ 2,326,475	\$ 471,219	\$ 423,092	\$ 1,087,873	\$ 0
Subtotal		\$ 21,615,000	\$ 11,671,000	\$ 2,364,000	\$ 2,123,000	\$ 5,458,000	\$ 0
Package B							
Facilities		\$ 14,937,000	\$ 11,374,000	\$ 979,000	\$ 456,000	\$ 2,128,000	\$ 0
Contingency	10%	\$ 1,494,000	\$ 1,137,000	\$ 98,000	\$ 46,000	\$ 213,000	\$ 0
Soft Costs	24%	\$ 3,585,000	\$ 2,730,000	\$ 235,000	\$ 109,000	\$ 511,000	\$ 0
Subtotal		\$ 20,016,000	\$ 15,241,000	\$ 1,312,000	\$ 611,000	\$ 2,852,000	\$ 0
Package C							
Facilities		\$ 4,338,000	\$ 3,441,000	\$ 342,000	\$ 182,000	\$ 373,000	\$ 0
Contingency	10%	\$ 359,000	\$ 270,000	\$ 34,000	\$ 18,000	\$ 37,000	\$ 0
Soft Costs	24%	\$ 1,042,000	\$ 826,000	\$ 82,000	\$ 44,000	\$ 90,000	\$ 0
Subtotal		\$ 5,888,000	\$ 4,686,000	\$ 458,000	\$ 244,000	\$ 500,000	\$ 0
Other							
Facilities		\$ 23,753,000	\$ 15,630,000	\$ 2,000,000	\$ 1,610,000	\$ 4,513,000	\$ 0
Contingency	10%	\$ 1,913,700	\$ 1,101,700	\$ 200,000	\$ 161,000	\$ 451,000	\$ 0
Soft Costs	24%	\$ 5,700,000	\$ 3,751,000	\$ 480,000	\$ 386,000	\$ 1,083,000	\$ 0
Subtotal		\$ 32,280,900	\$ 21,406,900	\$ 2,680,000	\$ 2,157,000	\$ 6,047,000	\$ 0
Habitat Conservation Easement		\$ 1,146,400	\$ 0	\$ 0	\$ 0	\$ 1,146,400	\$ 0
Storm Drainage							
Off-site		\$ 14,167,658	\$ 0	\$ 0	\$ 0	\$ 14,167,658	\$ 0
East Regional Det. Pond (off-site)		\$ 484,272	\$ 0	\$ 0	\$ 0	\$ 484,272	\$ 0
Remaining Off-site		\$ 5,572,515	\$ 0	\$ 0	\$ 0	\$ 5,572,515	\$ 0
Subtotal		\$ 20,224,446	\$ 0	\$ 0	\$ 0	\$ 20,224,446	\$ 0
Sewer							
Off-site		\$ 5,315,000	\$ 0	\$ 0	\$ 5,315,000	\$ 0	\$ 0
Remaining Off-site		\$ 795,000	\$ 0	\$ 0	\$ 795,000	\$ 0	\$ 0
Subtotal		\$ 6,110,000	\$ 0	\$ 0	\$ 6,110,000	\$ 0	\$ 0
Parks							
Neighborhood Park N1		\$ 2,498,507	\$ 0	\$ 0	\$ 0	\$ 2,498,507	\$ 0
Neighborhood Park N2		\$ 2,477,226	\$ 0	\$ 0	\$ 0	\$ 2,477,226	\$ 0
Neighborhood Park N3		\$ 2,477,226	\$ 0	\$ 0	\$ 0	\$ 2,477,226	\$ 0
Central Park		\$ 1,700,864	\$ 0	\$ 0	\$ 0	\$ 1,700,864	\$ 0
Sports Park (Phases 1 and 2)		\$ 5,885,012	\$ 0	\$ 0	\$ 0	\$ 5,885,012	\$ 0
Land Acquisition		\$ 8,068,986	\$ 0	\$ 0	\$ 0	\$ 8,068,986	\$ 0
Fire Station		\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0
Subtotal		\$ 23,107,821	\$ 0	\$ 0	\$ 0	\$ 23,107,821	\$ 0
Water Well		\$ 199,000	\$ 0	\$ 199,000	\$ 0	\$ 0	\$ 0
On-site Land Acquisition		\$ 1,872,000	\$ 1,665,000	\$ 207,000	\$ 0	\$ 0	\$ 0
Subtotal		\$ 132,469,567	\$ 54,669,900	\$ 7,220,000	\$ 11,245,000	\$ 36,227,846	\$ 23,107,821
District Administration	4%	\$ 5,299,000	\$ 0	\$ 0	\$ 0	\$ 0	\$ 5,299,000
Gibson Road		\$ 804,000	\$ 804,000	\$ 0	\$ 0	\$ 0	\$ 0
Planning and Administration		\$ 6,541,078	\$ 6,541,078	\$ 0	\$ 0	\$ 0	\$ 0
TOTAL		\$ 145,113,645	\$ 62,014,978	\$ 7,220,000	\$ 11,245,000	\$ 36,227,846	\$ 23,107,821

Source: June 2009 SLSP CIP prepared by
Ponticello Enterprises and Cunningham Engineering

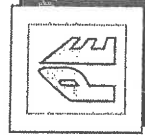
cost detail

**SPRING LAKE SPECIFIC PLAN
CAPITAL IMPROVEMENT PLAN
ENGINEER'S OPINION OF PROBABLE PUBLIC IMPROVEMENT COSTS
BACKBONE INFRASTRUCTURE 2008 UPDATE**

Prepared for:
City of Woodland
300 First Street
Woodland, California 95695

Prepared by:

Ponticello Enterprises Consulting Engineers
1216 Fortna Avenue
Woodland, CA 95776
(530) 668-5883



Cunningham Engineering Corporation
2940 Spafford Street, Suite 200
Davis, California 95618
(530) 758-2026

July 27, 2009



ELEVATION '6C' - ITALIAN

ELEVATION '5A' - SPANISH

ELEVATION '3B' - TRADITIONAL

ELEVATION '2A FRONT' - SPANISH

ELEVATION '1A LEFT' - SPANISH

SOLARA RANCH



STREETSCENE

VIEW # 2013-0024

04.22.2015

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ktgy.com
510 272 2910





ELEVATION '2A FRONT' - SPANISH

ELEVATION '1A LEFT' - SPANISH



ELEVATION '1A FRONT' - SPANISH (ELEVATION 2A BEYOND)

SOLARA RANCH

D·R·HORTON DHI
NYSE
America's Builder

DUET - PLANS 1 AND 2 FRONT ELEVATIONS

KTGY # 2013-0028

04.22.2015

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Architecture+Planning
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510 272 2910



A1.0.1



ELEVATION '2A FRONT' - SPANISH

ELEVATION '1A LEFT' - SPANISH

Spanish
Material Legend:
Concrete Low Profile 'Villa' Tile
Stucco Finish
Shutters
Decorative Gable End Detail
Enhanced Sills
1x Stucco Finish Trim



ELEVATION '1A FRONT' - SPANISH (ELEVATION 2A BEYOND)

SOLARA RANCH

D·R·HORTON DHI
Listed
NYSE
America's Builder

DUET - PLANS 1 AND 2 FRONT ELEVATIONS

KTGY # 2013-0028

03.09.2015

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AI.0.2



ELEVATION '2B FRONT' - TRADITIONAL

ELEVATION '1B LEFT' - TRADITIONAL



ELEVATION '1B FRONT' - TRADITIONAL (ELEVATION 2B BEYOND)

SOLARA RANCH

D·R·HORTON DHI
NYSE
America's Builder

DUET - PLANS 1 AND 2 'B' FRONT ELEVATIONS

AI.I.I

KTGY # 2013-0028

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510 272 2910





ELEVATION '2B FRONT' - TRADITIONAL

ELEVATION '1B LEFT' - TRADITIONAL

- Traditional
Material Legend:
- Flat Concrete Tile Roofing
 - Stucco Finish
 - Cementitious Siding
 - Shutters
 - Decorative Railing & Wood Posts
 - Decorative Gable End Vents
 - Enhanced Sills
 - 1x Stucco Finish Trim



ELEVATION '1B FRONT' - TRADITIONAL (ELEVATION 2B BEYOND)

SOLARA RANCH



DUET - PLANS 1 AND 2 'B' FRONT ELEVATIONS

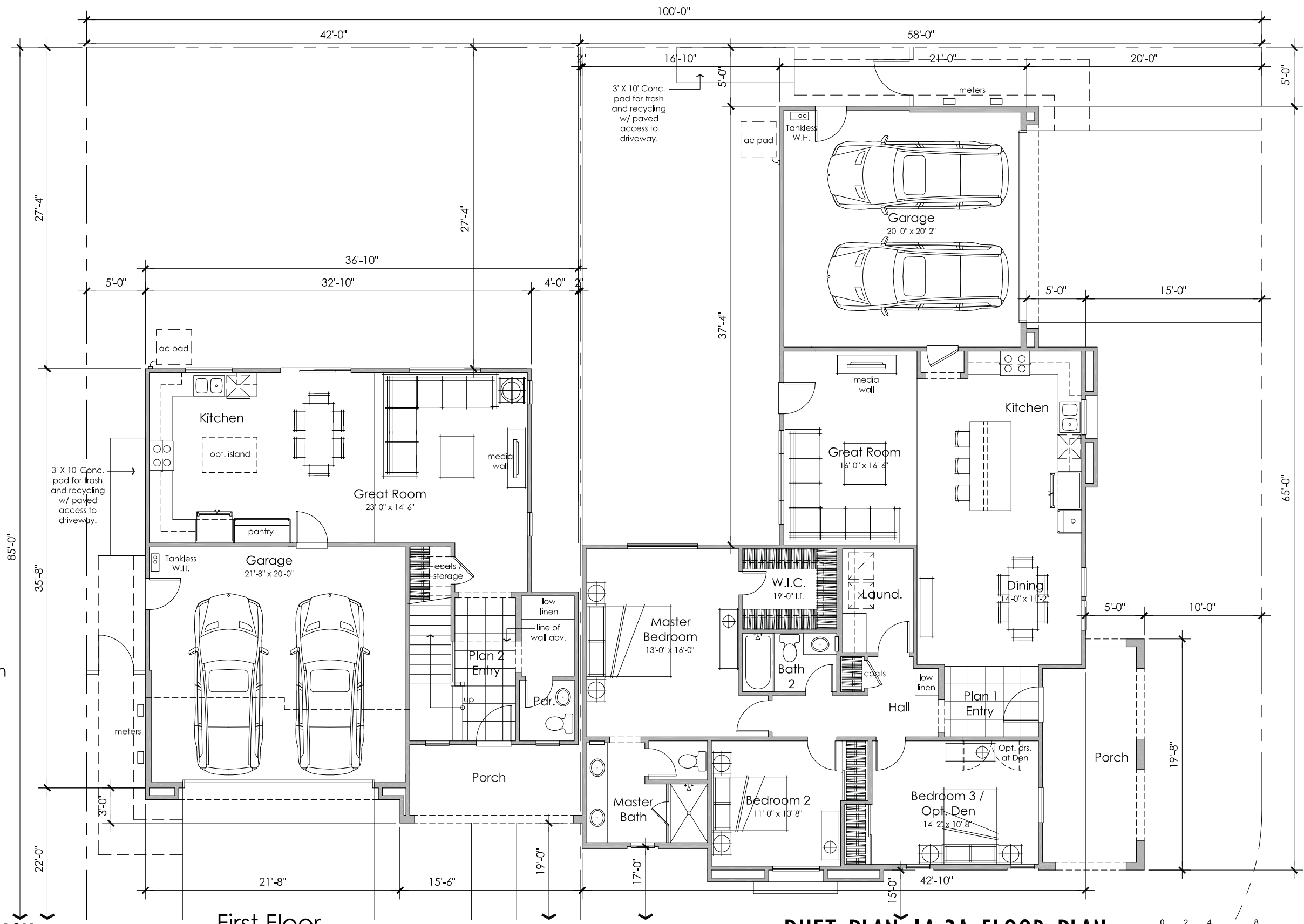
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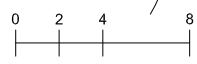




SOLARA RANCH

First Floor

DUET PLAN 1A-2A FLOOR PLAN



A1.2

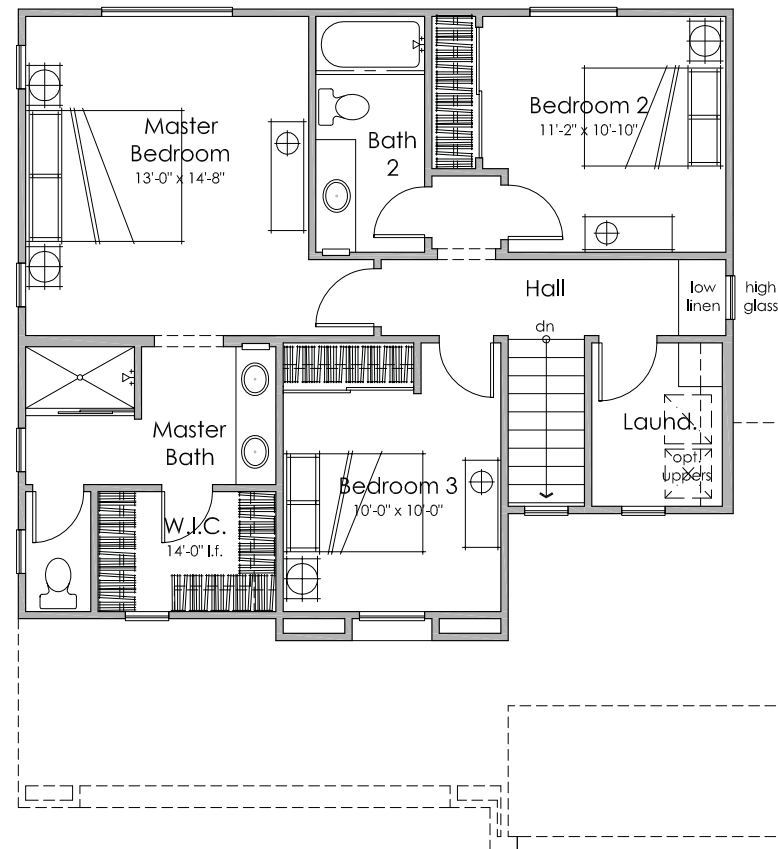


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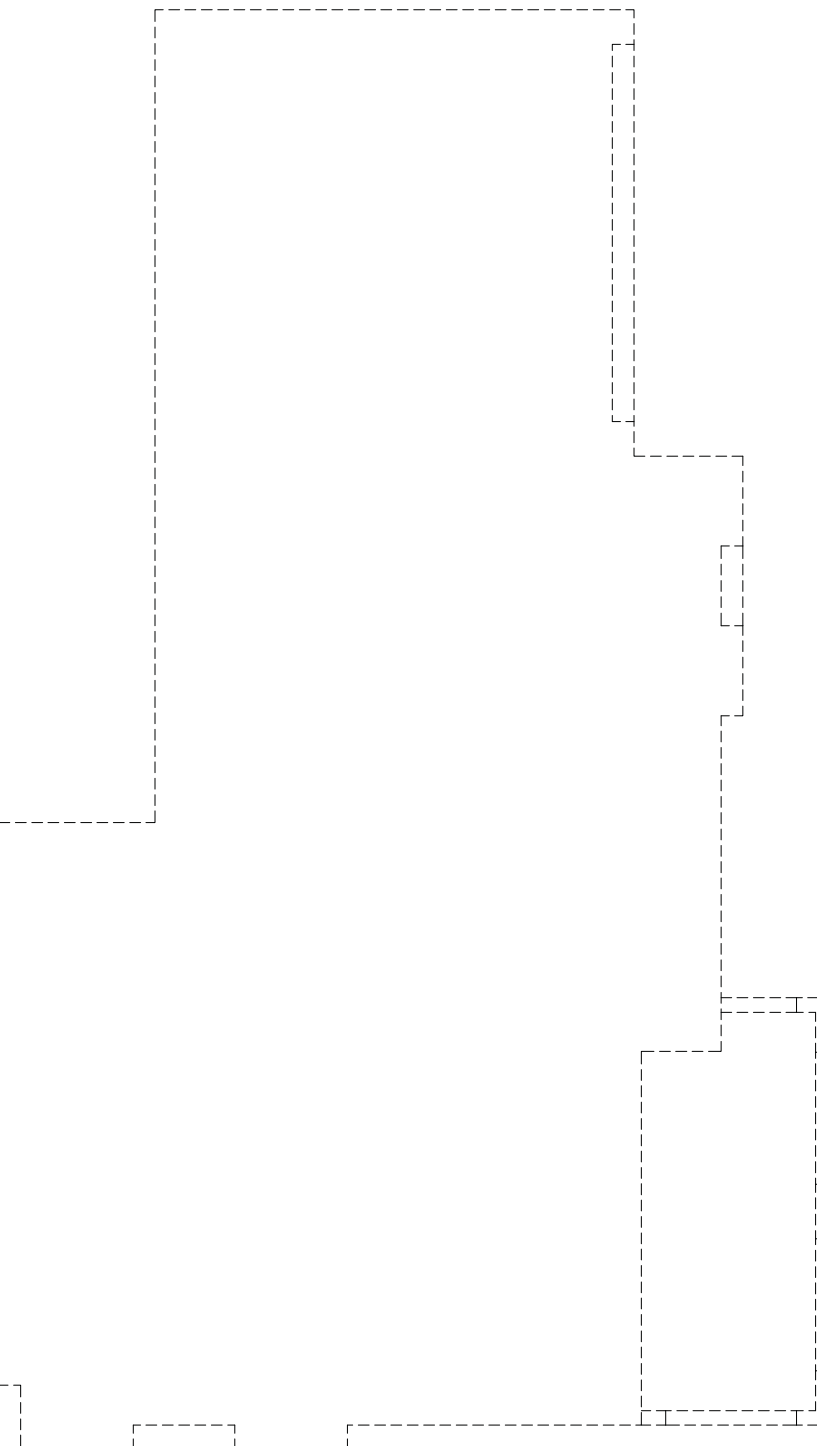
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Plan 2 Floor Plan
3 Bedrooms
2.5 Baths
1,570 s.f.

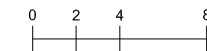


Plan 1 Floor Plan
3 Bedrooms
2 Baths
1,540 s.f.

SOLARA RANCH

Second Floor

DUET PLAN 1A-2A FLOOR PLAN



AI.3



Woodland, California
KTGY # 2013-0028

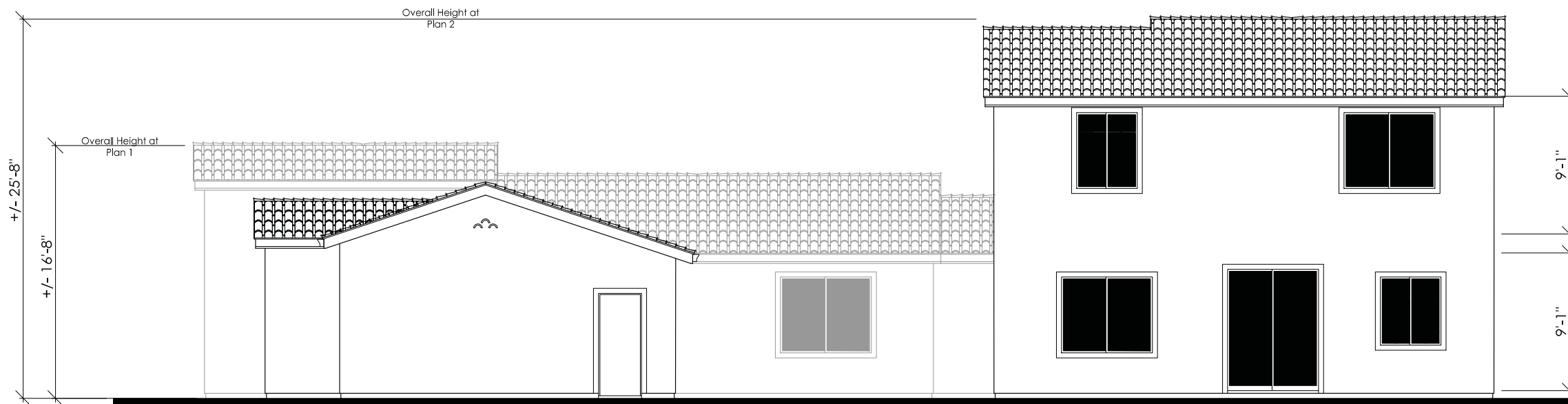
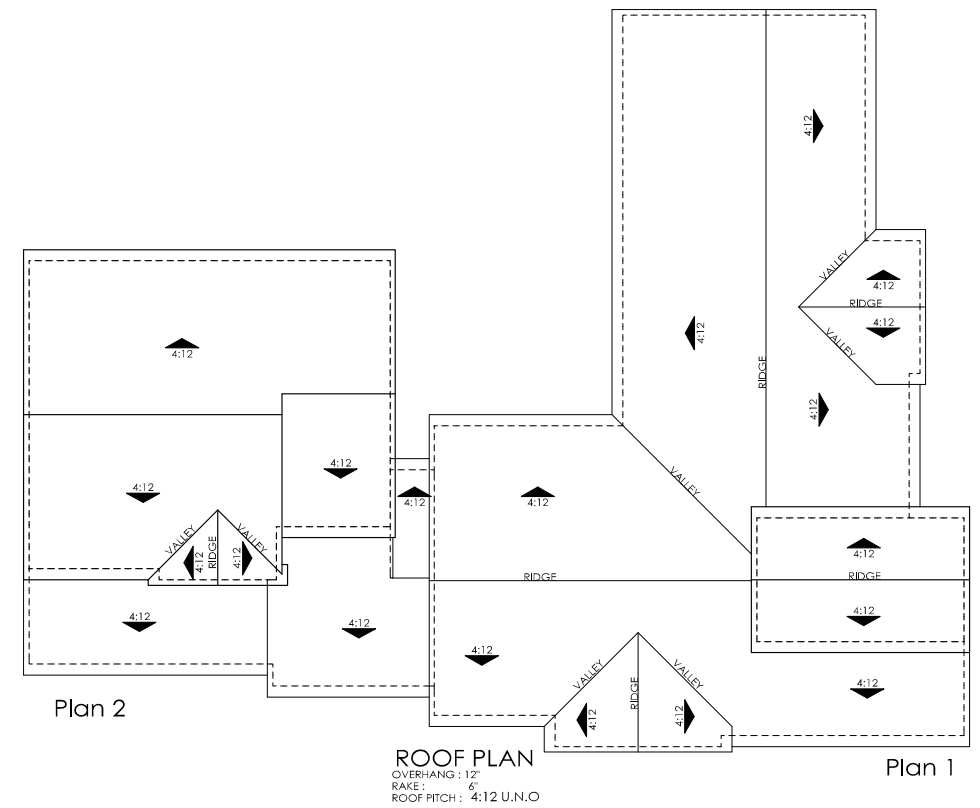
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LEFT



PLAN 1A - RIGHT - PLAN 2A - REAR

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DUET - PLANS 1A AND 2A - SIDES AND REARS

A1.4

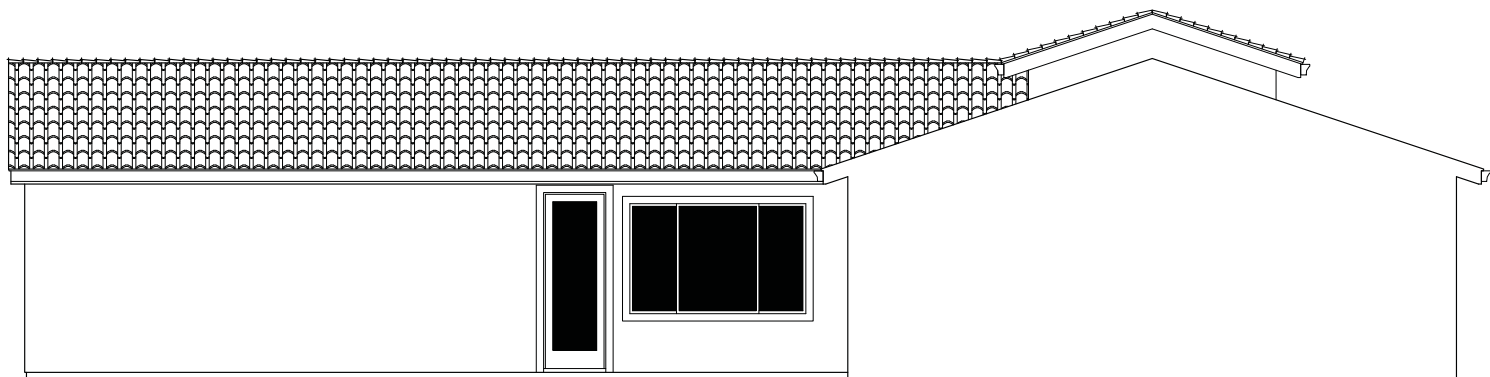


KTGY # 2013-0028

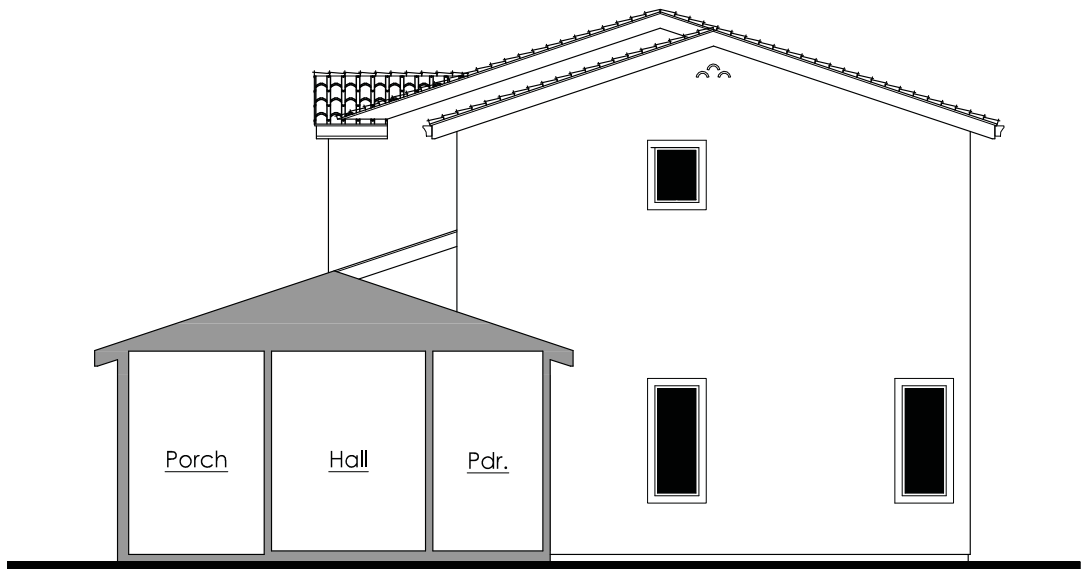
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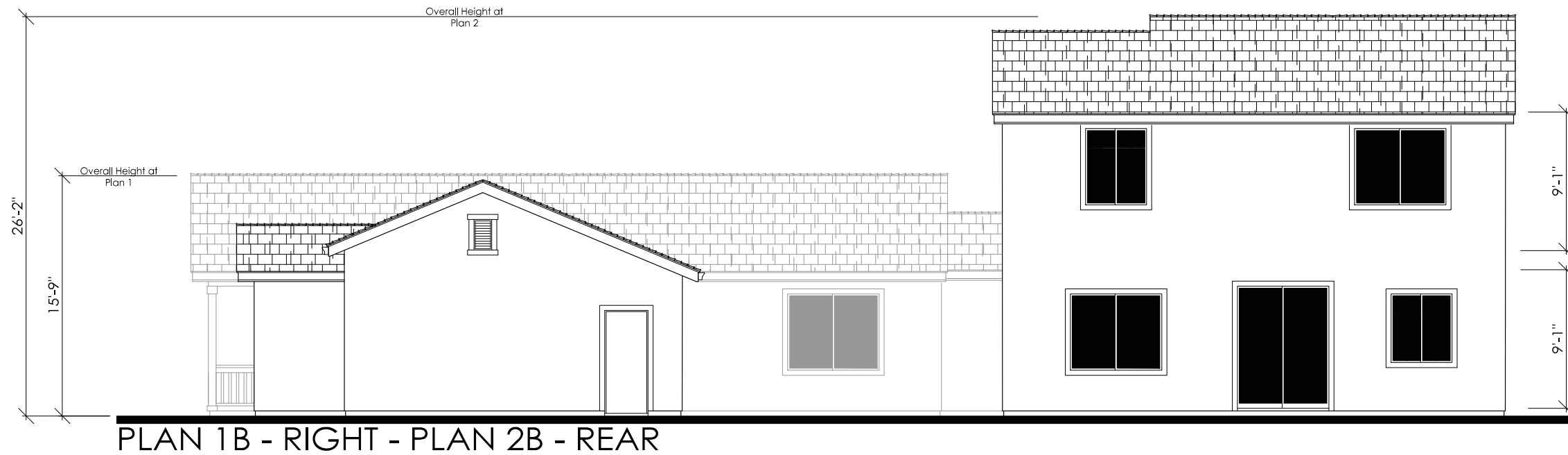
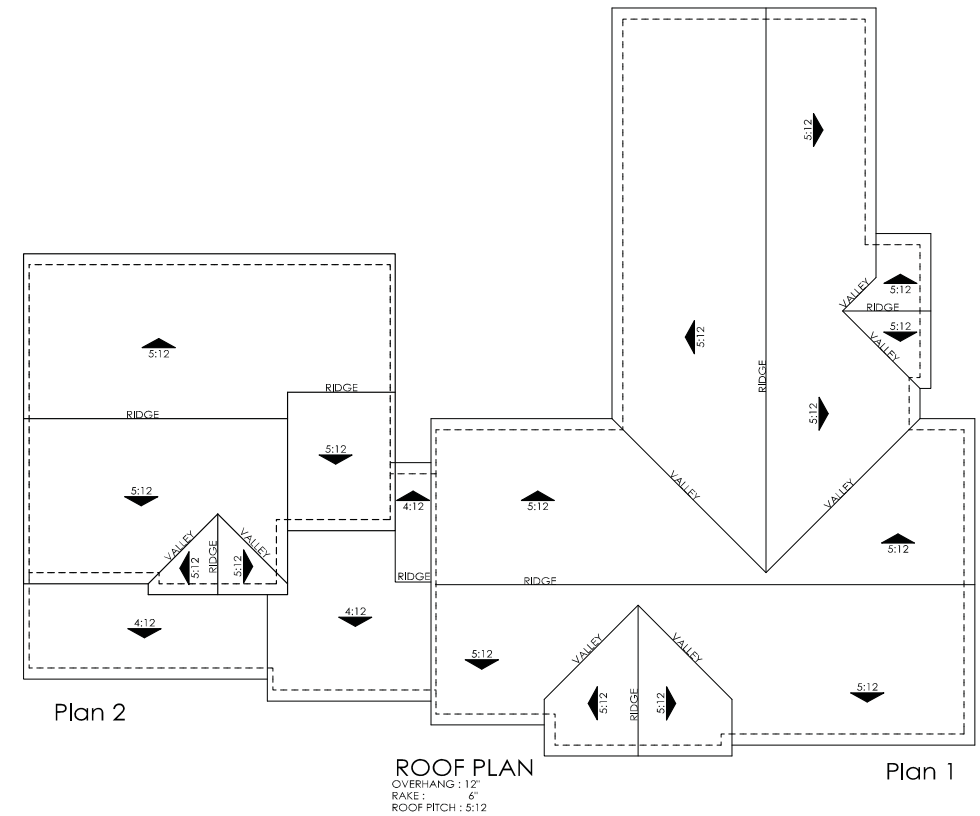
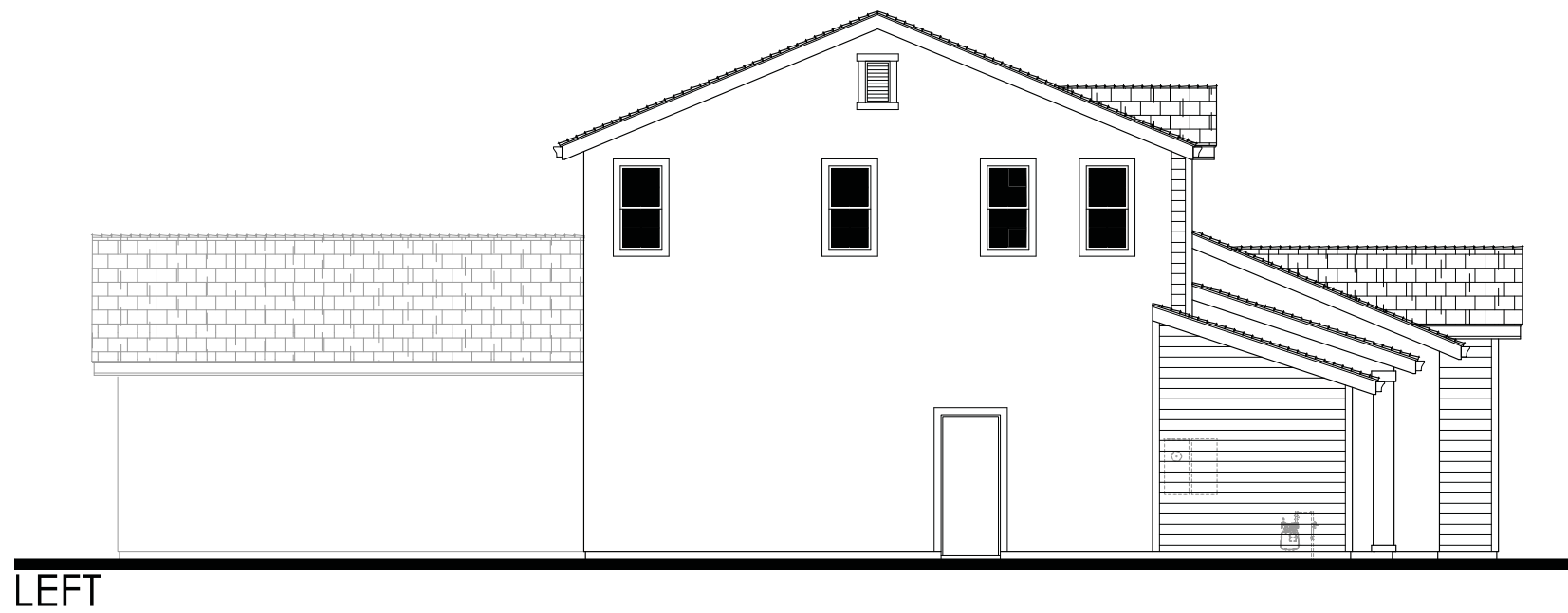




PLAN 1A REAR



PLAN 2A RIGHT



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DUET - PLANS 1B AND 2B - SIDES AND REARS

A1.6

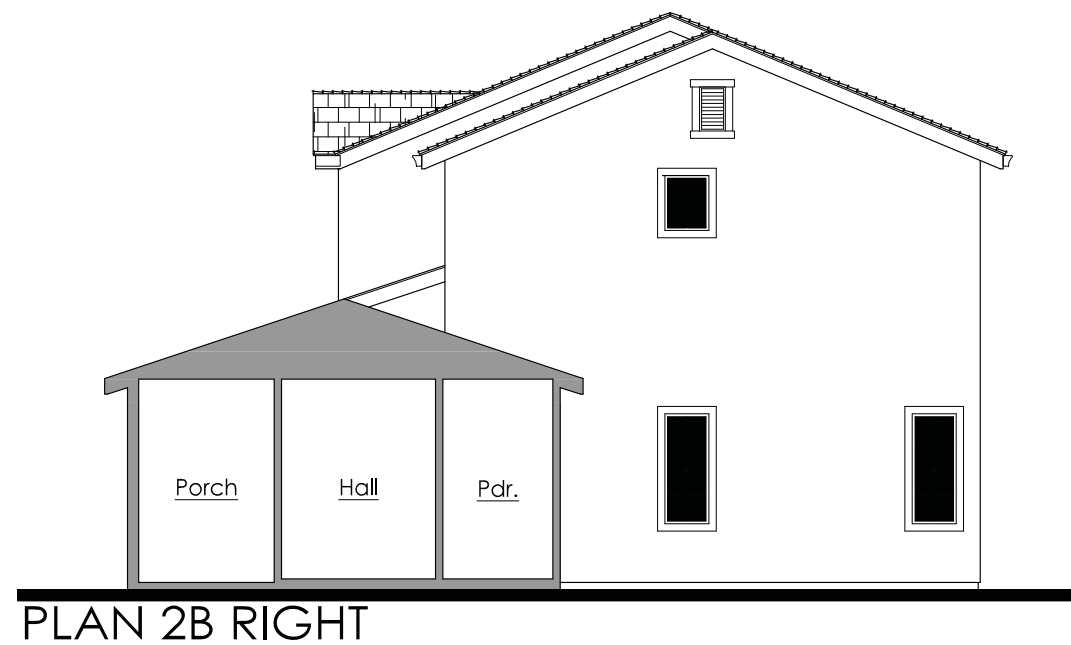
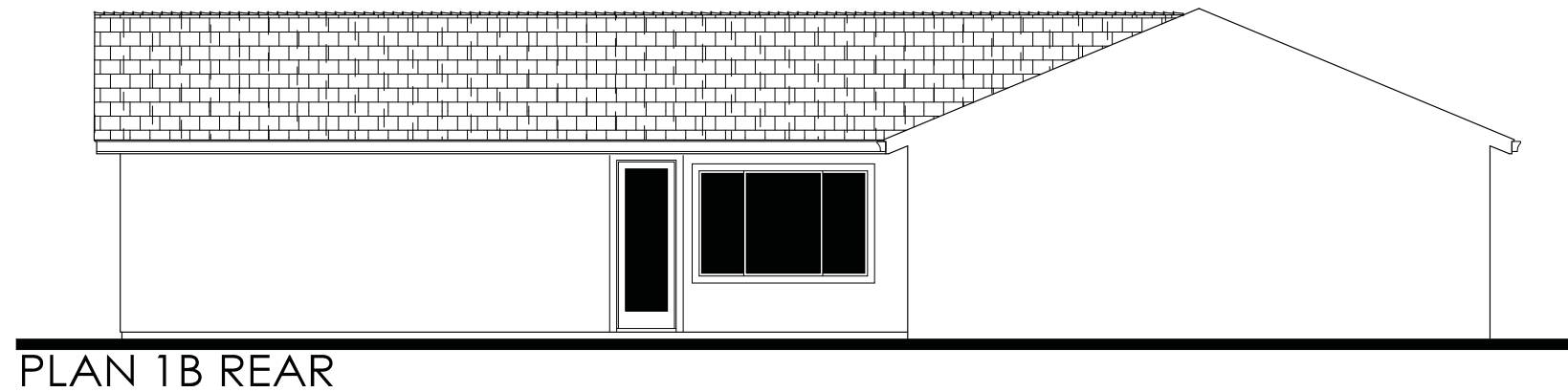


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ELEVATION '3A' - SPANISH



ELEVATION '3B' - TRADITIONAL



ELEVATION '3C' - ITALIAN

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D·R·HORTON DHI
Listed
NYSE
America's Builder

PLAN 3 FRONT ELEVATIONS

KTGY # 2013-0028

04.22.2015

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Architecture+Planning
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510 272 2910



A3.0.1



ELEVATION '3A' - SPANISH

Spanish
Material Legend:
Concrete Low Profile 'Villa' Tile
Stucco Finish
Decorative Gable End Detail
Enhanced Sills
1x Stucco Finish Trim
Decorative Railing



ELEVATION '3B' - TRADITIONAL

Traditional
Material Legend:
Flat Concrete Tile Roofing
Stucco Finish
Cementitious Siding
Decorative Gable End Vents
Decorative Railing & Wood Posts
Enhanced Sills
1x Stucco Finish Trim



ELEVATION '3C' - ITALIAN

Italian
Material Legend:
Flat Concrete Tile Roofing
Stucco Finish
Cementitious Trim
Enhanced Sills
1x Stucco Finish Trim
Stone Veneer

SOLARA RANCH



PLAN 3 FRONT ELEVATIONS

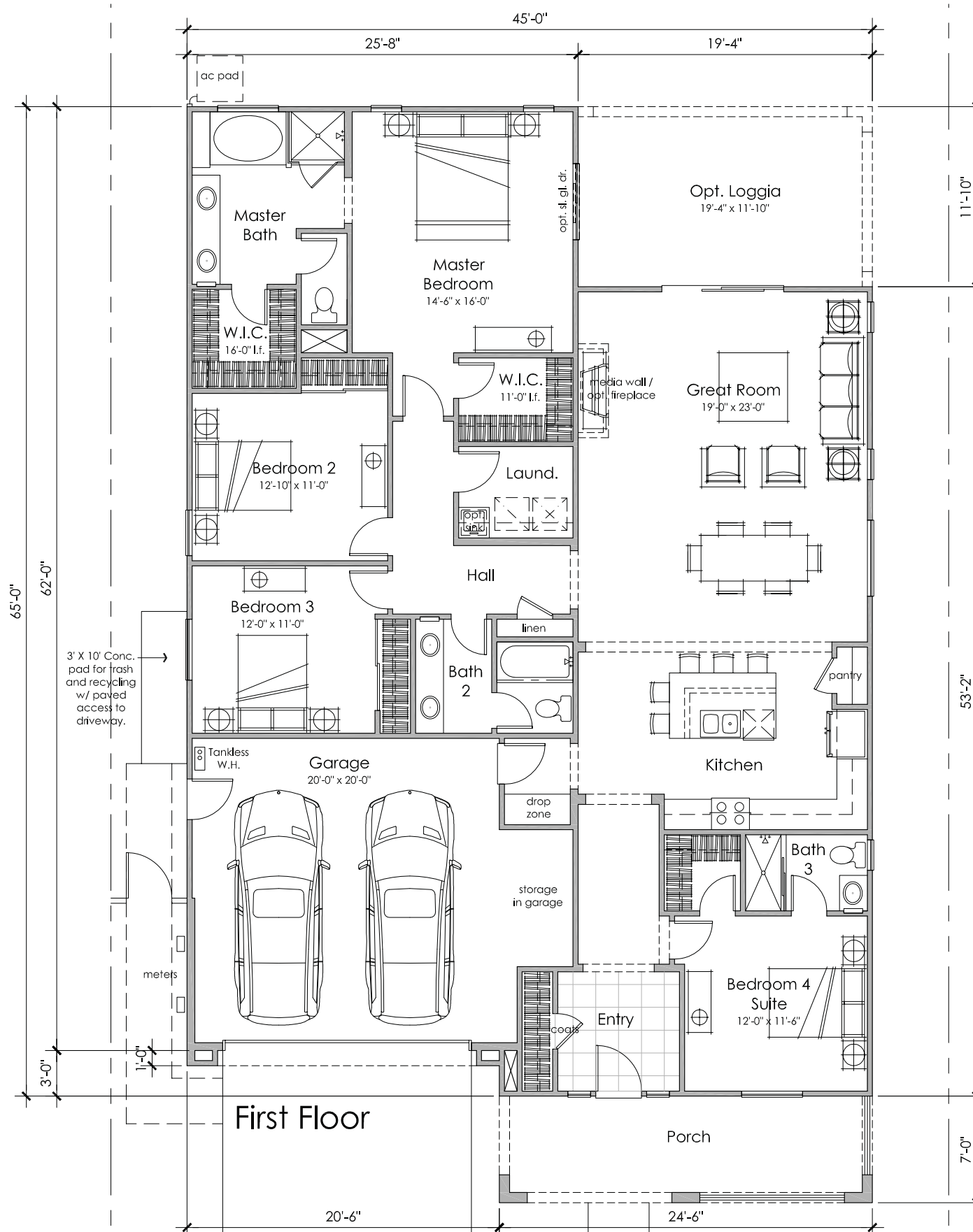
KTGY # 2013-0028

03.09.2015

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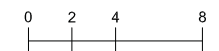


A3.0.2



Floor Plan
4 Bedrooms
3 Baths
2,161 s.f.

PLAN 3A FLOOR PLAN



A3.1

SOLARA RANCH

D.R. HORTON DRI NYSE
America's Builder

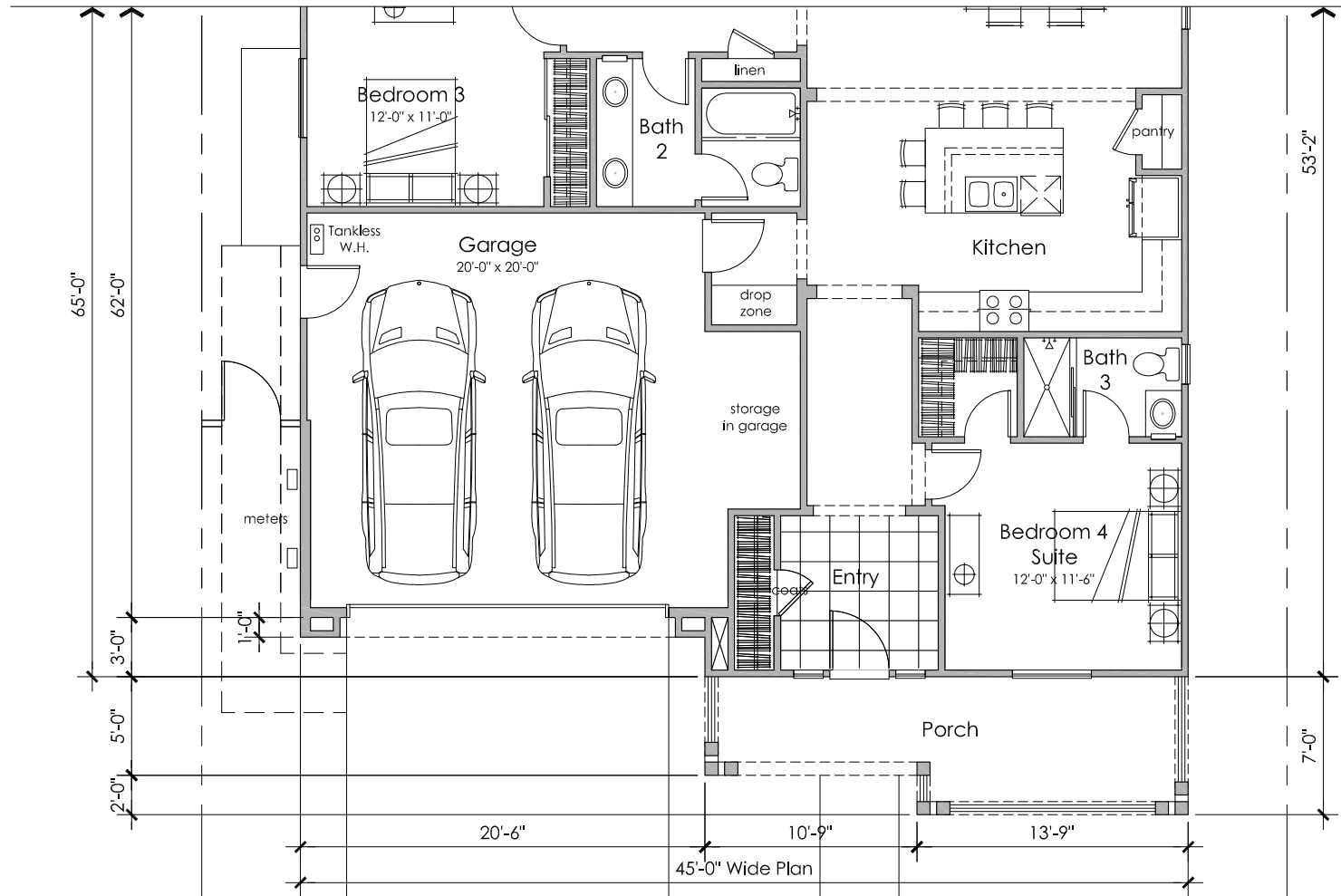
Woodland, California

KTGY # 2013-0028

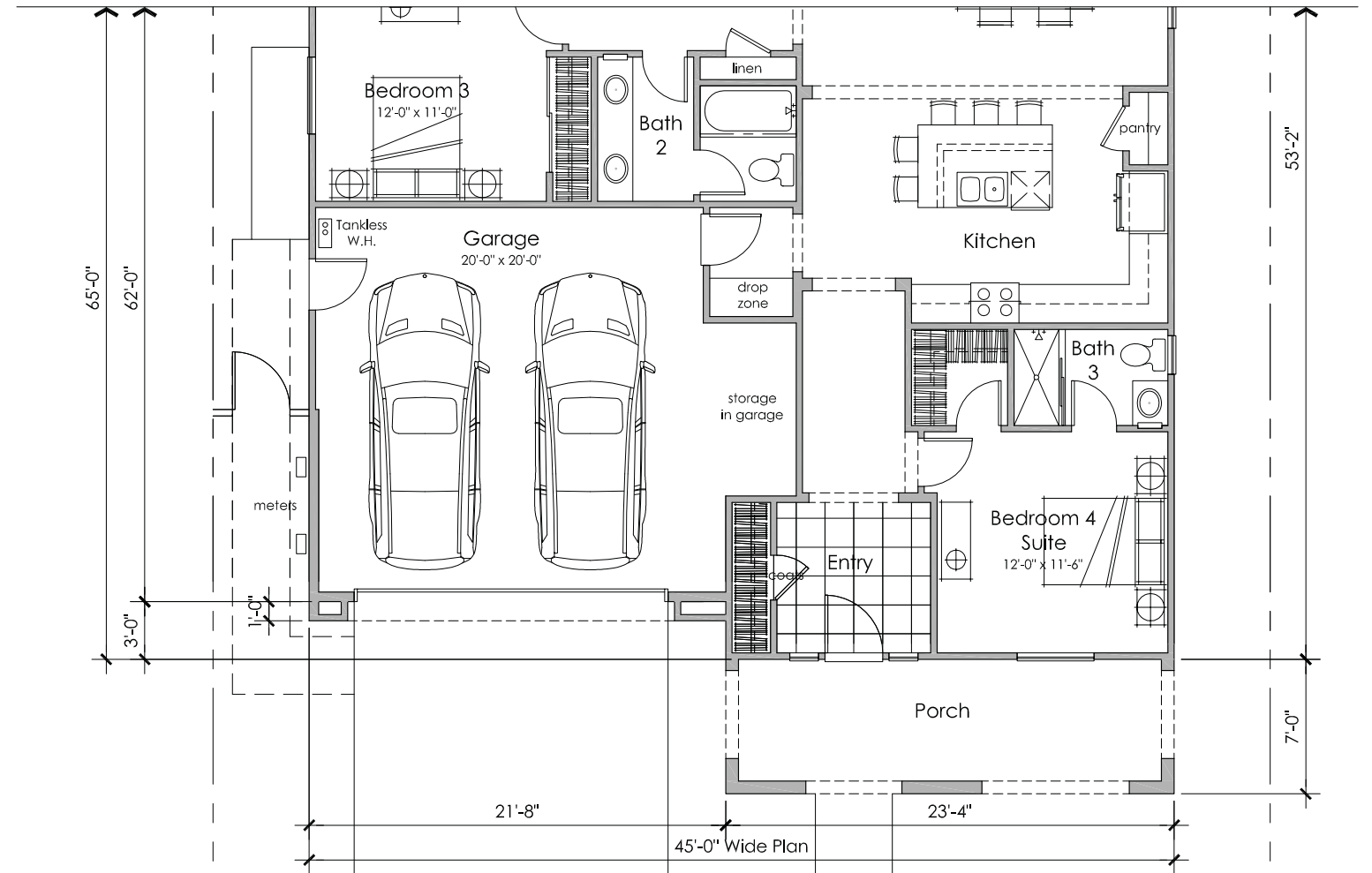
03.10.2015

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3B First Floor



3C First Floor

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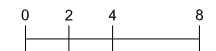


PLAN 3B & 3C PARTIAL FLOOR PLANS

Woodland, California

KTGY # 2013-0028

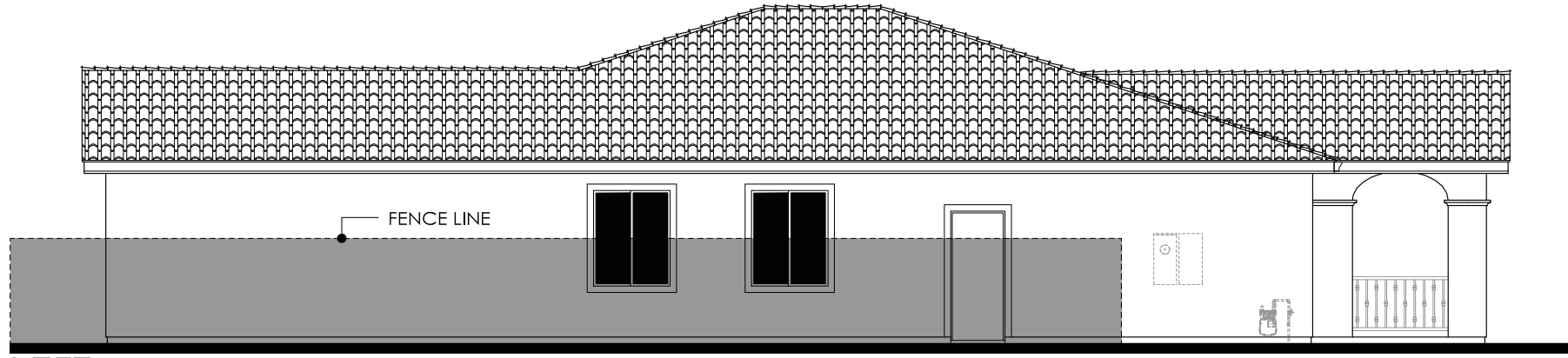
03.10.2015



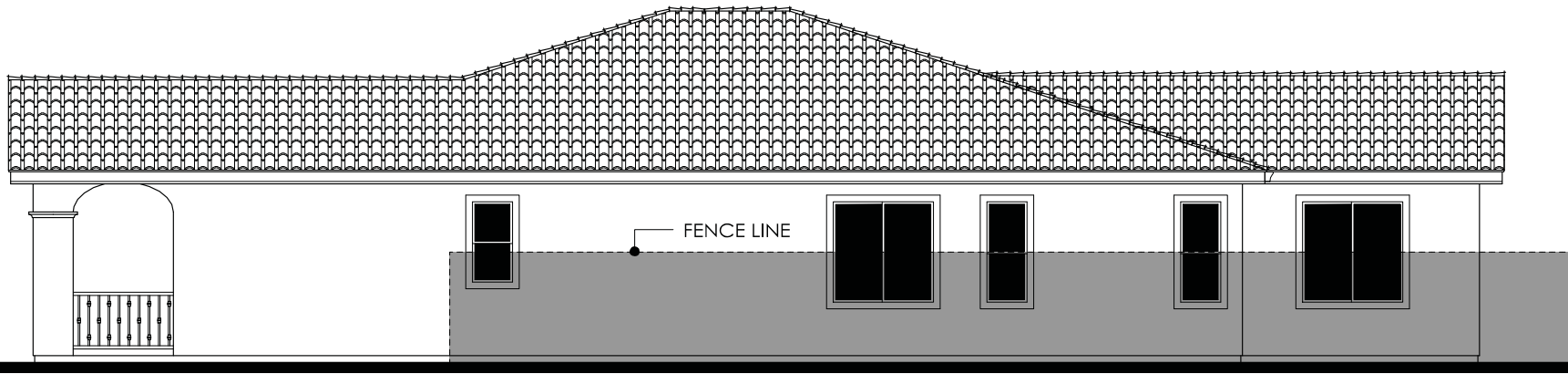
A3.2

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 Oakland, CA 94607
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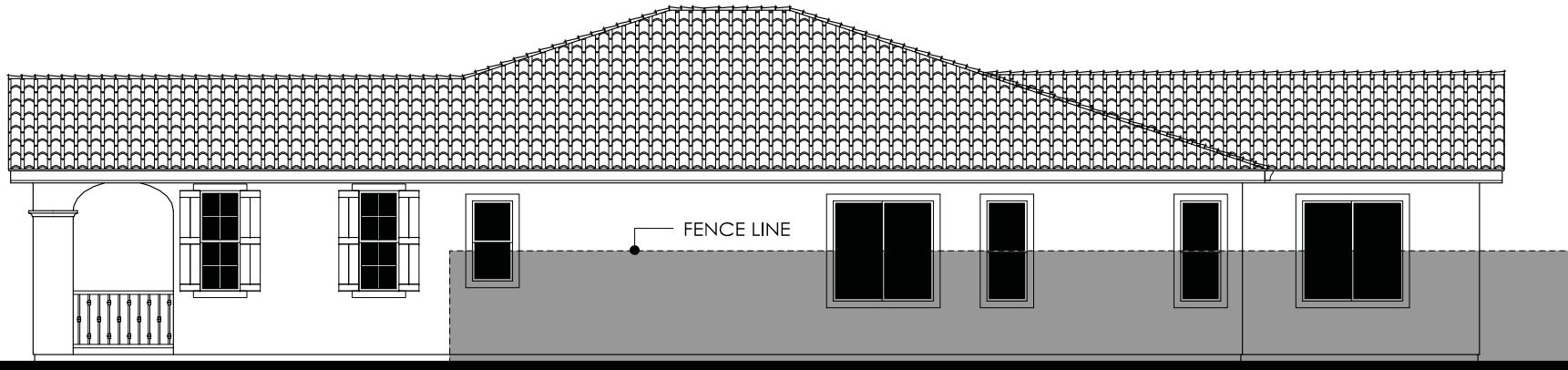




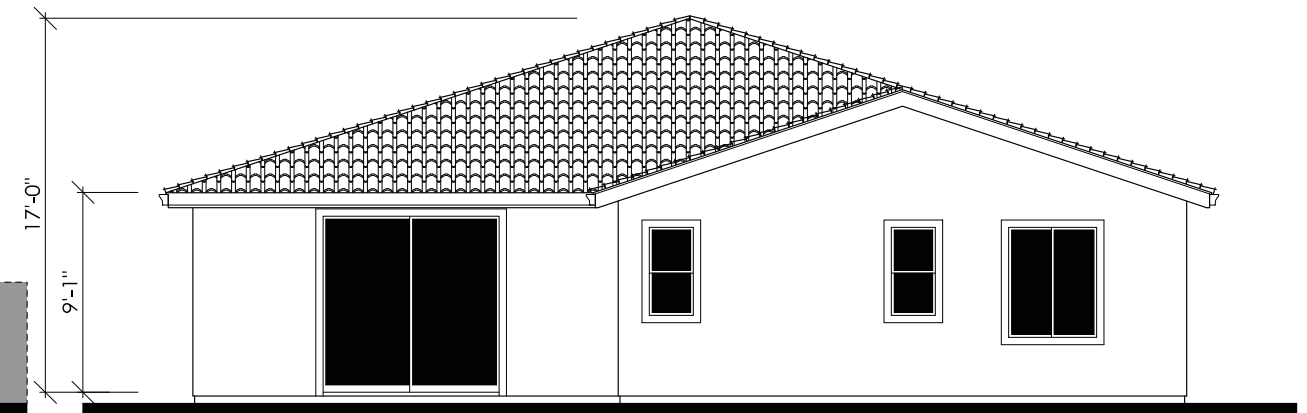
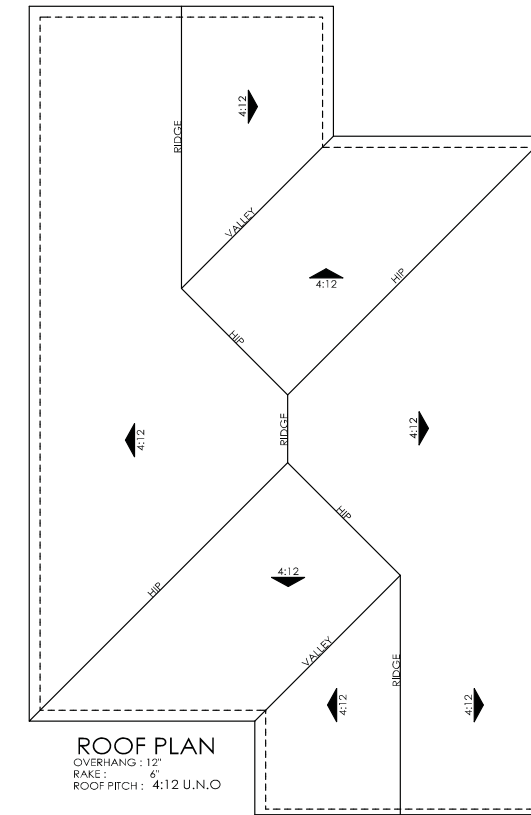
LEFT



RIGHT



RIGHT AT EHNANCED LOTS ONLY



REAR

SOLARA RANCH



PLAN 3A SIDES AND REARS

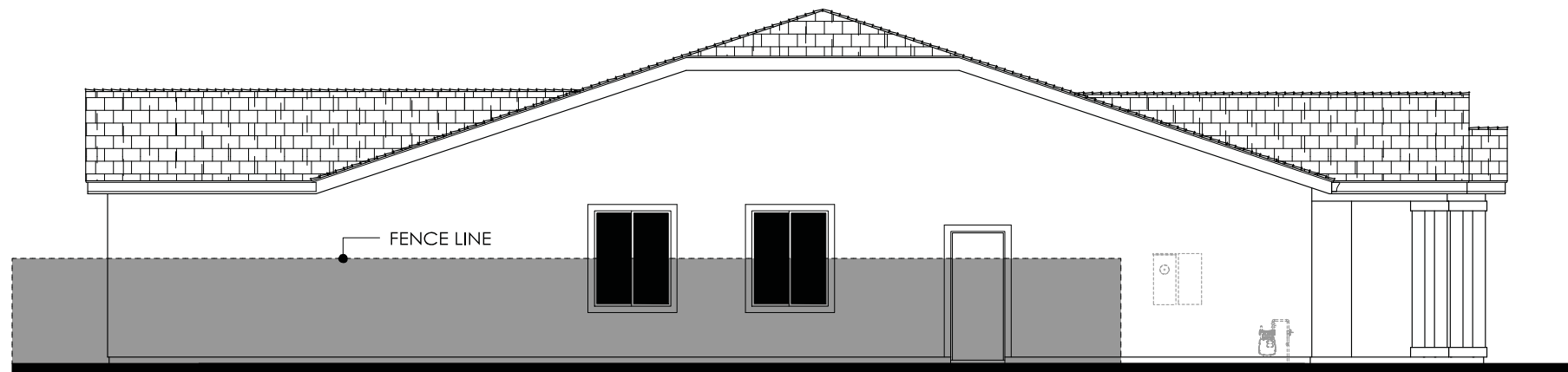
KTGY # 2013-0028

03.09.2015

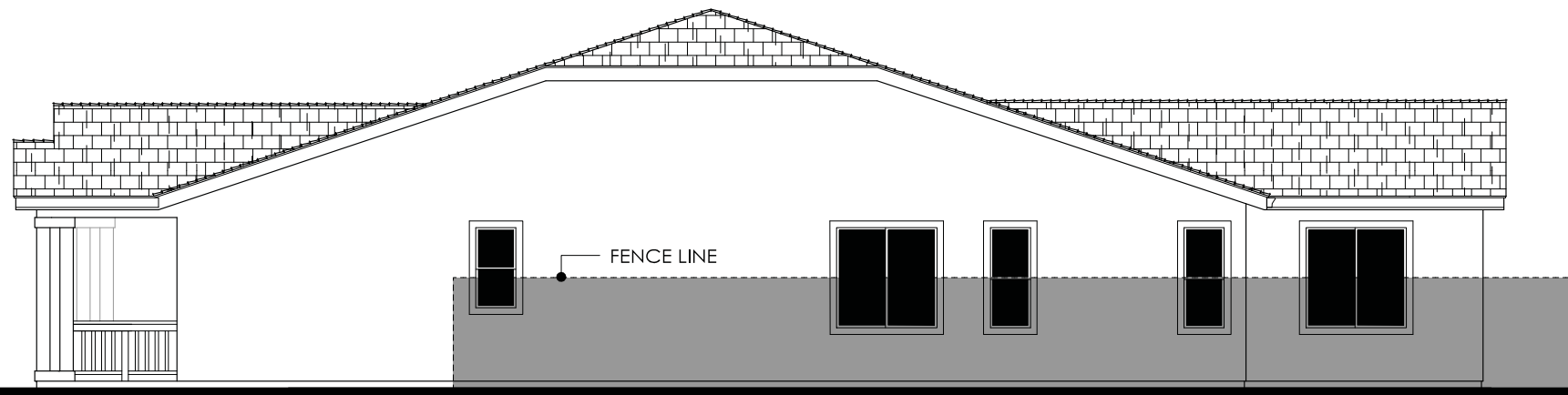
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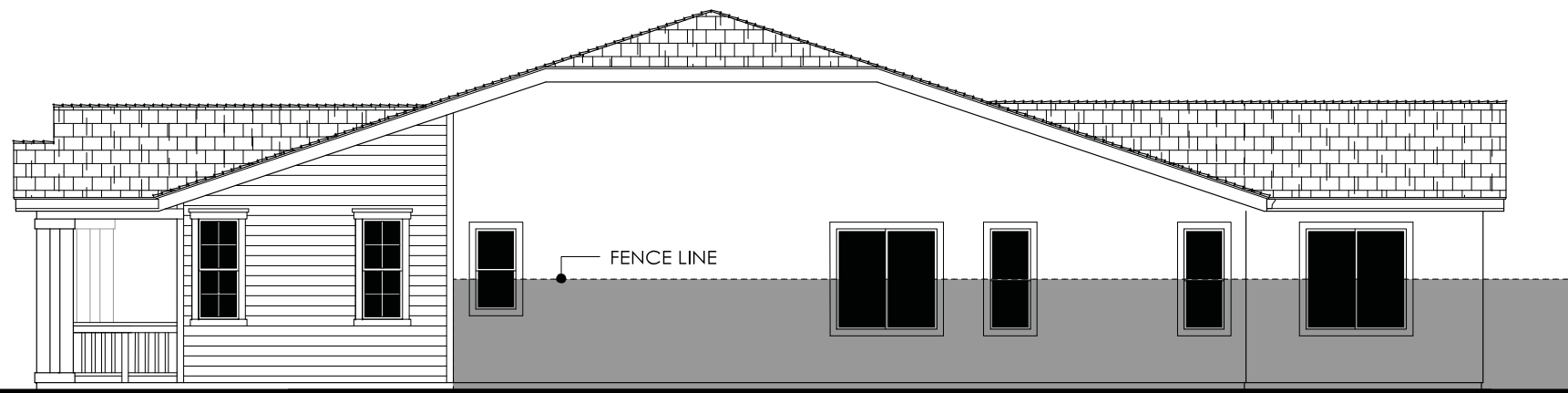
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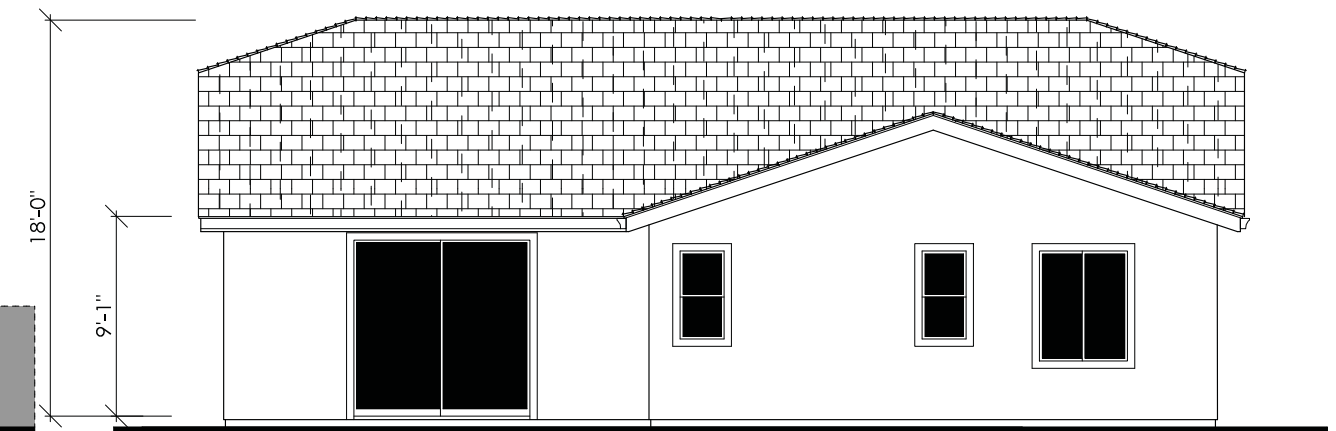
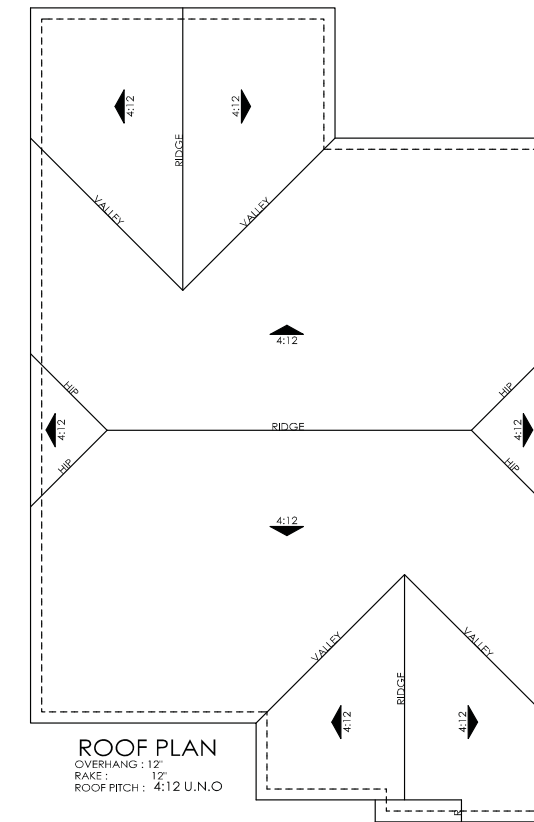
LEFT



RIGHT



RIGHT AT ENHANCED LOTS ONLY



REAR

SOLARA RANCH



PLAN 3B SIDES AND REARS

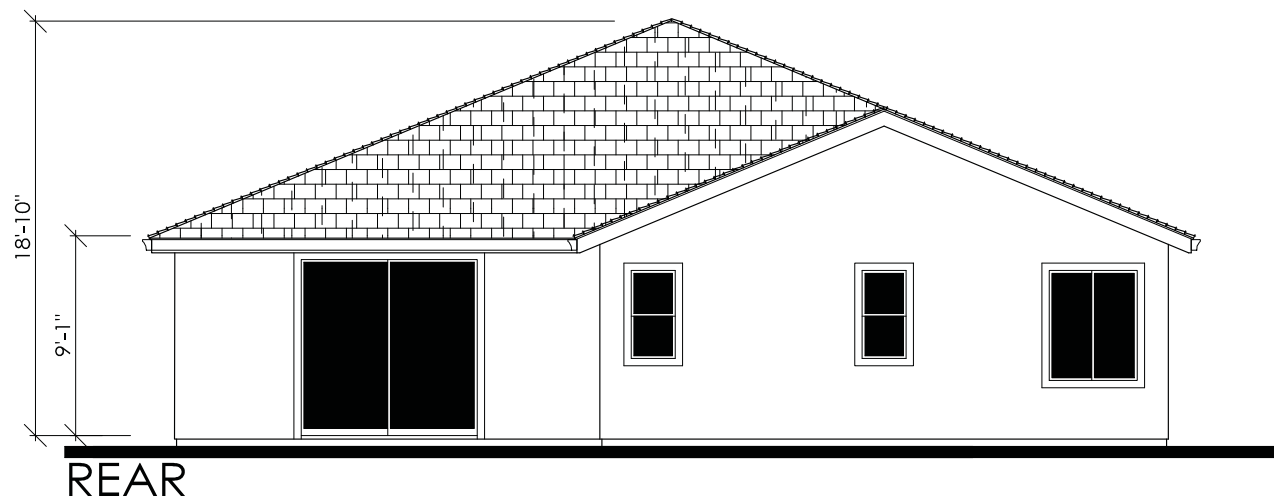
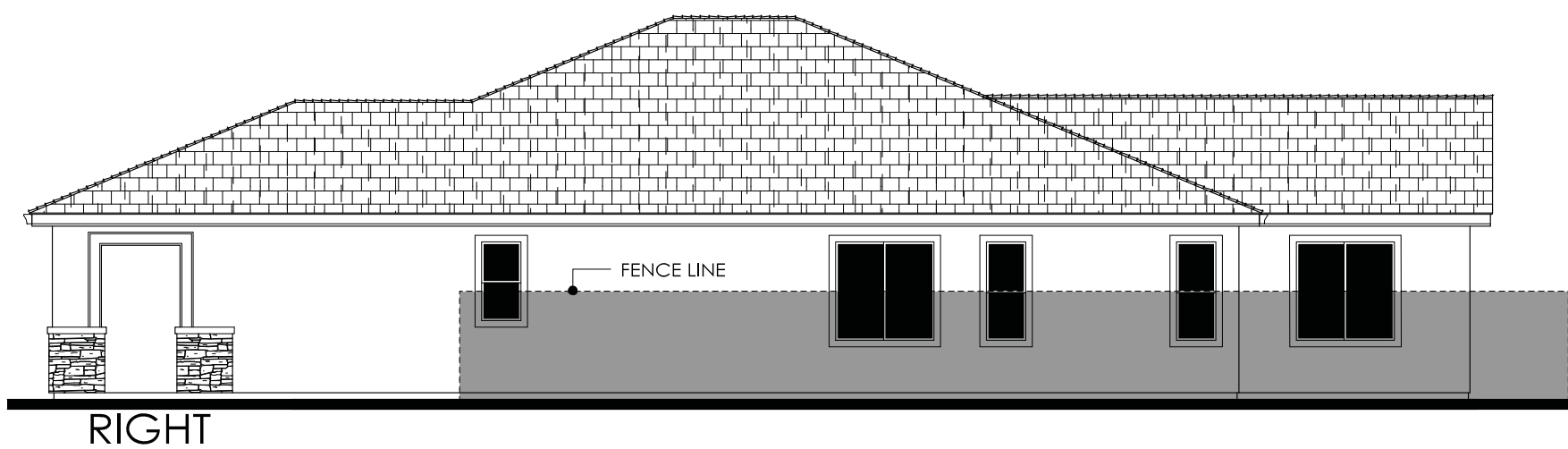
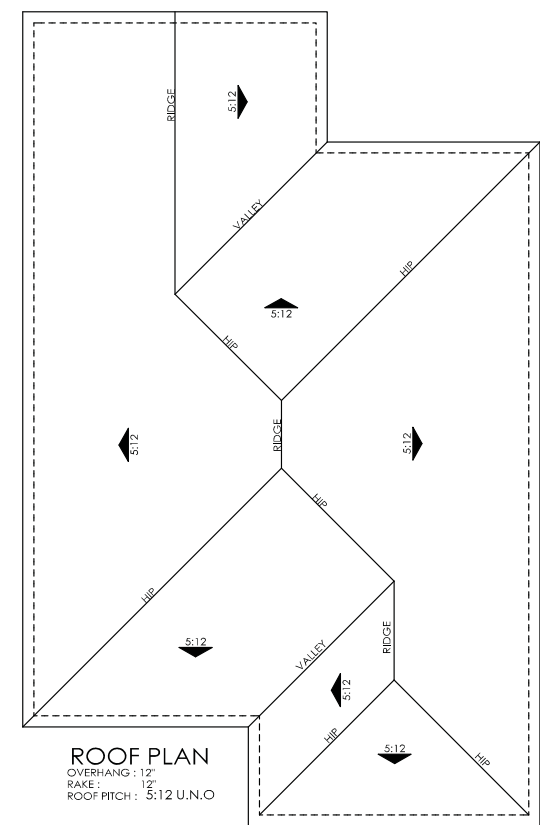
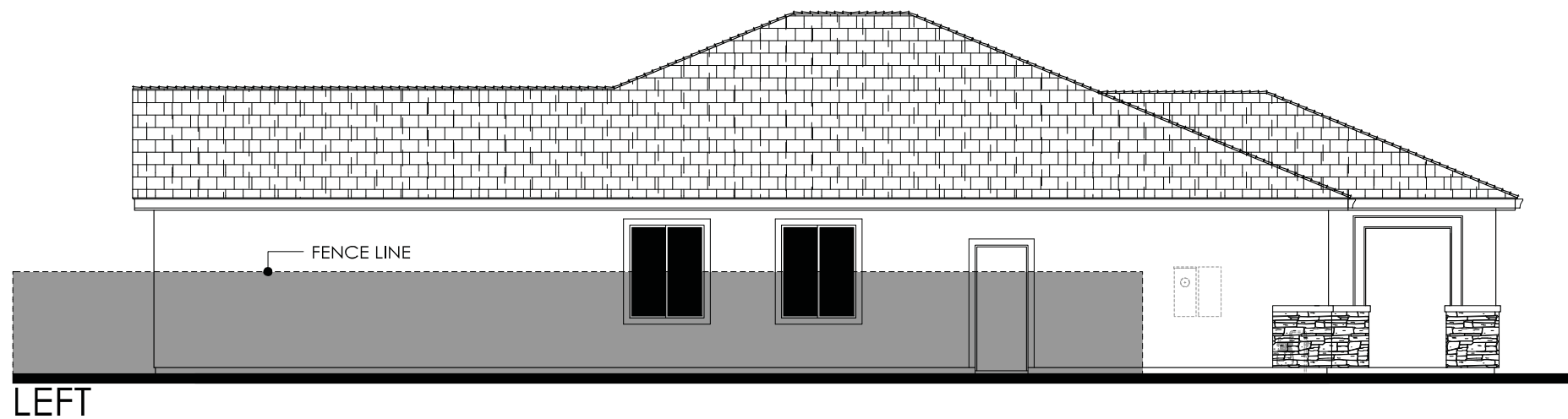
A3.4

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PLAN 3C SIDES AND REARS

A3.5

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ELEVATION '4A' - SPANISH



ELEVATION '4B' - TRADITIONAL



ELEVATION '4C' - ITALIAN

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D·R·HORTON DHI
NYSE
America's Builder

PLAN 4 FRONT ELEVATIONS

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A4.0.1



ELEVATION '4A' - SPANISH

- Spanish
 Material Legend:
 Concrete Low Profile 'Villa' Tile
 Stucco Finish
 Decorative Gable End Detail
 Enhanced Sills
 1x Stucco Finish Trim



ELEVATION '4B' - TRADITIONAL

- Traditional
 Material Legend:
 Flat Concrete Tile Roofing
 Stucco Finish
 Cementitious Siding
 Decorative Gable End Vents
 Enhanced Sills
 1x Stucco Finish Trim



ELEVATION '4C' - ITALIAN

- Italian
 Material Legend:
 Flat Concrete Tile Roofing
 Stucco Finish
 Shutters
 Cementitious Trim
 Enhanced Sills
 1x Stucco Finish Trim
 Stone Veneer

Low Stucco wall
 w/ Precast cap
 at Elev. 4C Only

SOLARA RANCH



PLAN 4 FRONT ELEVATIONS

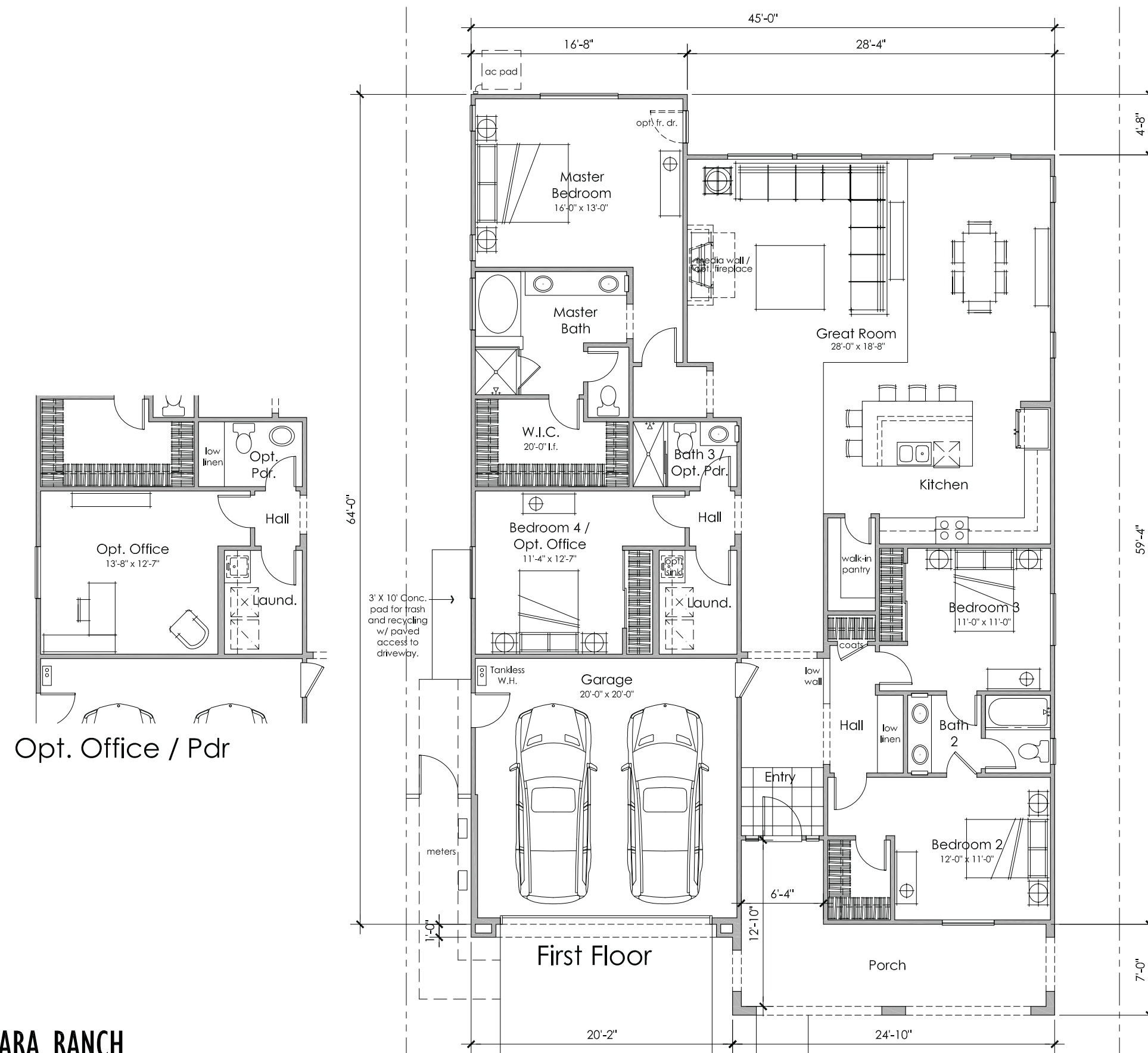
KTGY # 2013-0028

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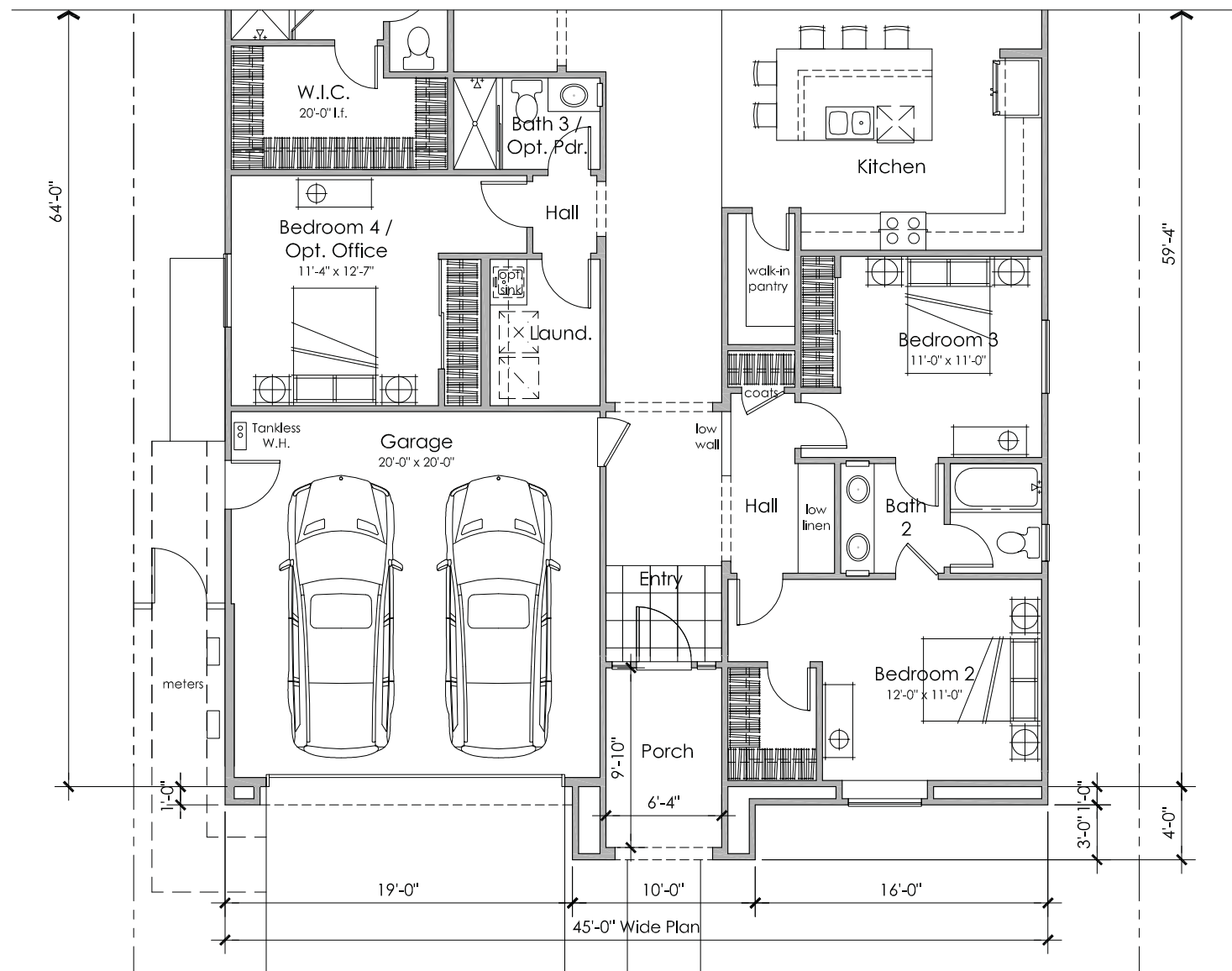
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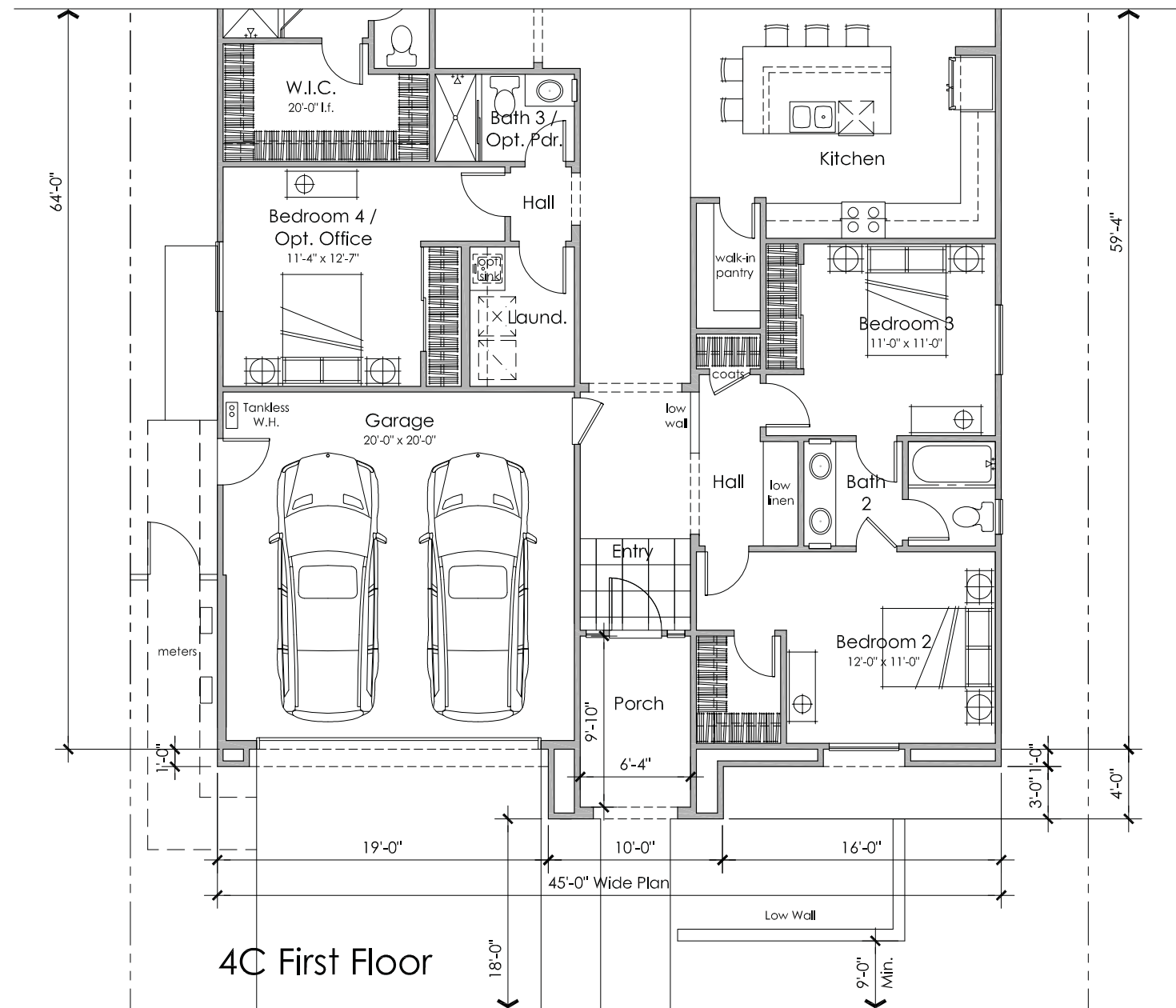
A4.0.2



Floor Plan
4 Bedrooms
Opt. Office
3 Baths / Opt. Pdr.
2,284 s.f.



4B First Floor



4C First Floor

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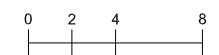
D.R. HORTON DRI
America's Builder

PLAN 4B & 4C PARTIAL FLOOR PLANS

Woodland, California

KTGY # 2013-0028

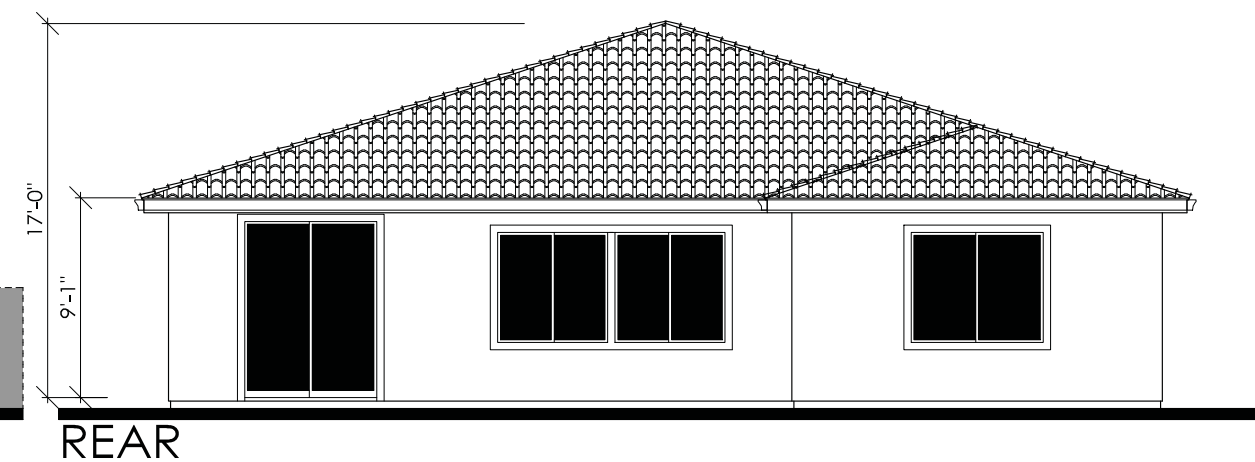
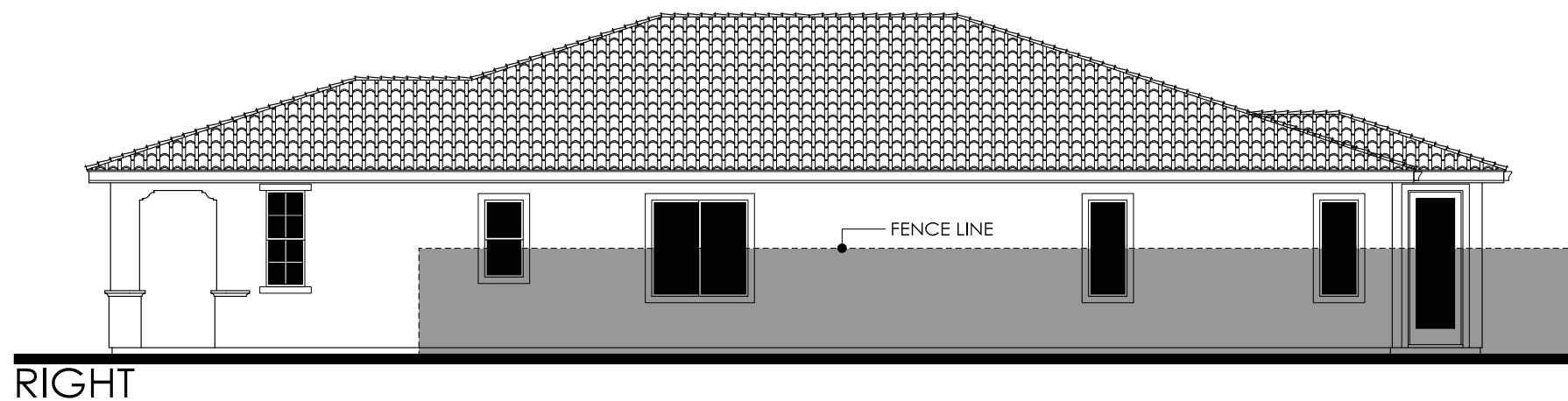
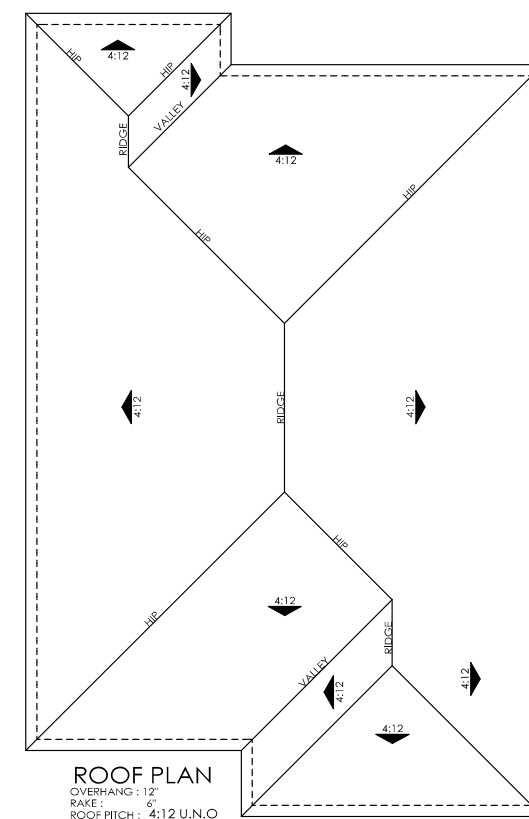
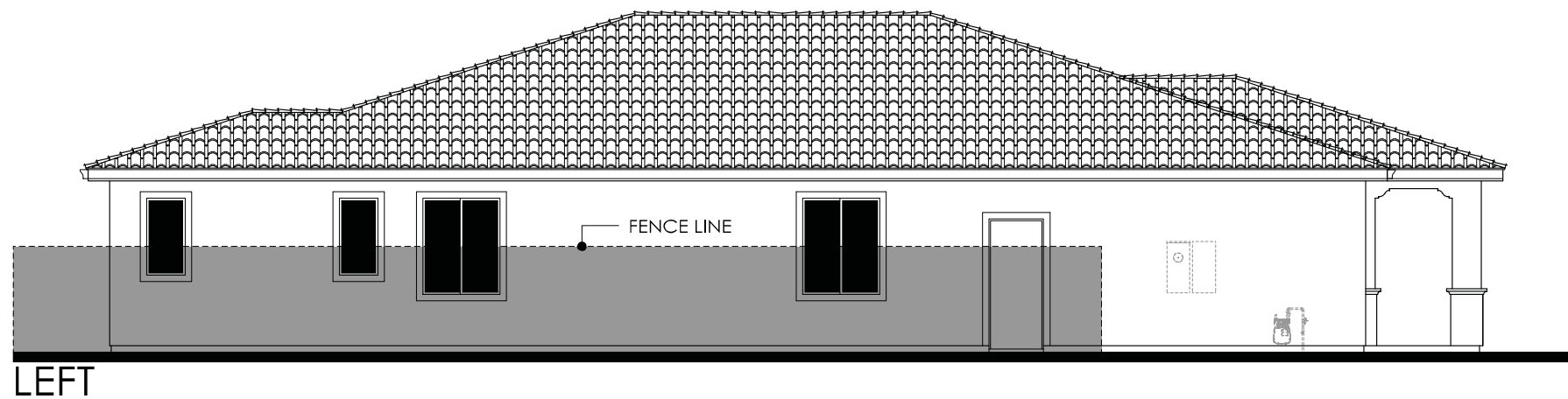
03.10.2015



A4.2

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PLAN 4A SIDES AND REARS

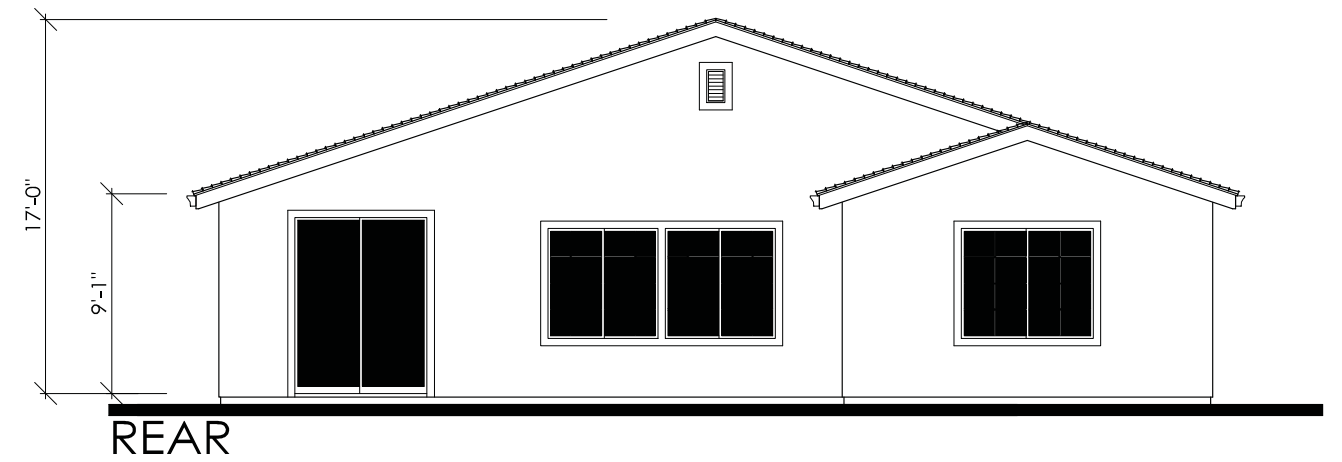
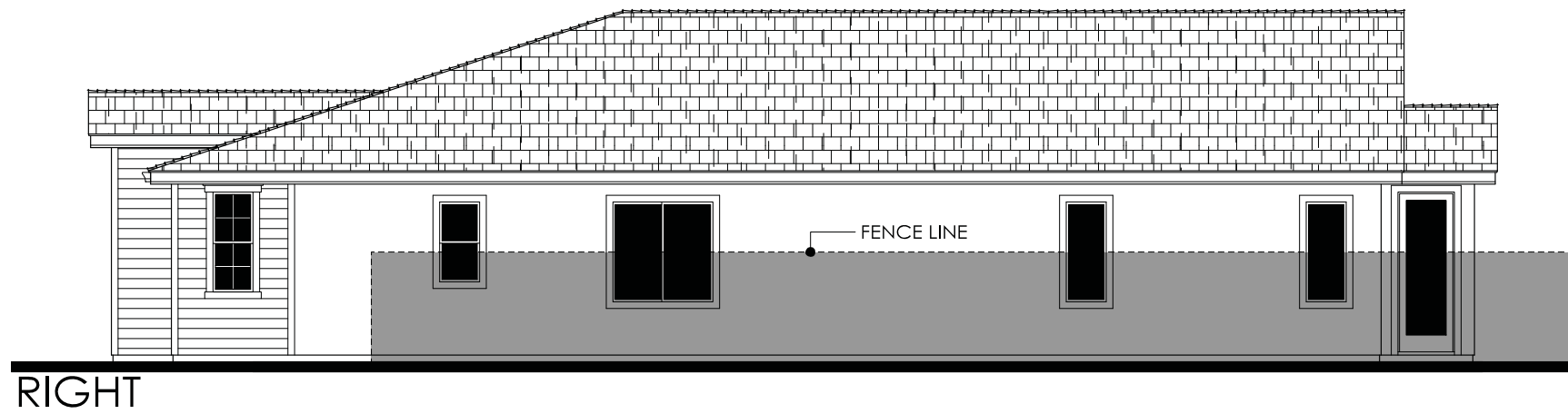
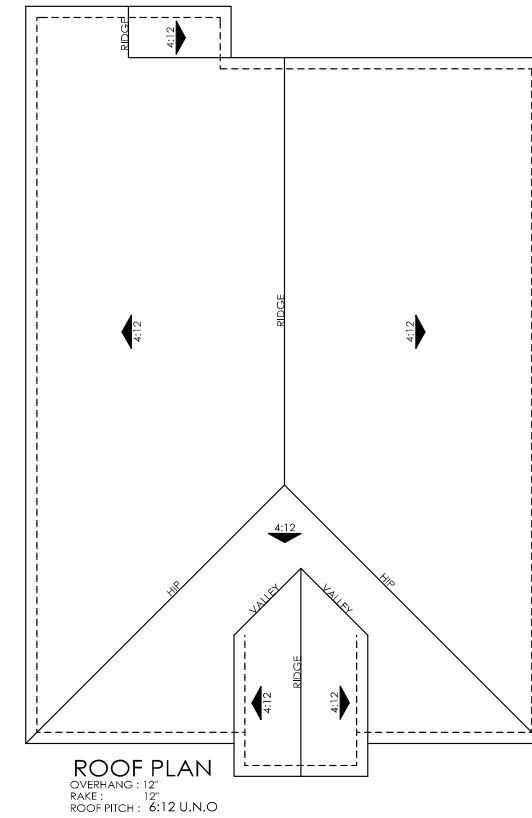
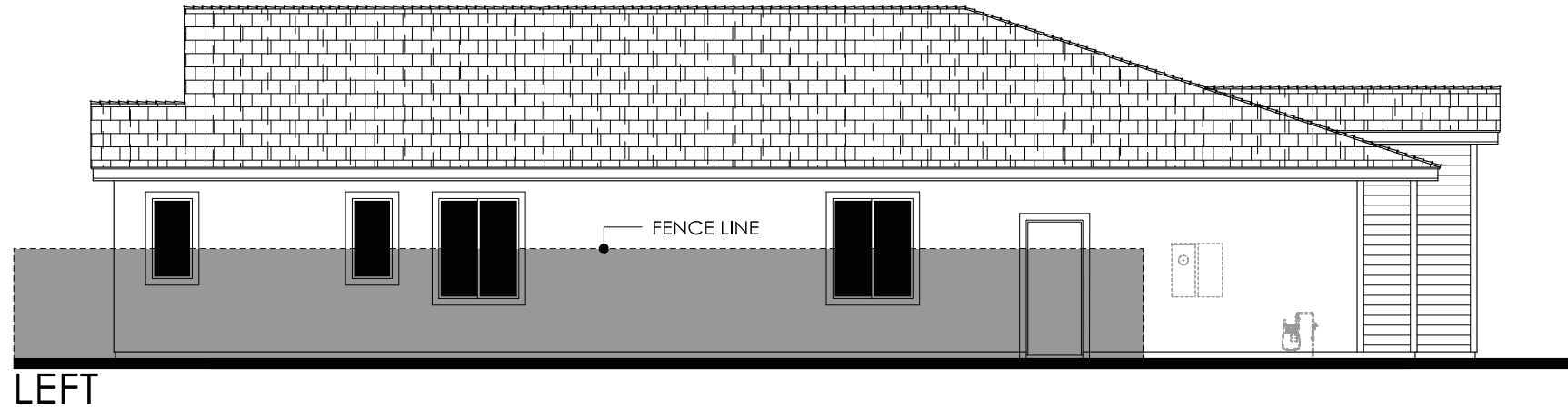
A4.3

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PLAN 4B SIDES AND REARS

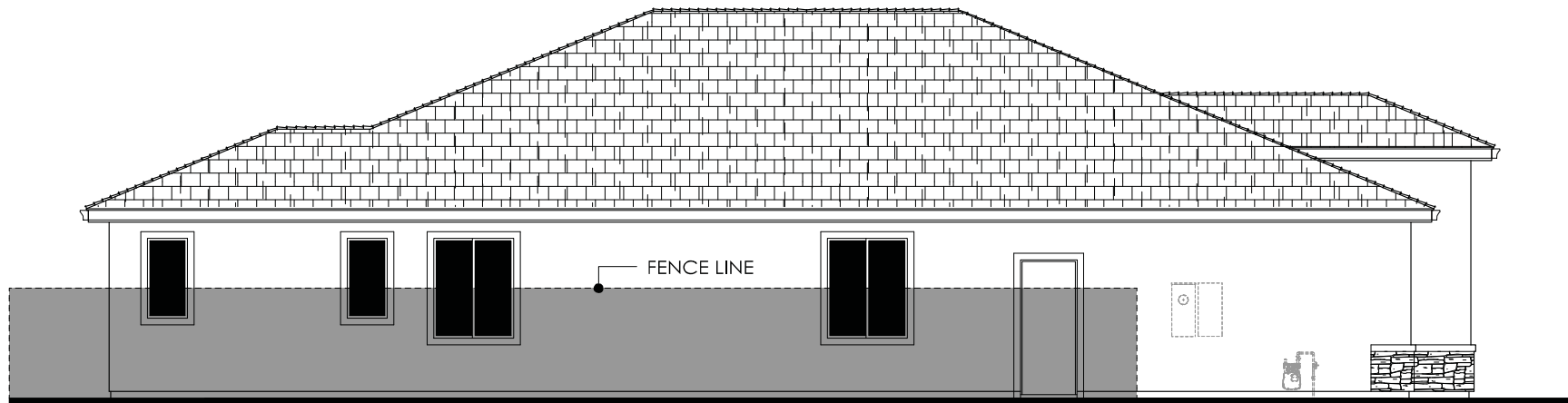
KTGY # 2013-0028

03.09.2015

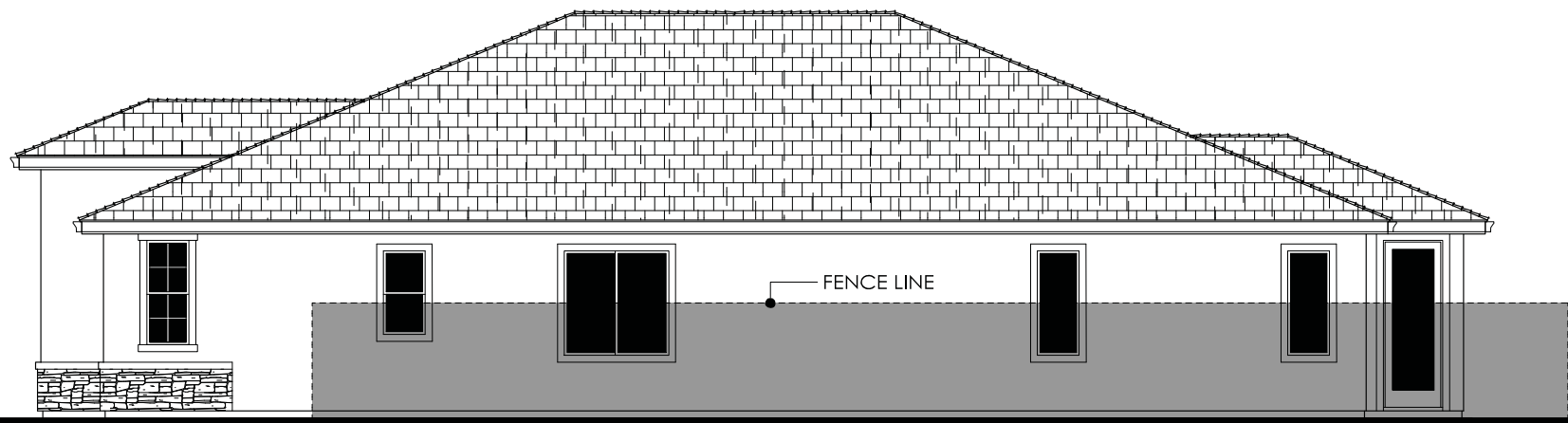
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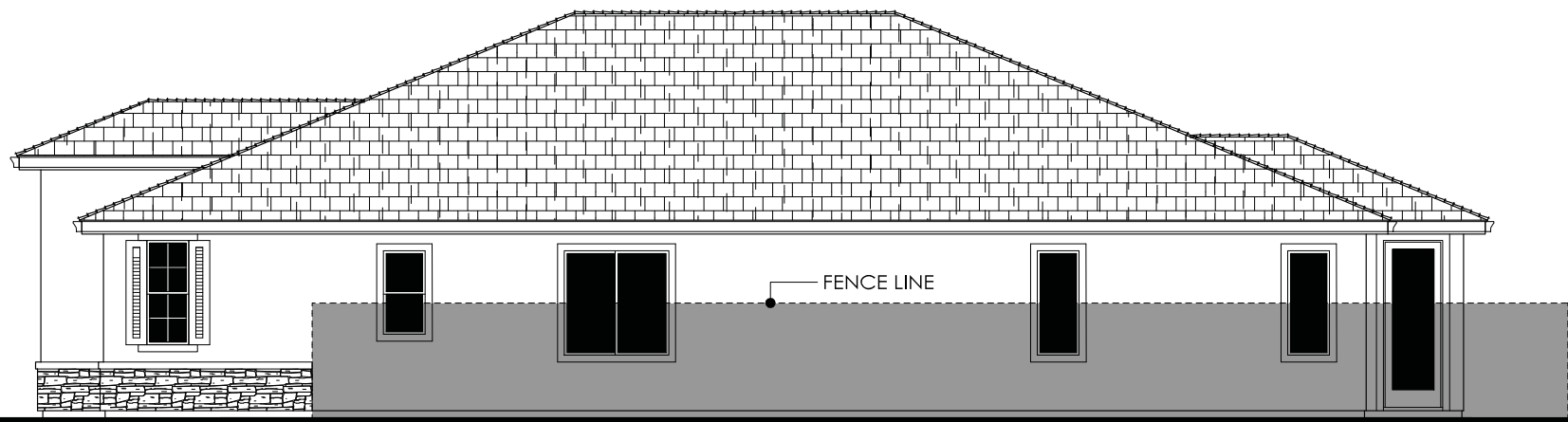
A4.4



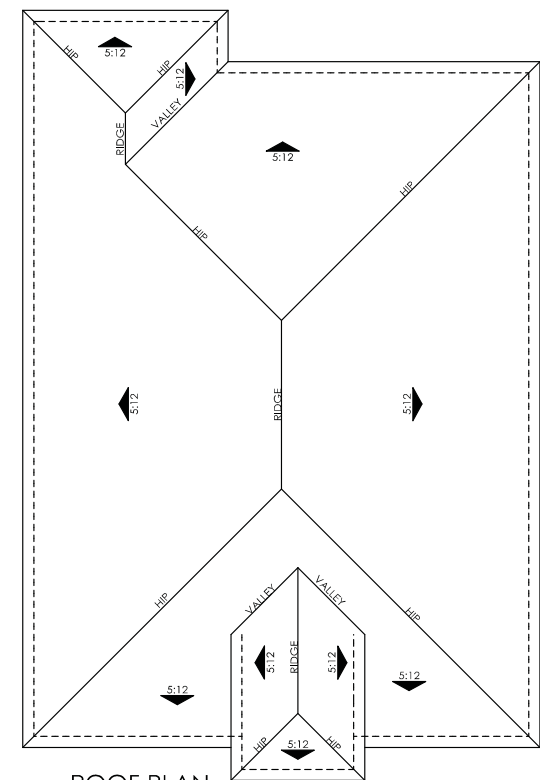
LEFT



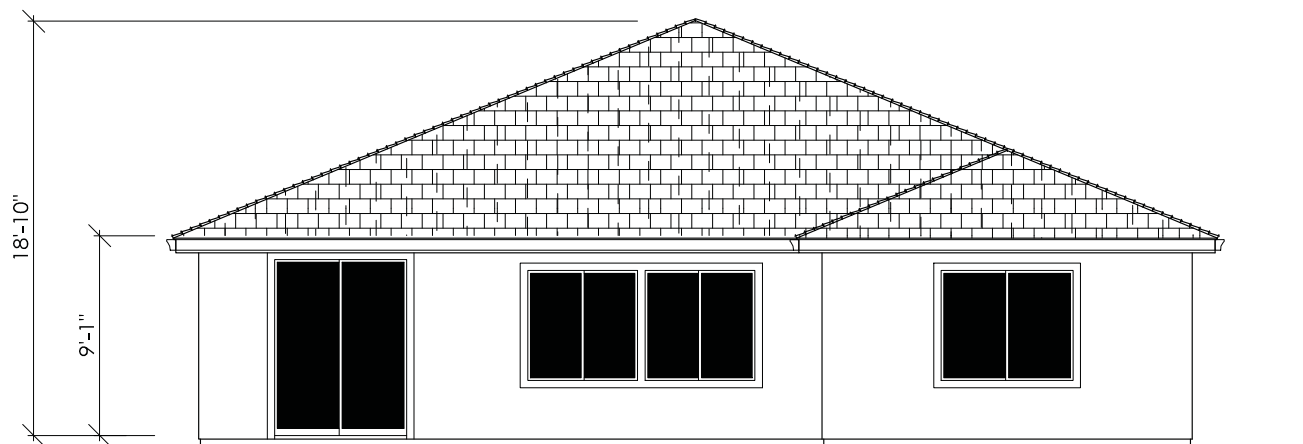
RIGHT



RIGHT AT ENHANCED LOTS ONLY



ROOF PLAN
OVERHANG : 12"
RAKE : 12"
ROOF PITCH : 4:12 U.N.O



REAR

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PLAN 4C SIDES AND REARS

A4.5

KTGY # 2013-0028

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ELEVATION '5A' - SPANISH



ELEVATION '5B' - TRADITIONAL



ELEVATION '5C' - ITALIAN

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D·R·HORTON DHI
Listed
NYSE
America's Builder

PLAN 5 FRONT ELEVATIONS

KTGY # 2013-0028

04.22.2015

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A5.0.1



ELEVATION '5A' - SPANISH

Spanish
Material Legend:
Concrete Low Profile 'Villa' Tile
Stucco Finish
Decorative Gable End Detail
Shutters
Enhanced Sills
1x Stucco Finish Trim
Decorative Railing



ELEVATION '5B' - TRADITIONAL

Traditional
Material Legend:
Flat Concrete Tile Roofing
Stucco Finish
Cementitious Siding
Decorative Gable End Vents
Decorative Wood Posts
Shutters
Enhanced Sills
1x Stucco Finish Trim



ELEVATION '5C' - ITALIAN

Italian
Material Legend:
Flat Concrete Tile Roofing
Stucco Finish
Cementitious Trim
Enhanced Sills
1x Stucco Finish Trim
Stone Veneer

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PLAN 5 FRONT ELEVATIONS

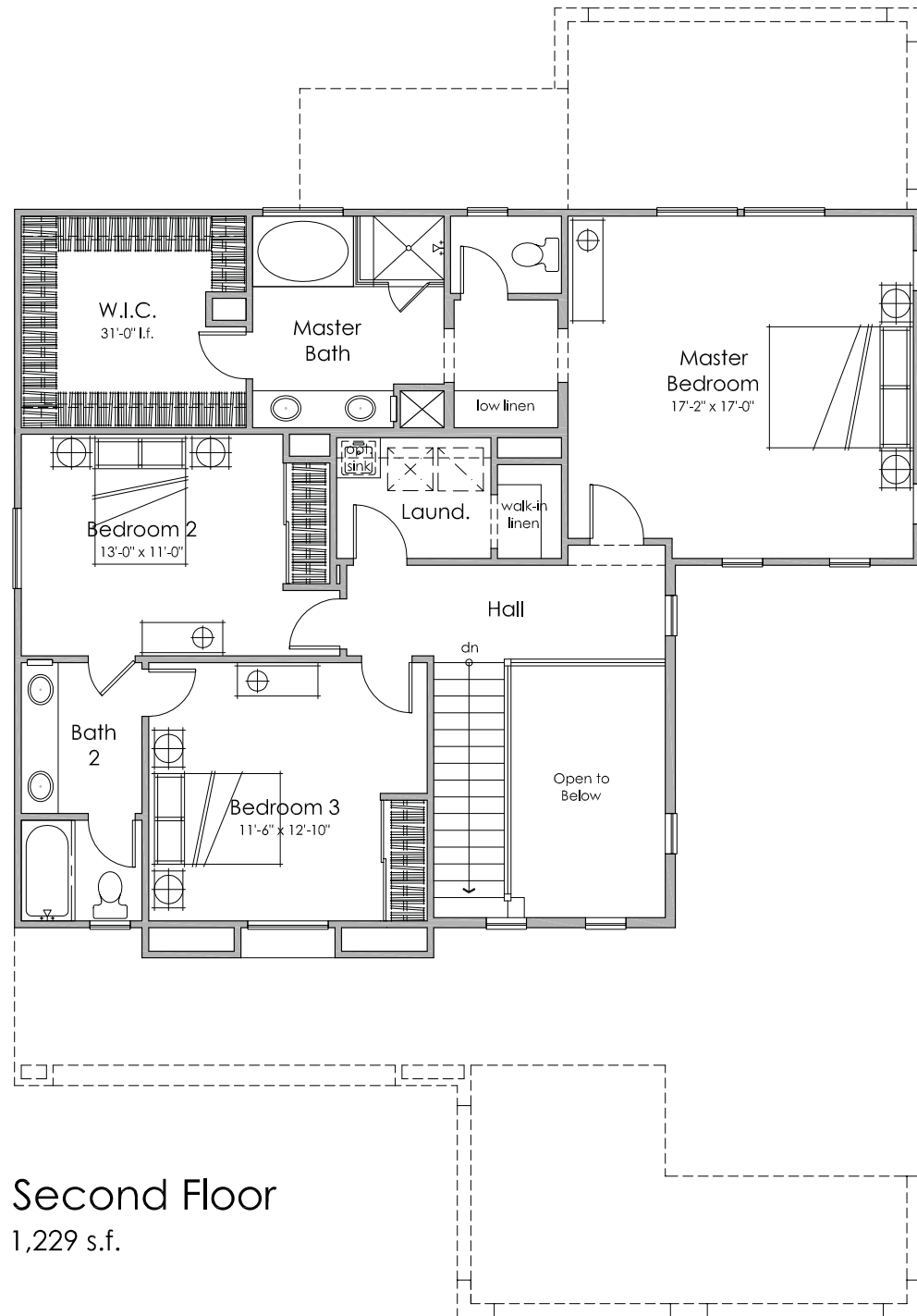
KTGY # 2013-0028

03.09.2015

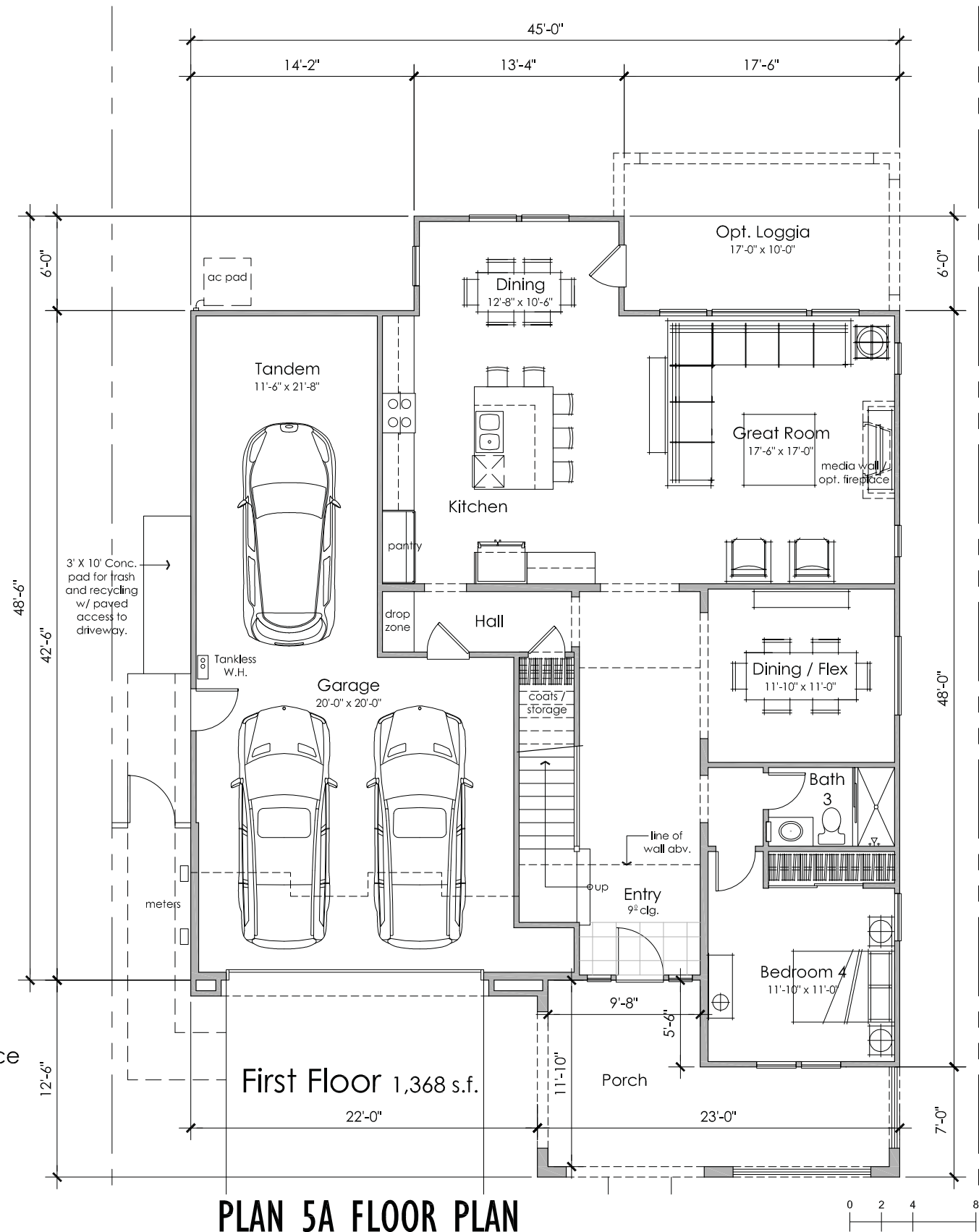
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A5.0.2



Floor Plan
4 Bedrooms
Opt. Flex Space
3 Baths
2,597 s.f.



PLAN 5A FLOOR PLAN

Woodland, California
KTGY # 2013-0028

03.10.2015

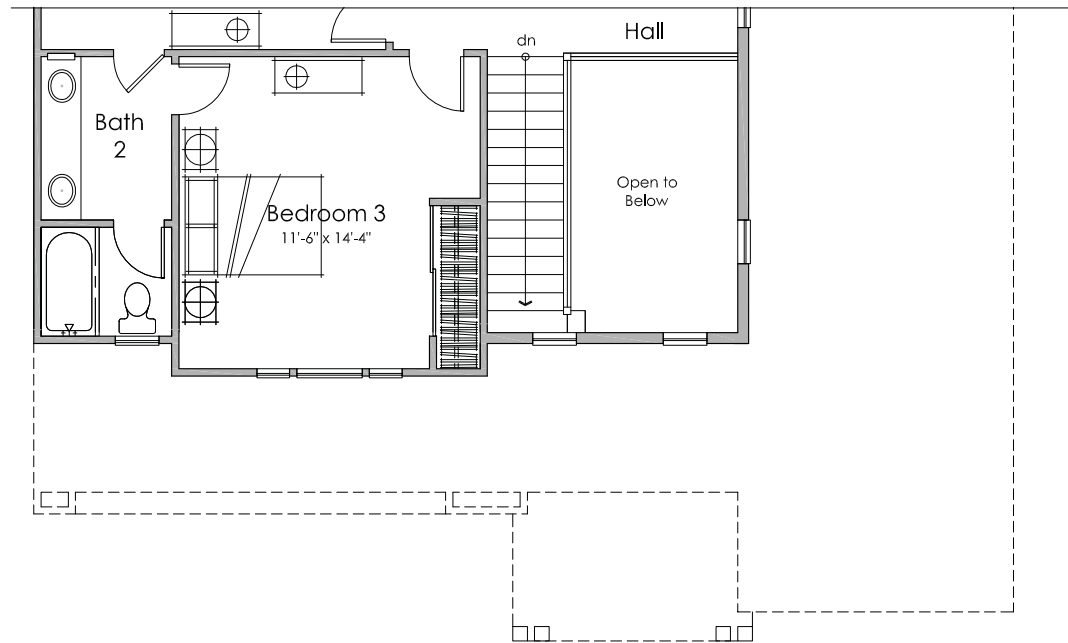
KTGY Group, Inc.
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A5.1

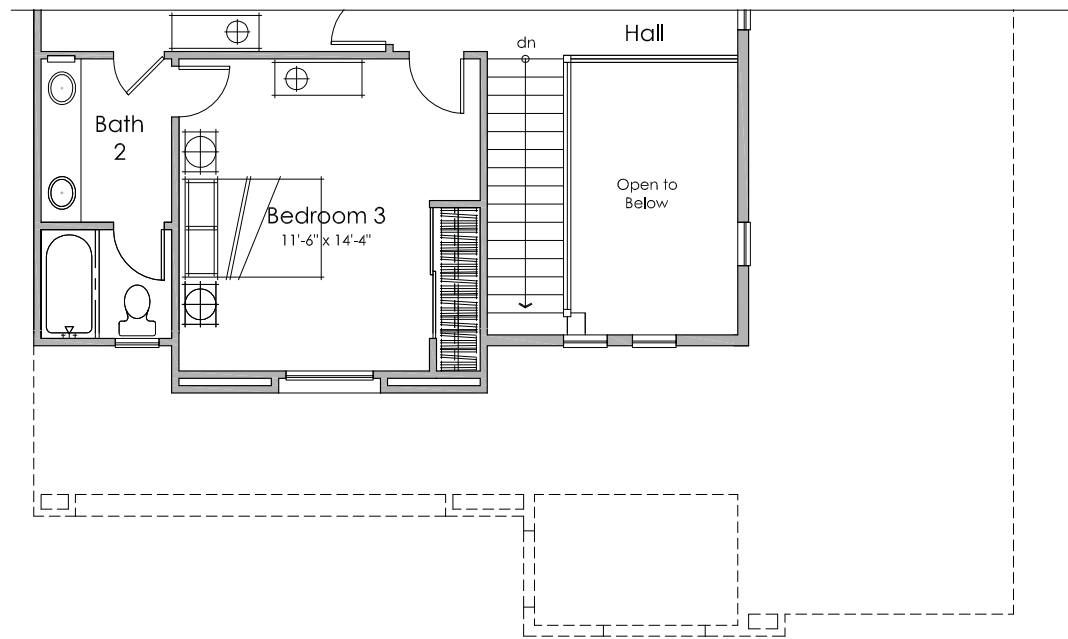
SOLARA RANCH





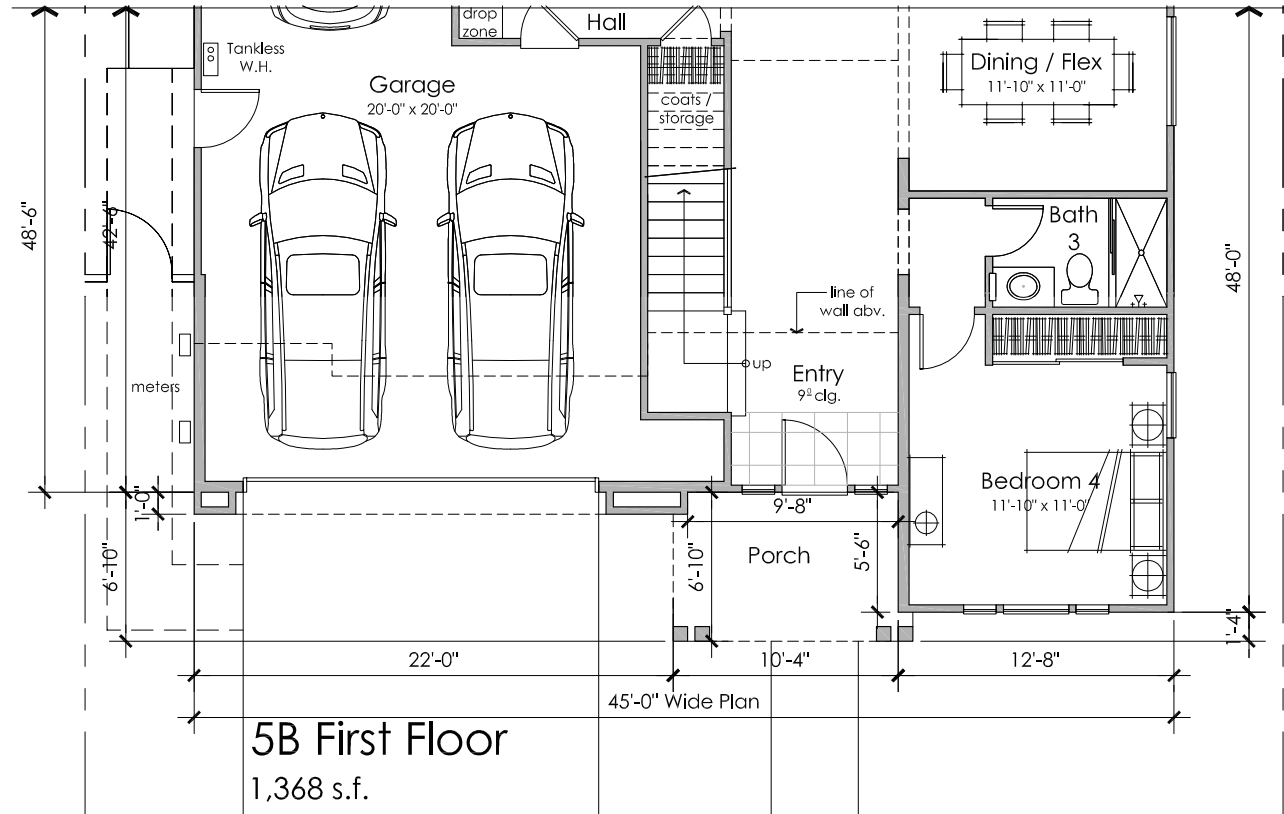
5B Second Floor

1,238 s.f. (+22 s.f.)



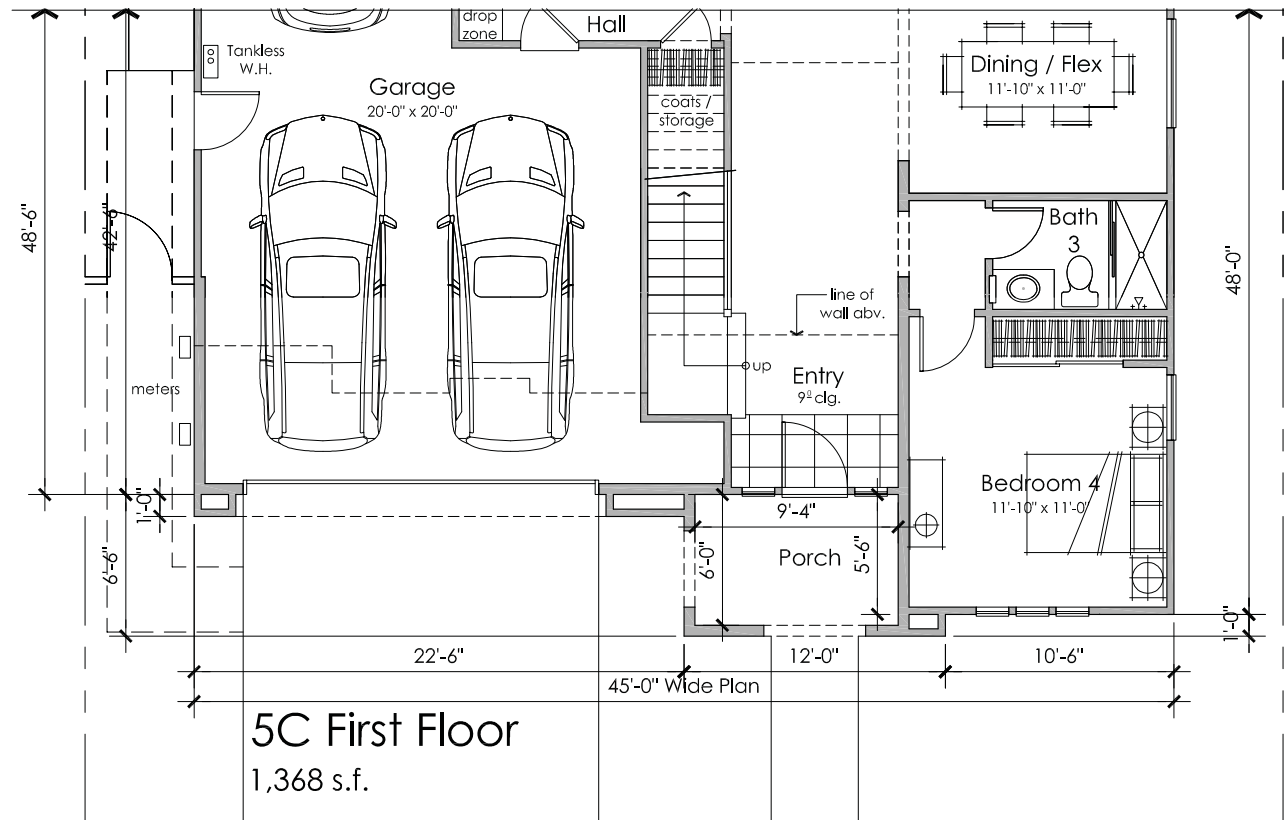
5C Second Floor

1,238 s.f. (+22 s.f.)



5B First Floor

1,368 s.f.



5C First Floor

1,368 s.f.

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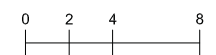
PLAN 5B & 5C PARTIAL FLOOR PLANS

Woodland, California

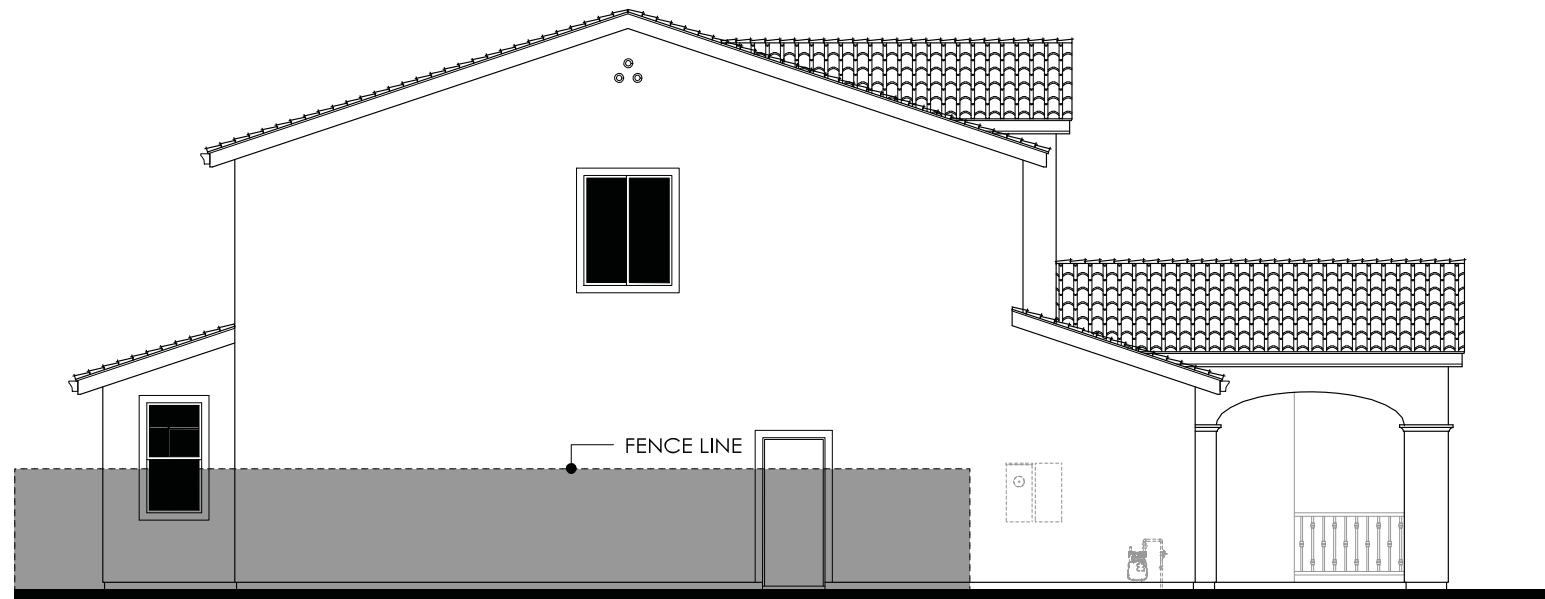
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03.10.2015

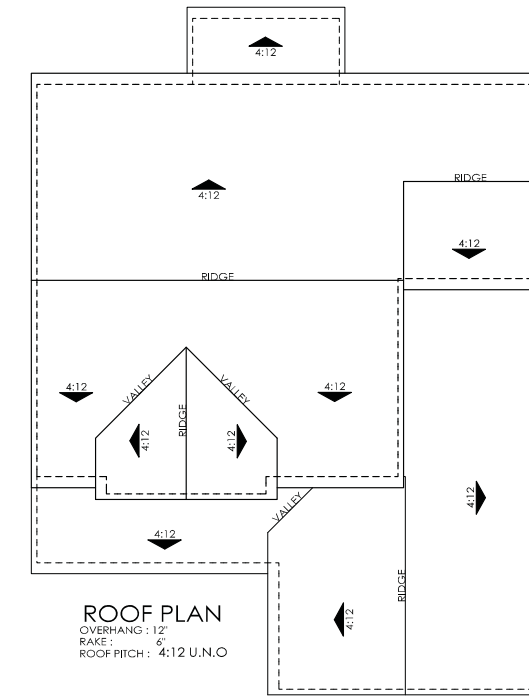
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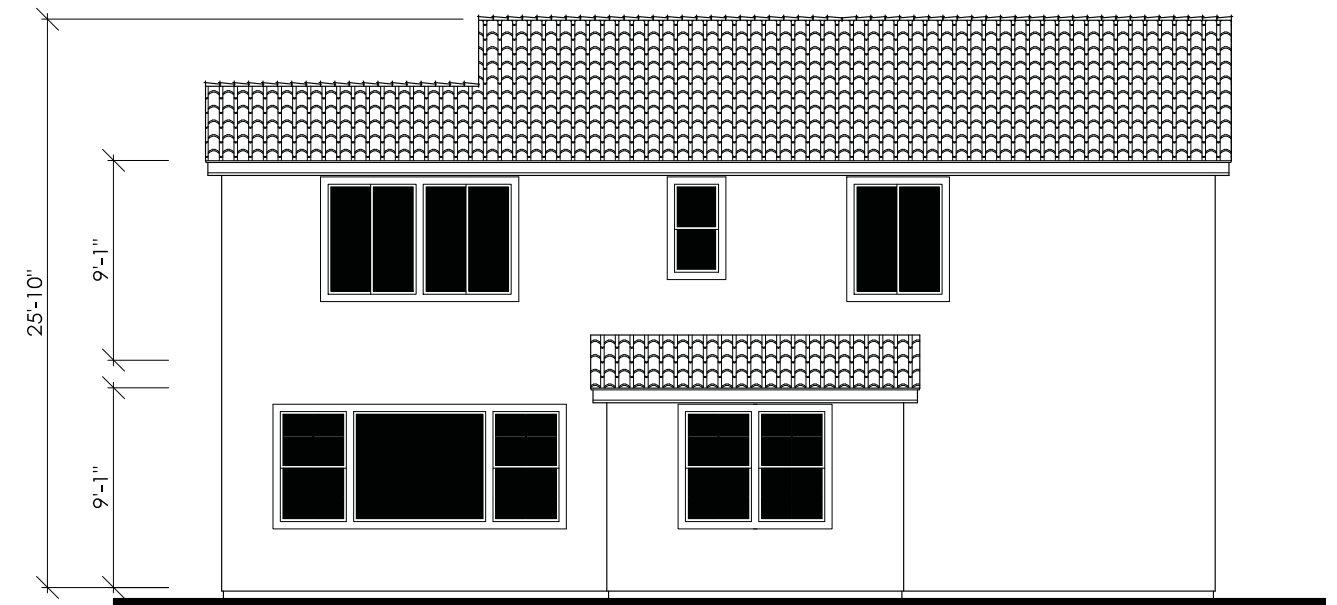
A5.2



LEFT



RIGHT



REAR

SOLARA RANCH



PLAN 5A SIDES AND REARS

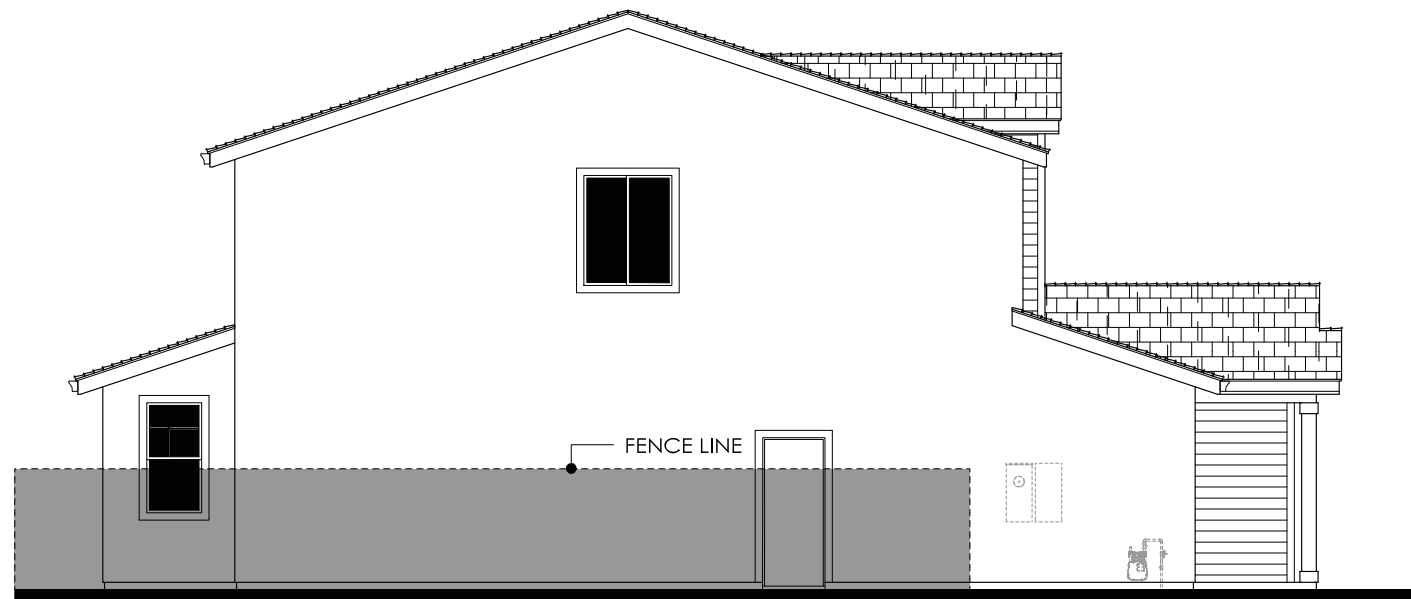
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KTGY # 2013-0028

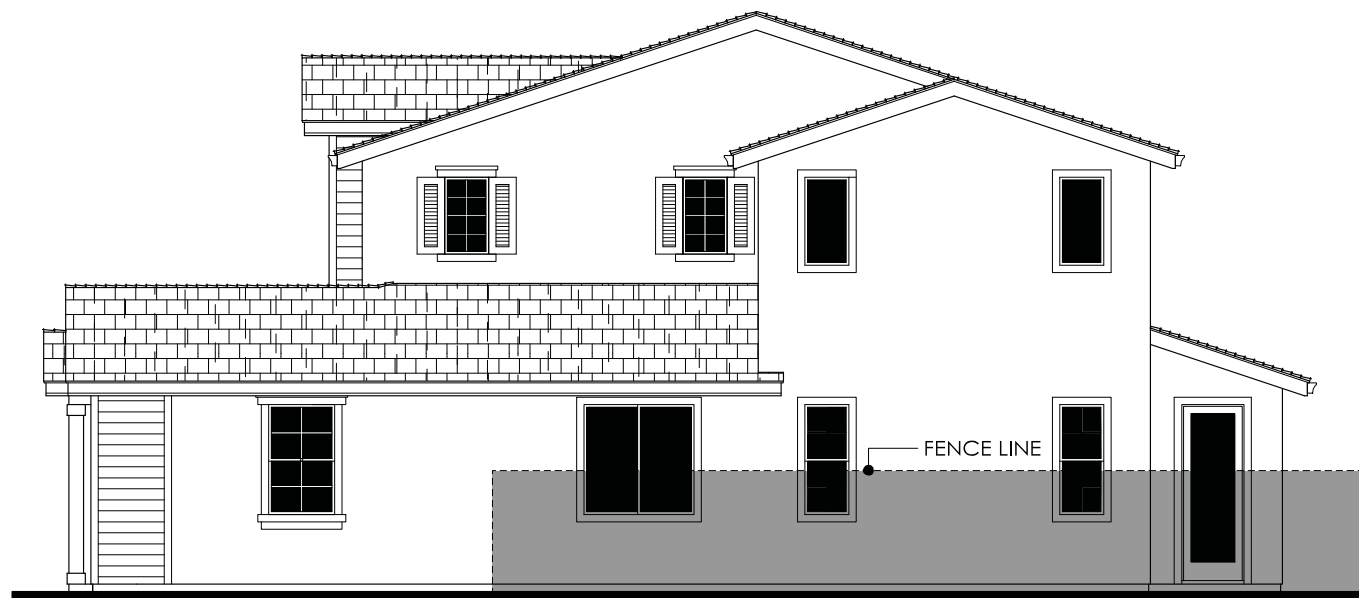
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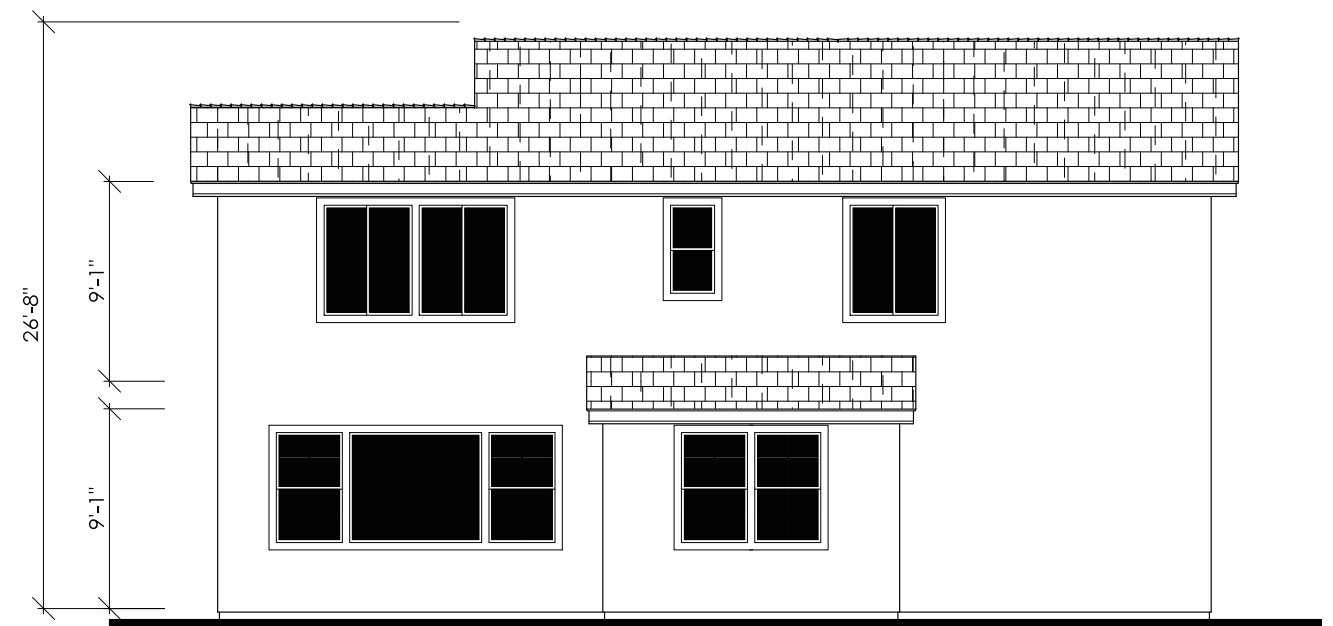
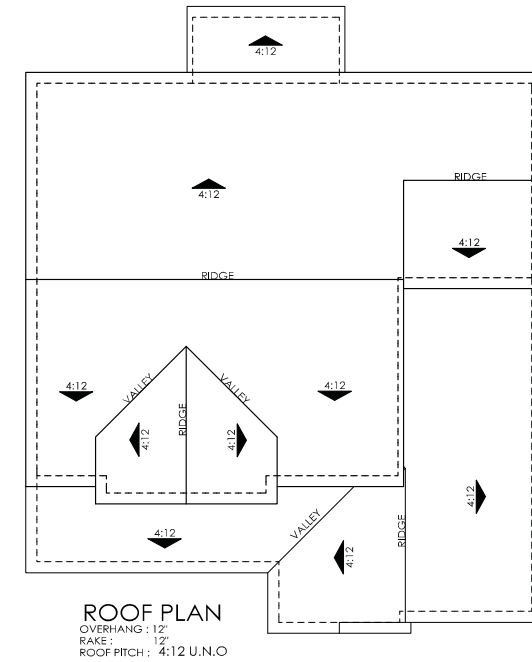




LEFT



RIGHT



REAR

SOLARA RANCH



PLAN 5B SIDES AND REARS

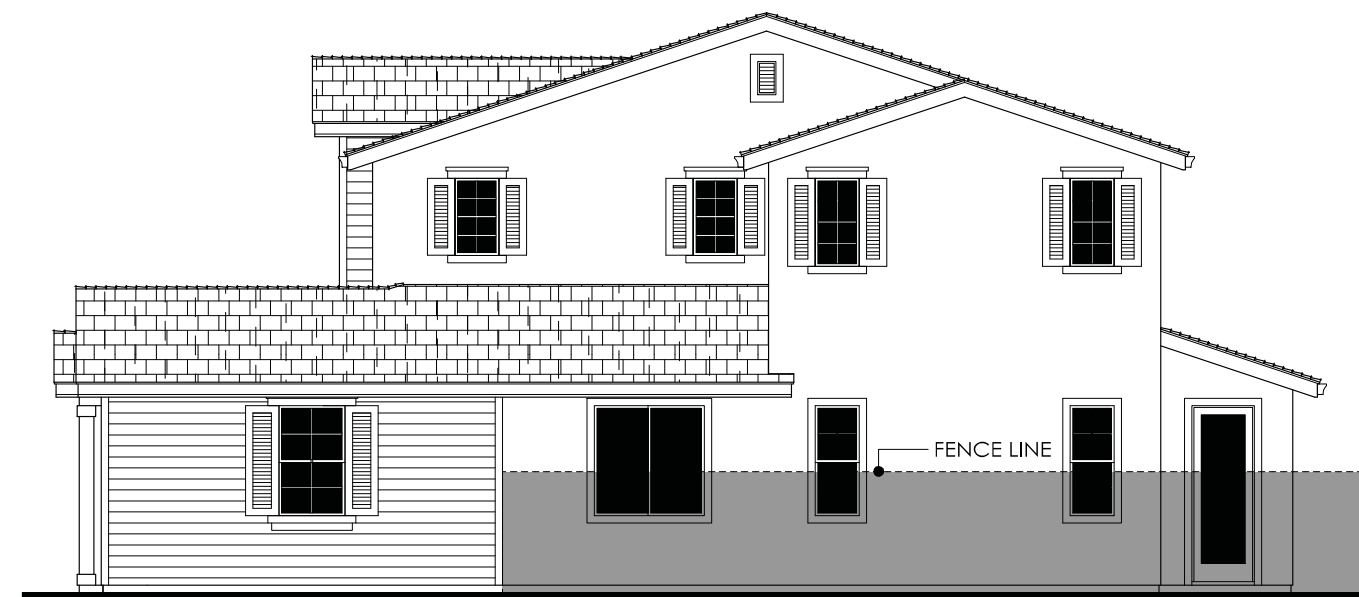
A5.4

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RIGHT AT ENHANCED LOTS ONLY

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PLAN 5B ENHANCED RIGHT SIDE ELEVATION

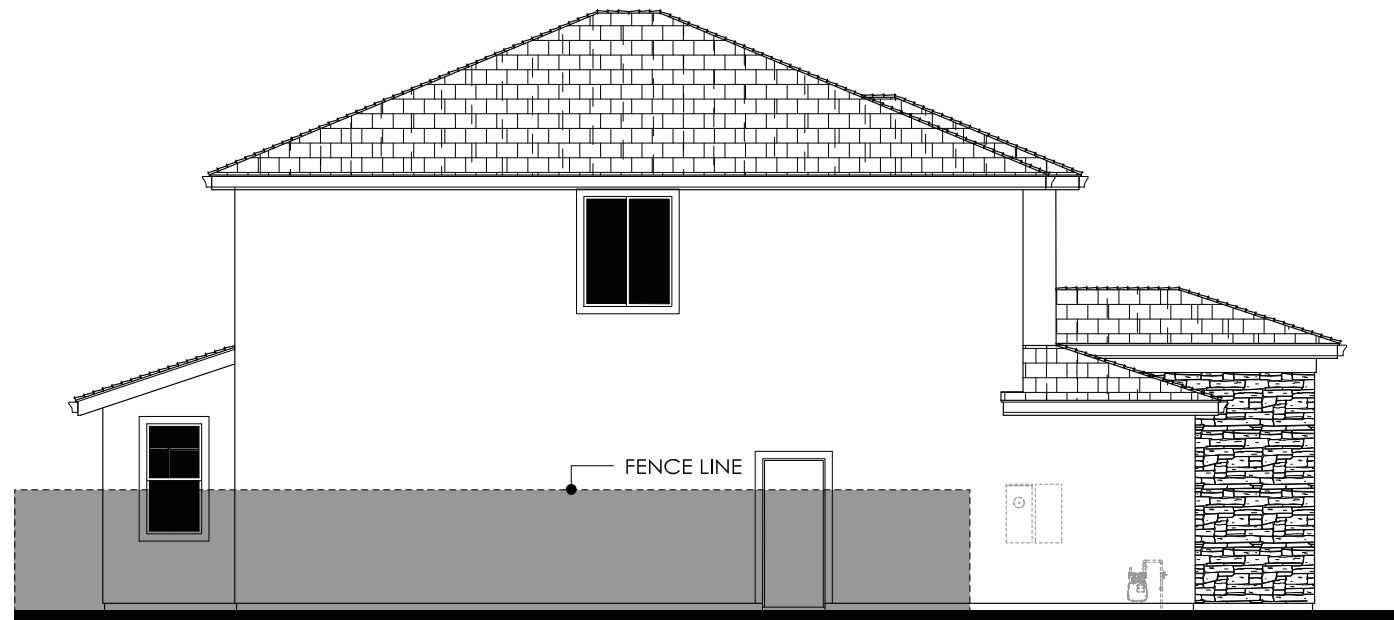
A5.5

KTGY # 2013-0028

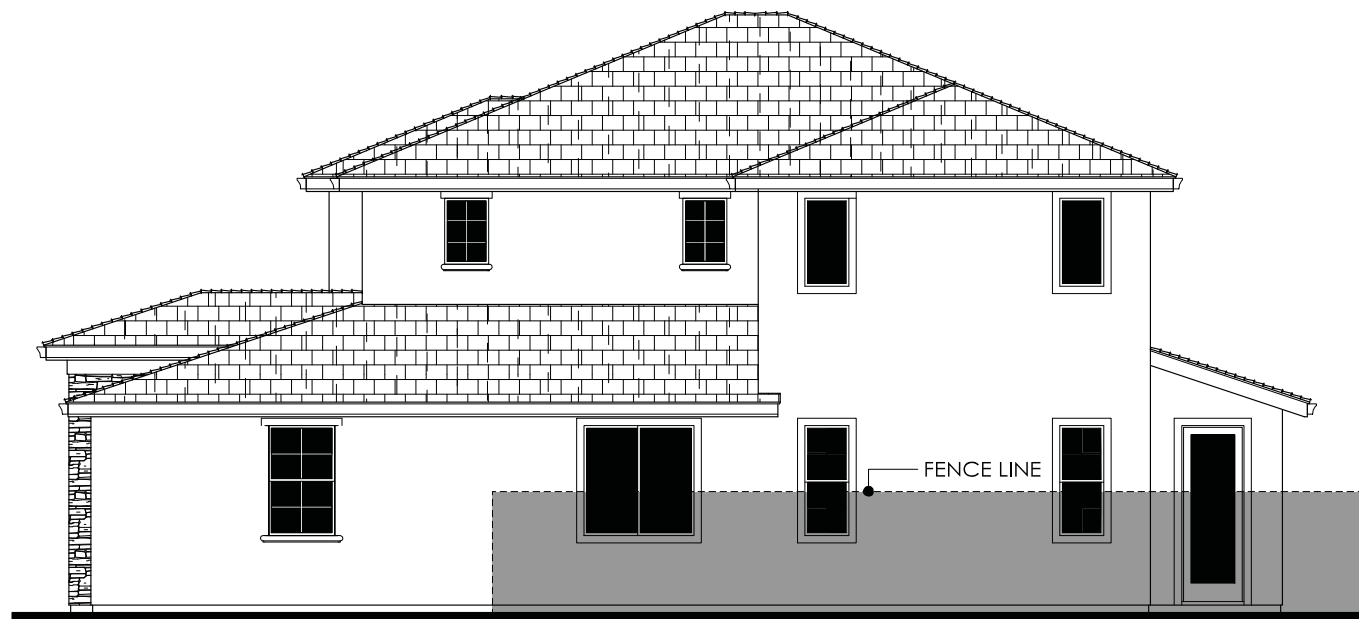
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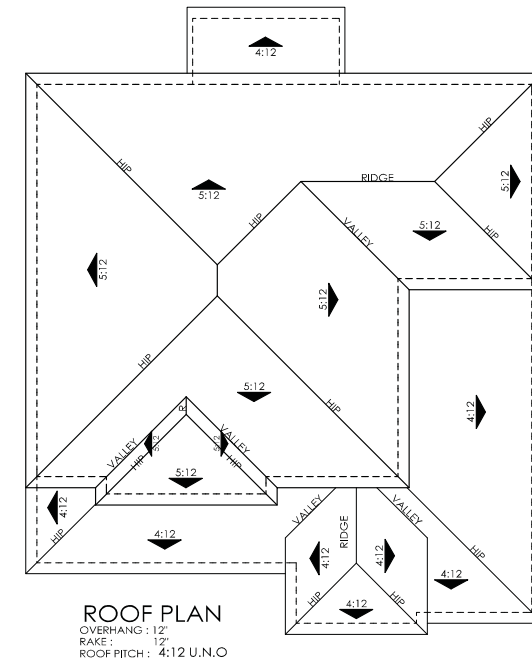




LEFT



RIGHT



REAR

SOLARA RANCH



PLAN 5C SIDES AND REARS

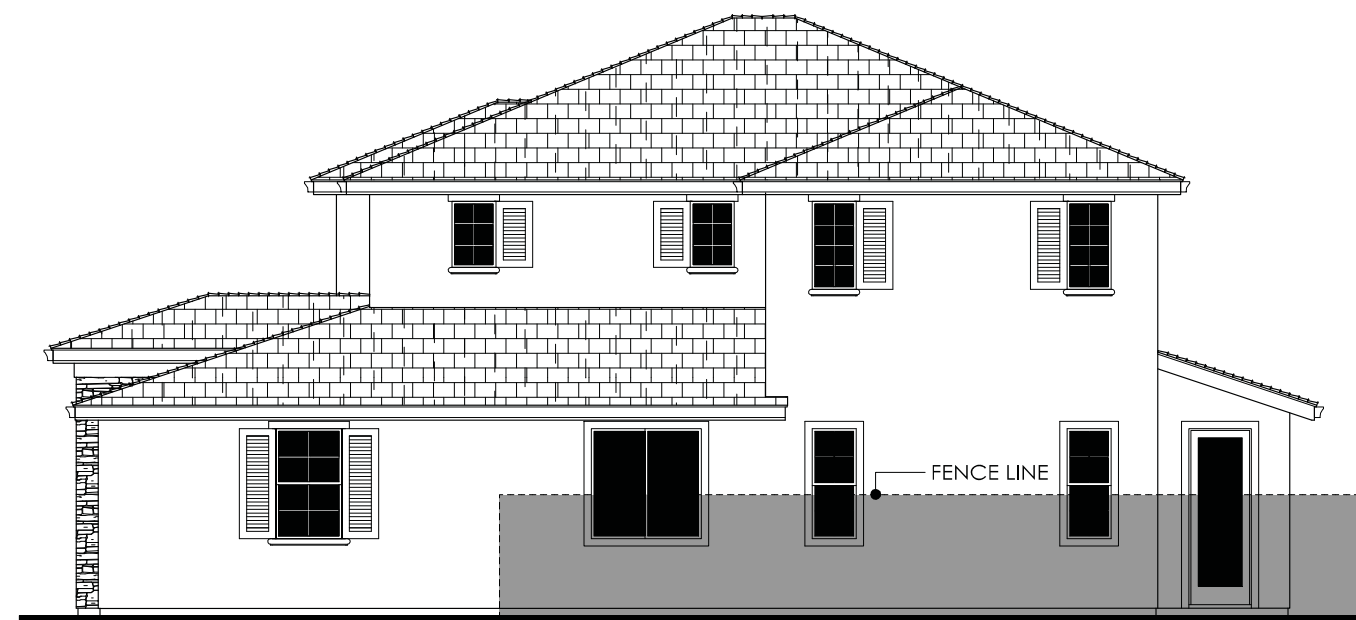
A5.6

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RIGHT AT ENHANCED LOTS ONLY

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PLAN 5C ENHANCED RIGHT SIDE ELEVATION

A5.7

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ELEVATION '6A' - SPANISH



ELEVATION '6B' - TRADITIONAL



ELEVATION '6C' - ITALIAN

SOLARA RANCH

D-R HORTON DHI
NYSE
America's Builder

PLAN 6 FRONT ELEVATIONS

KTGY # 2013-0028

04.22.2015

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A6.0.1



ELEVATION '6A' - SPANISH

Spanish
Material Legend:
Concrete Low Profile 'Villa' Tile
Stucco Finish
Shutters
Decorative Gable End Detail
Enhanced Sills
1x Stucco Finish Trim

Cottage
Material Legend:
Flat Concrete Tile Roofing
Stucco Finish
Recessed Windows
Enhanced Sills
1x Stucco Finish Trim
Cementitious Trim
Stone Veneer



ELEVATION '6B' - TRADITIONAL

Tuscan
Material Legend:
Flat Concrete Tile Roofing
Stucco Finish
Shutters
Decorative Railing and Posts
Enhanced Sills
1x Stucco Finish Trim



ELEVATION '6C' - ITALIAN

SOLARA RANCH

PLAN 6 FRONT ELEVATIONS

A6.0.2

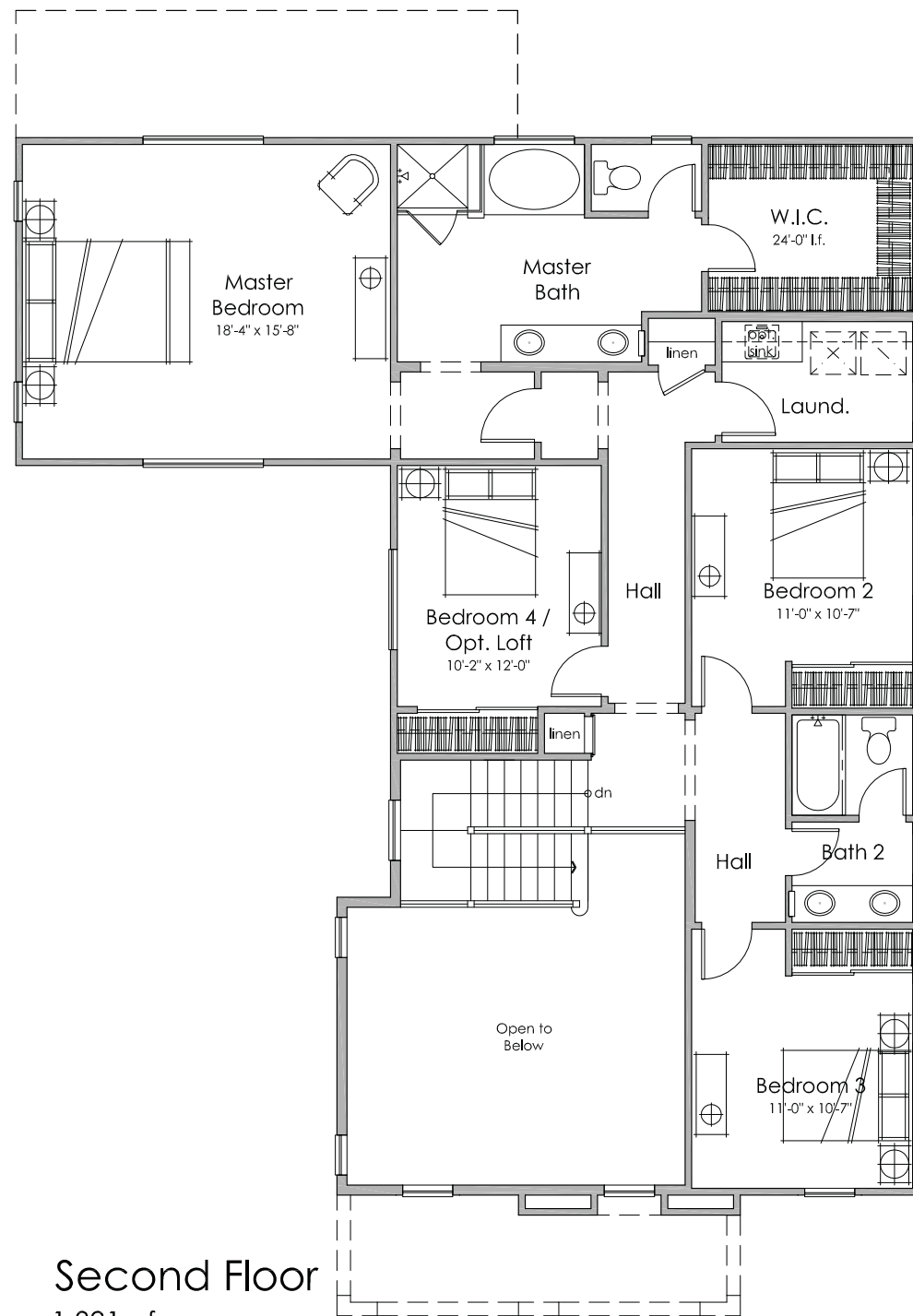


KTGY # 2013-0028

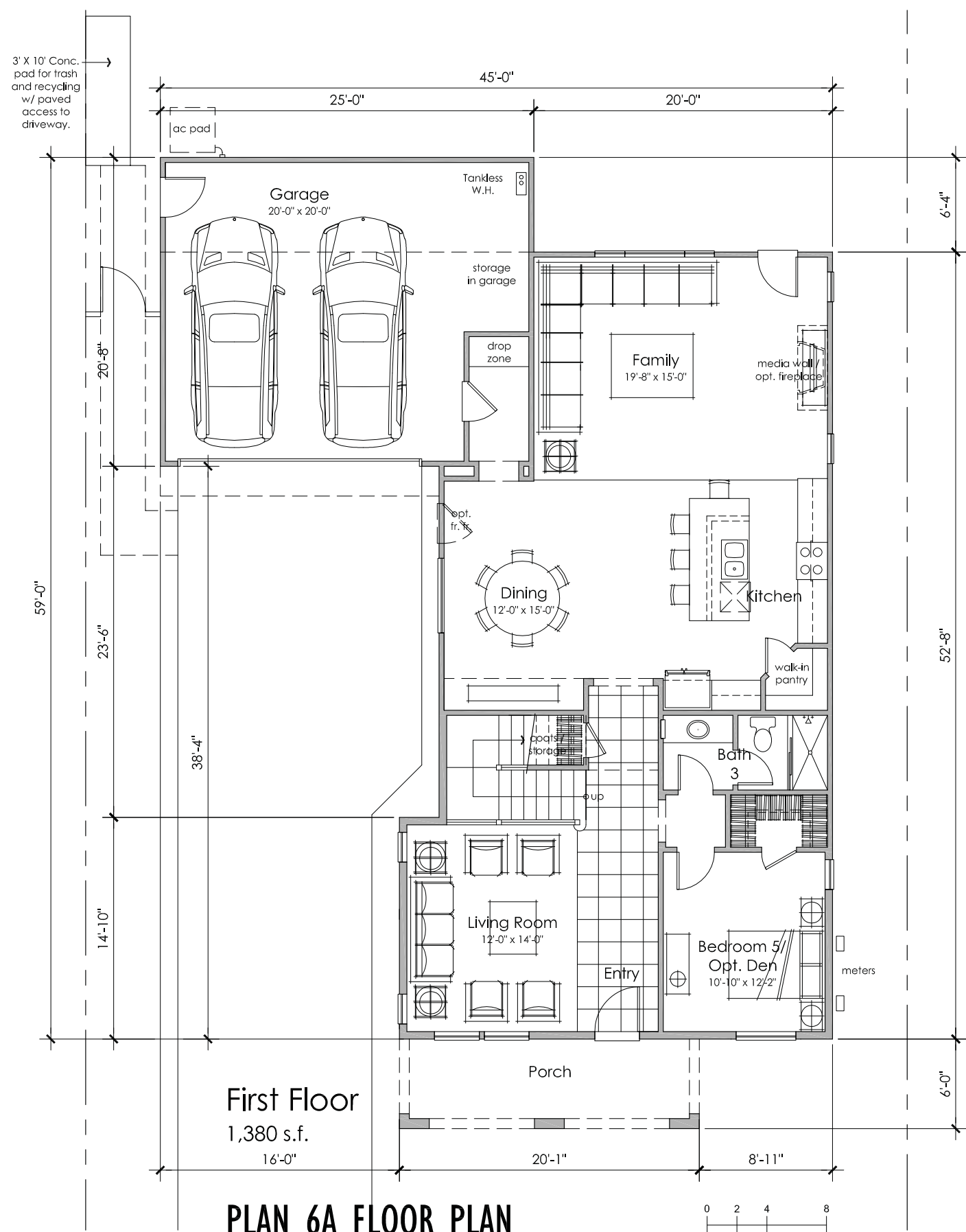
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Floor Plan
5 Bedrooms
Opt. Loft
Opt. Den
3 Baths
2,771 s.f.



SOLARA RANCH



Woodland, California
KTGY # 2013-0028

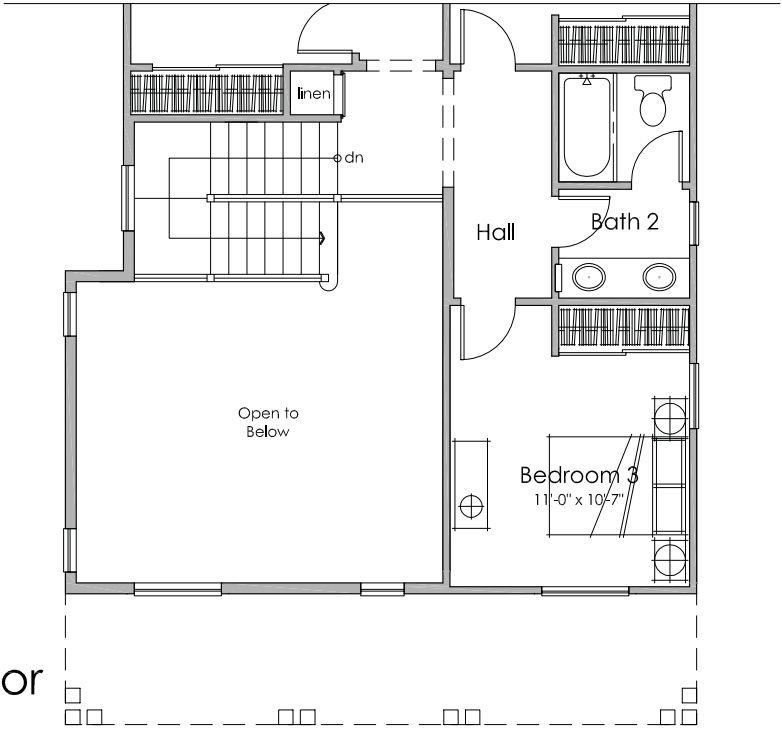
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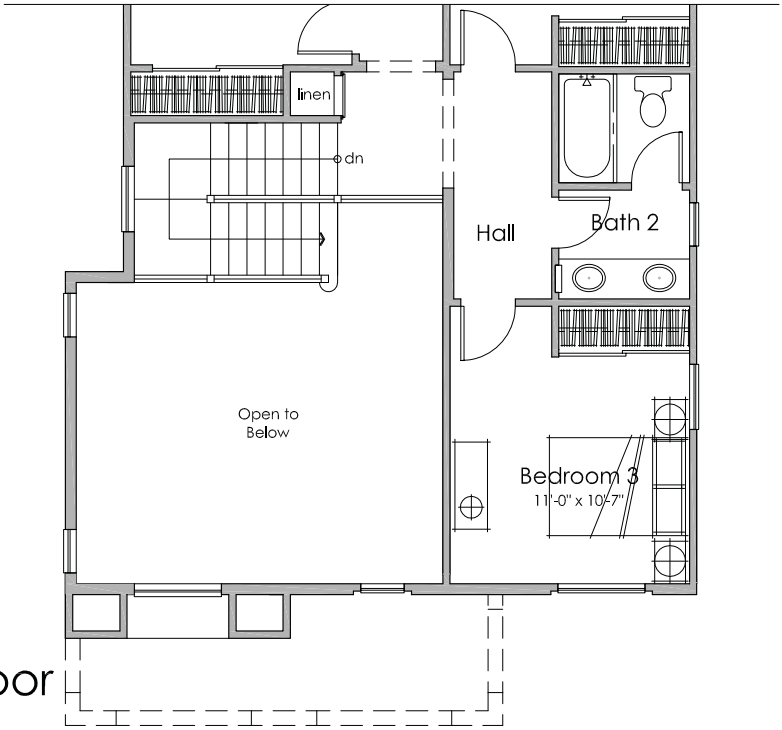


A6.1

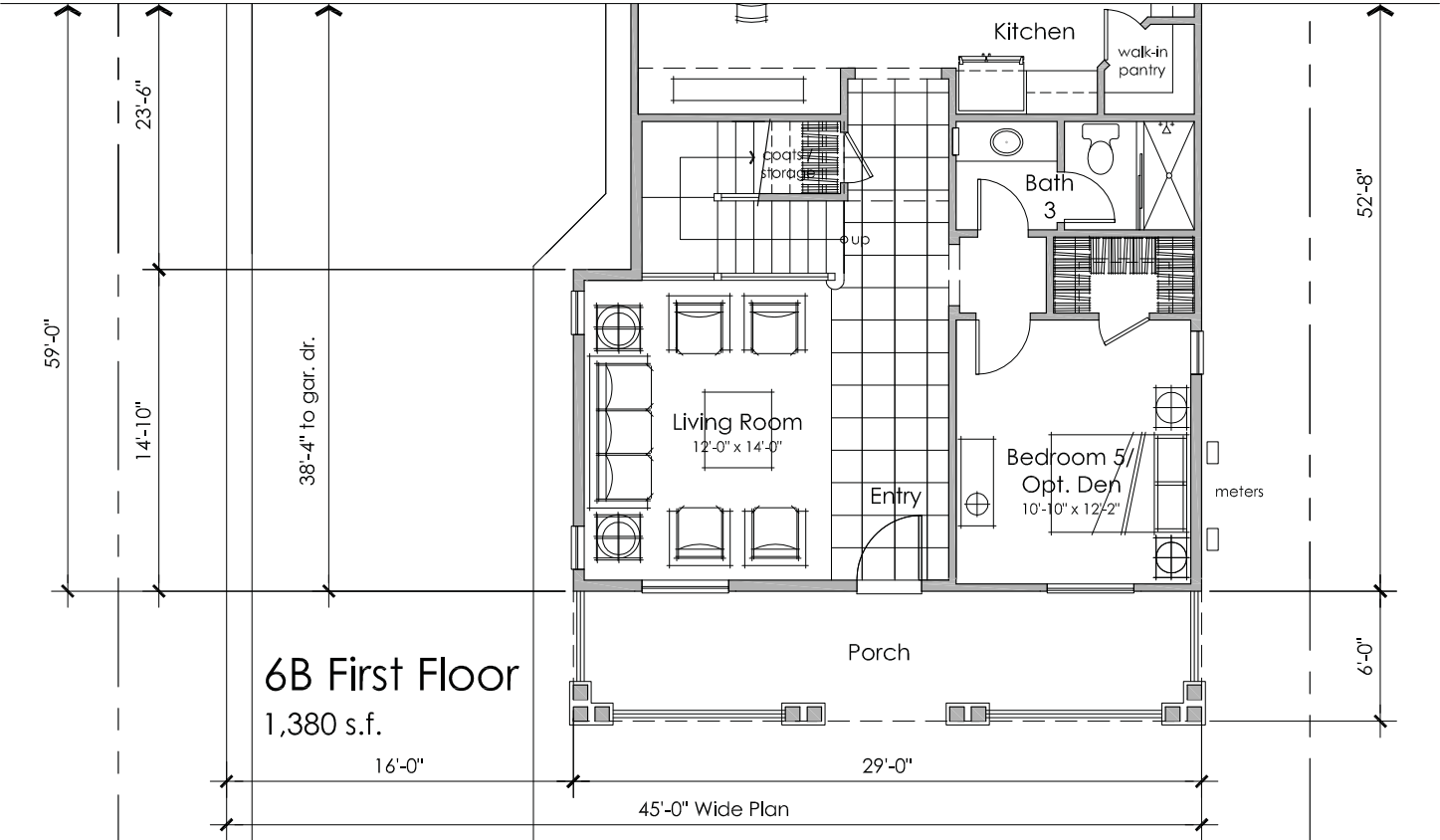
6B Second Floor
1,391 s.f.



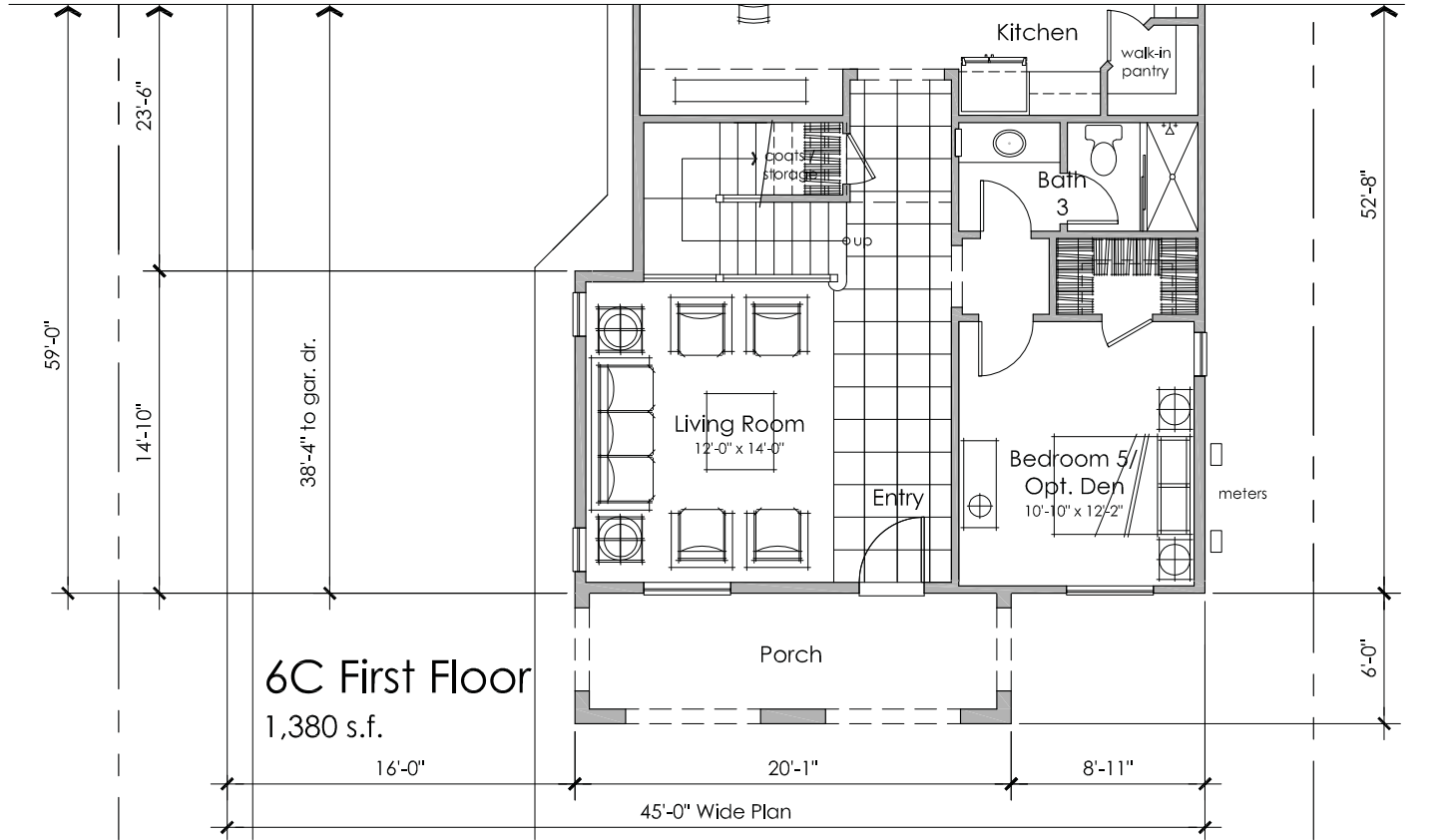
6C Second Floor
1,391 s.f.



6B First Floor
1,380 s.f.



6C First Floor
1,380 s.f.



SOLARA RANCH



PLAN 6B & 6C PARTIAL FLOOR PLANS

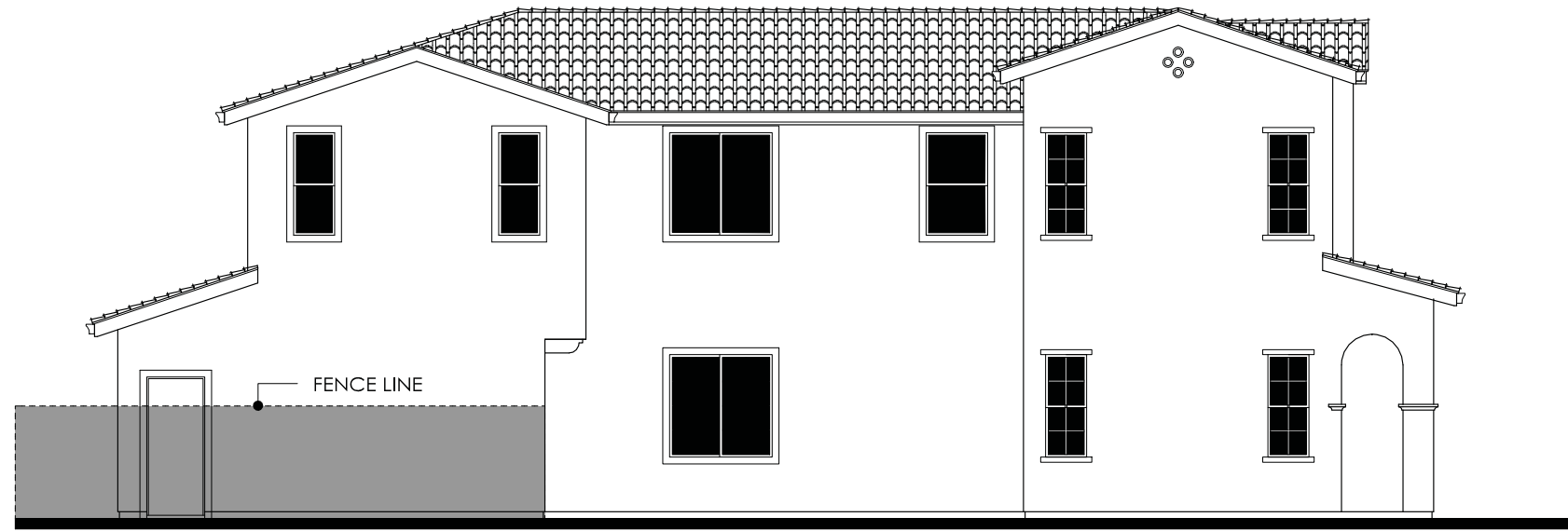
Woodland, California
KTGY # 2013-0028

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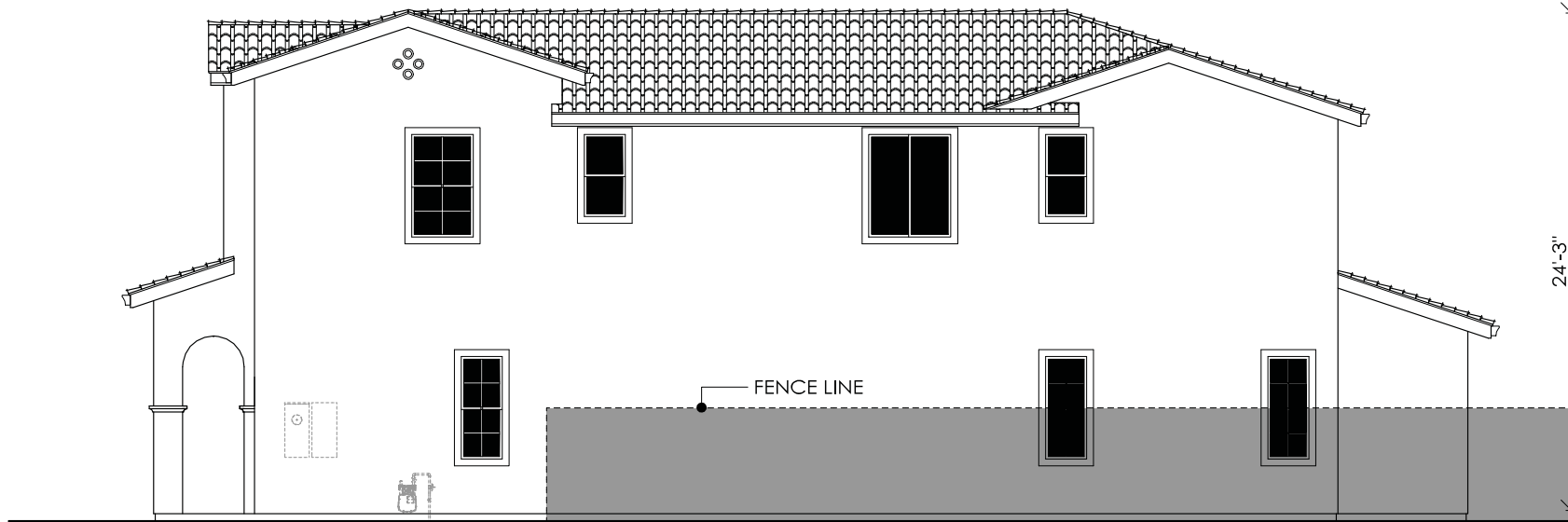
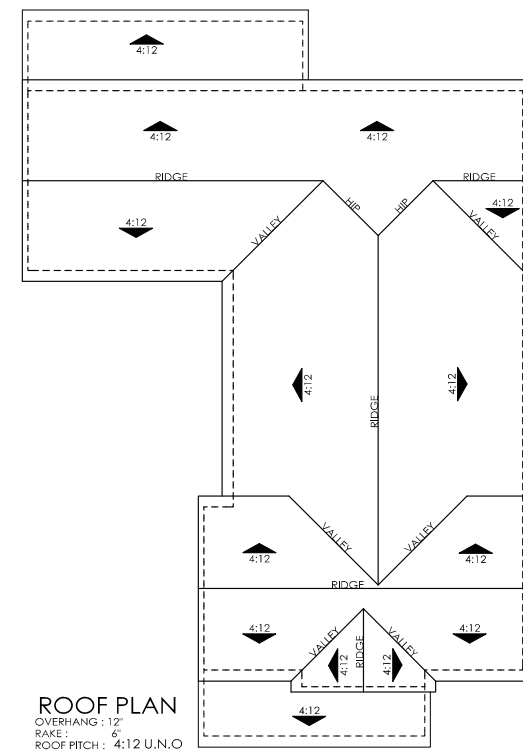
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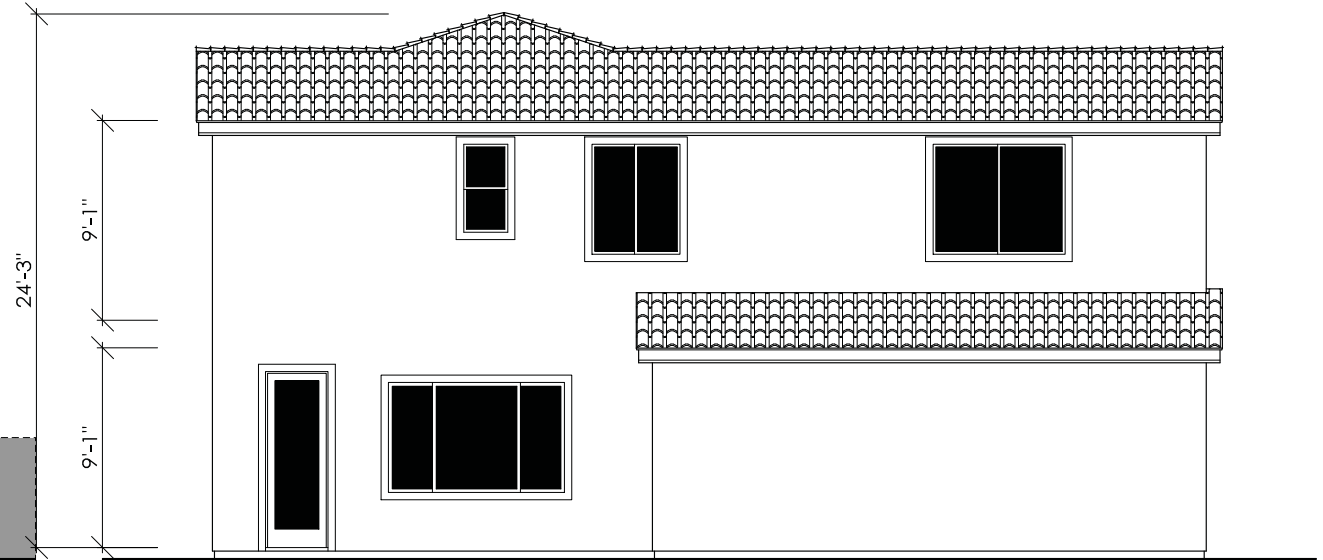
A6.2



LEFT



RIGHT



REAR

SOLARA RANCH



PLAN 6A SIDES AND REARS

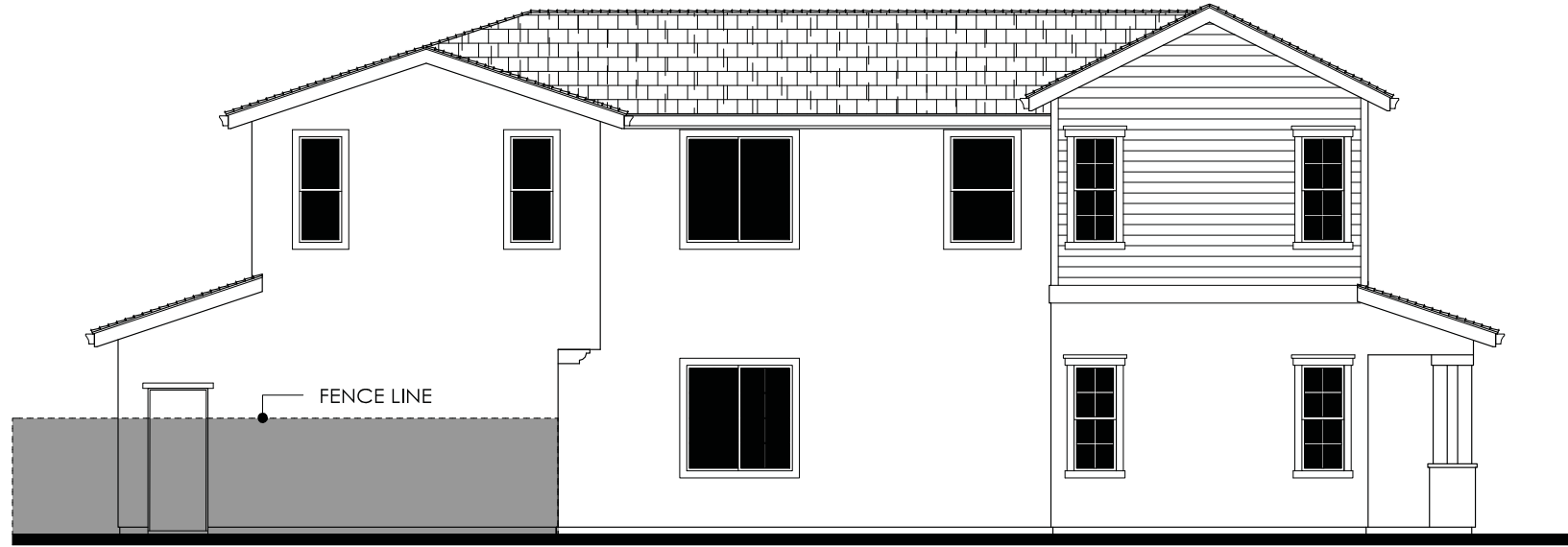
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KTGY # 2013-0028

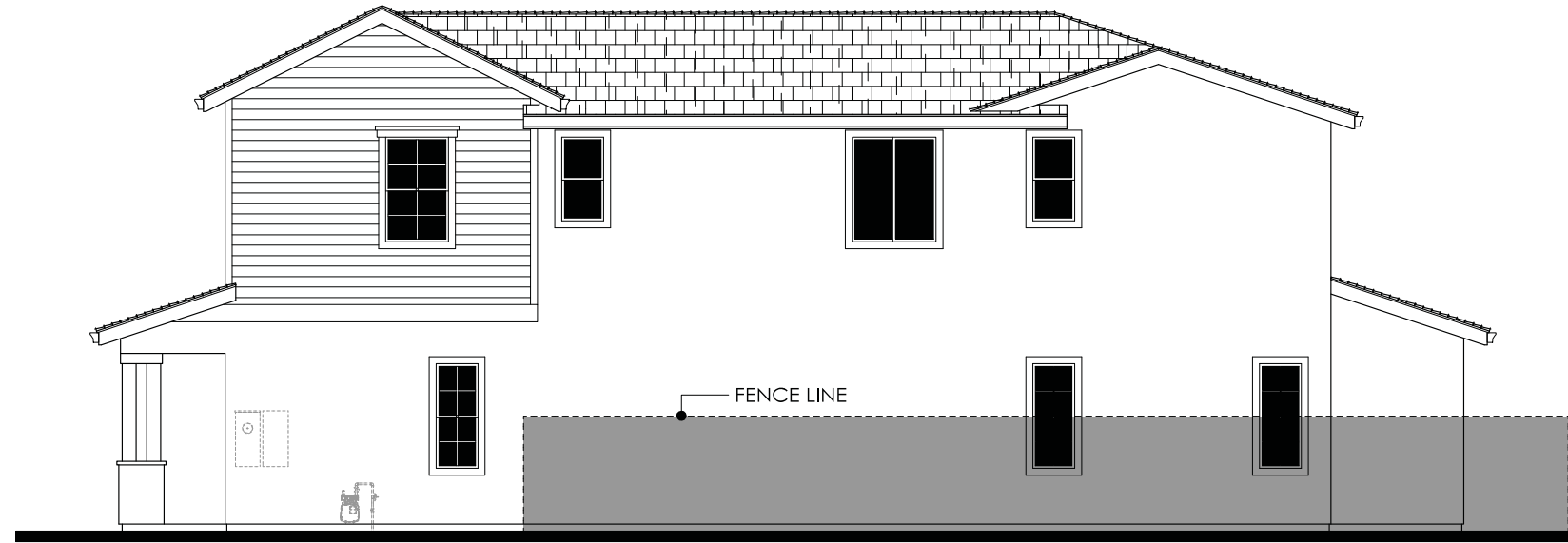
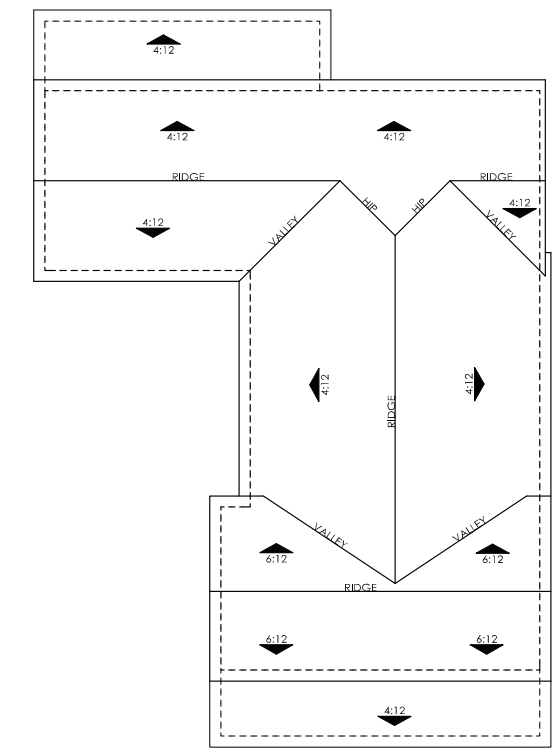
03.09.2015

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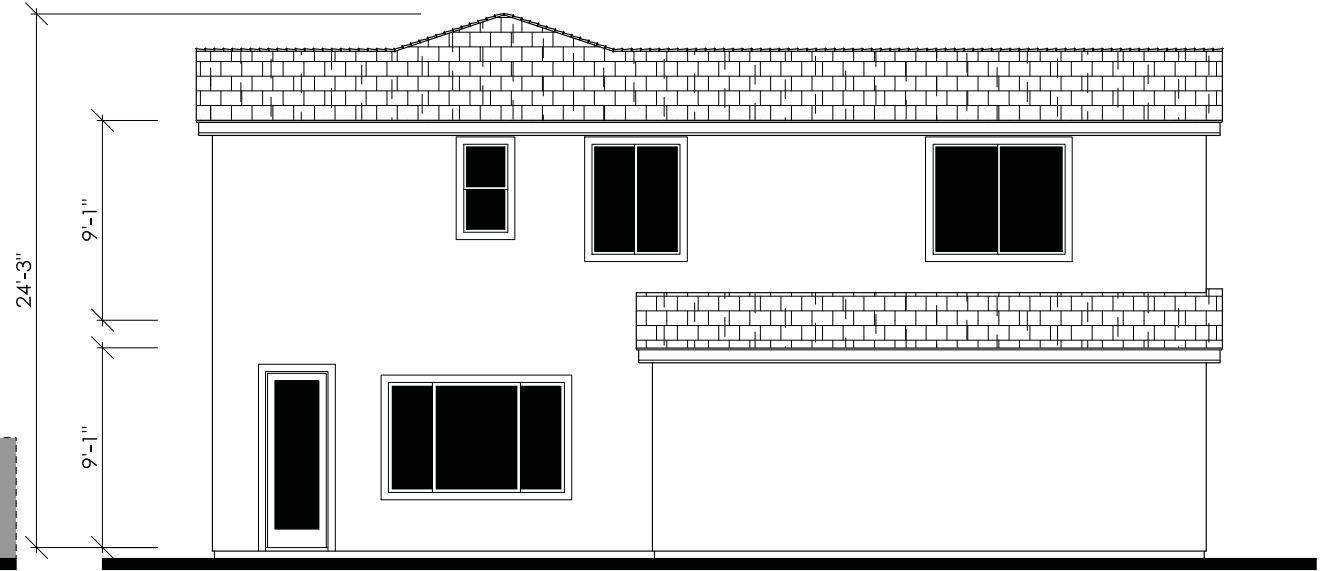




LEFT



RIGHT



REAR

SOLARA RANCH



PLAN 6B SIDES AND REARS

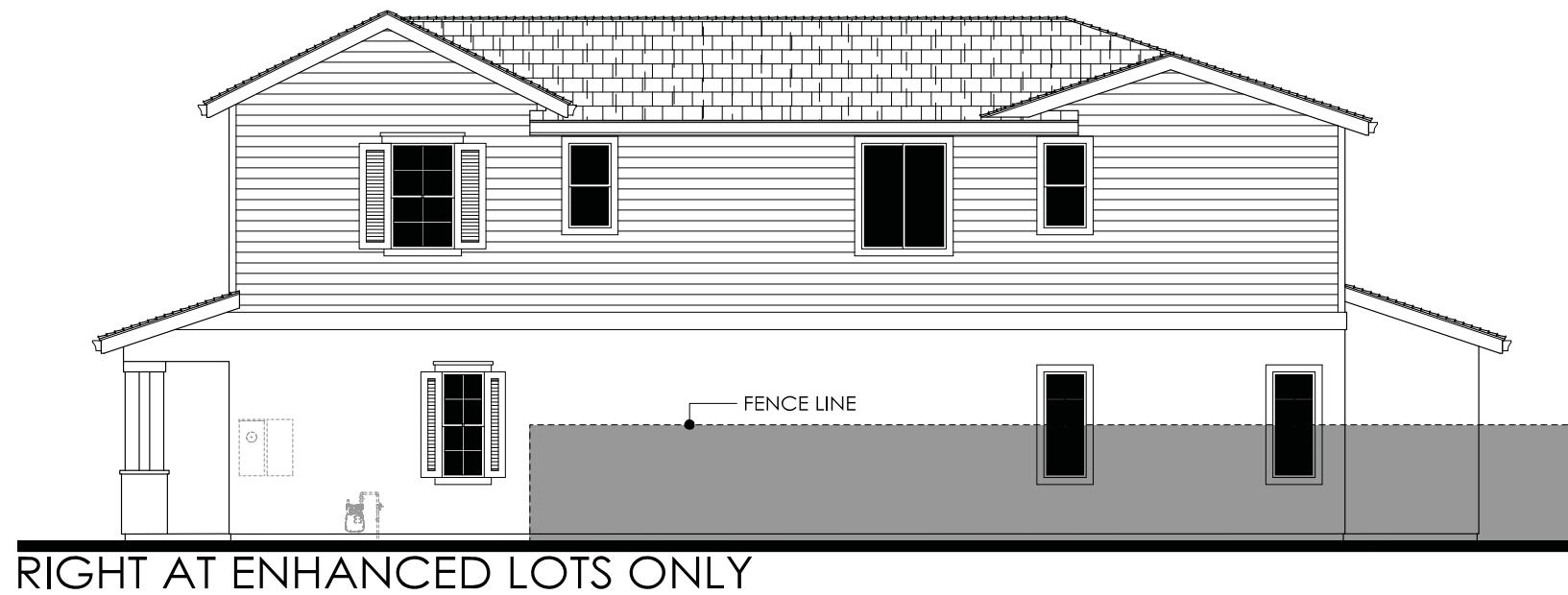
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SOLARA RANCH



PLAN 6B ENHANCED RIGHT SIDE ELEVATION

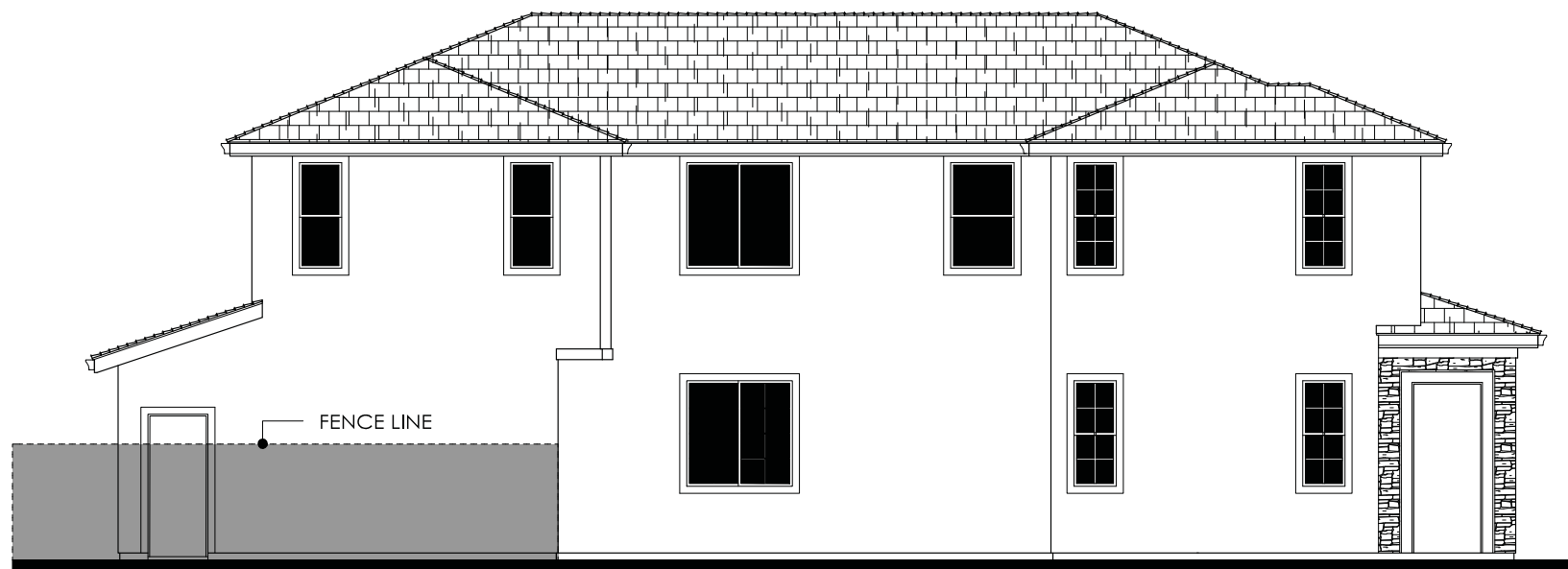
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KTGY # 2013-0028

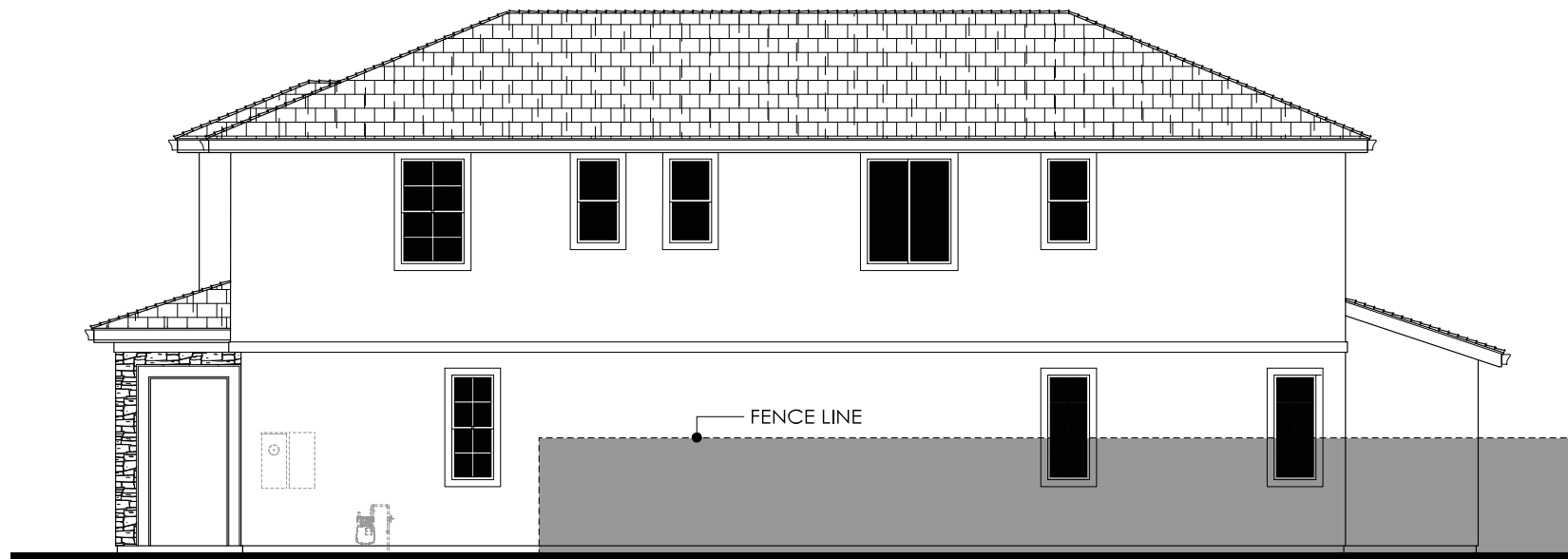
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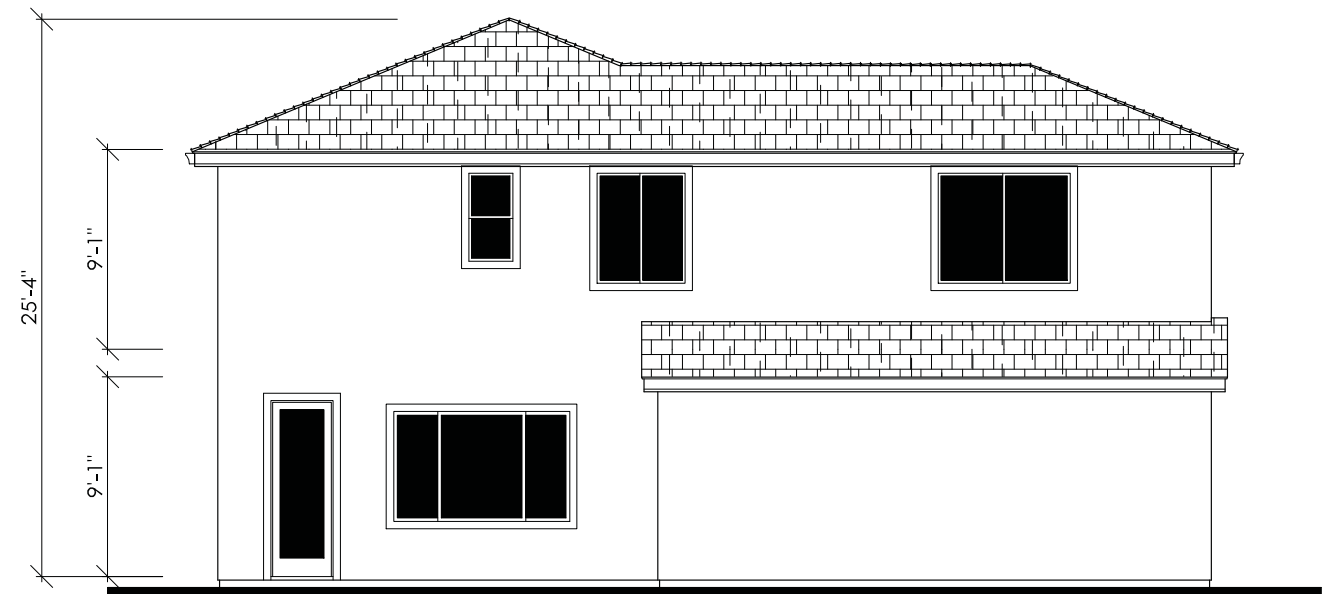
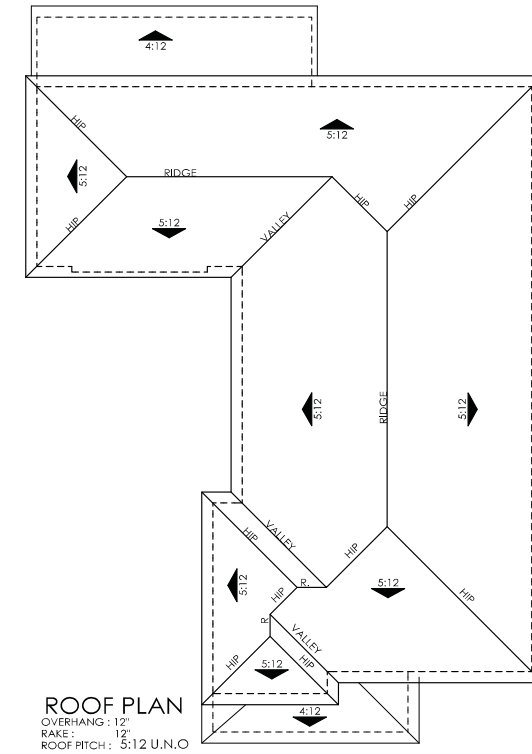




LEFT



RIGHT



REAR

SOLARA RANCH



PLAN 6C SIDES AND REARS

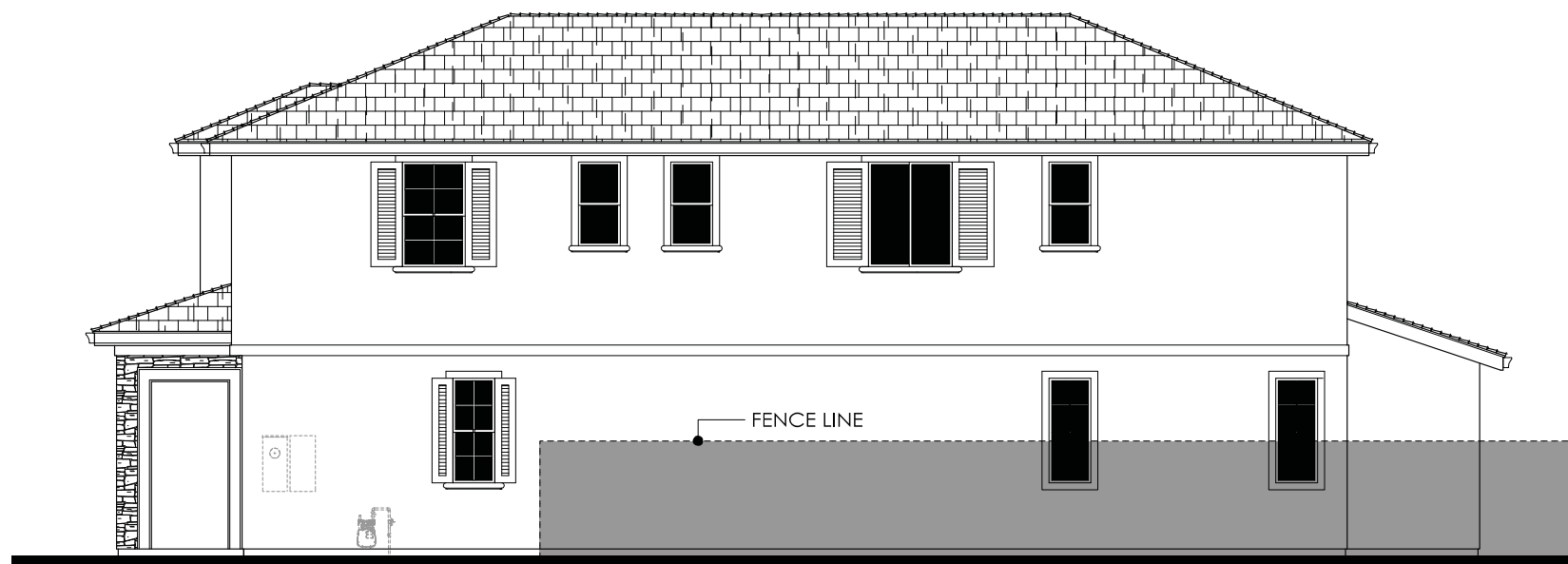
KTGY # 2013-0028

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A6.6



RIGHT AT ENHANCED LOTS ONLY

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PLAN 6C ENHANCED RIGHT SIDE ELEVATION

A6.7

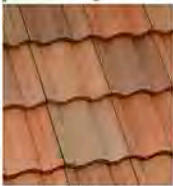
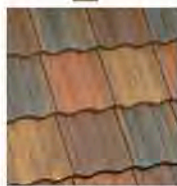
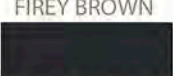
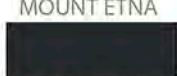
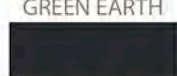
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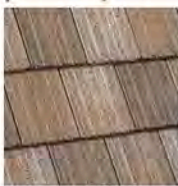
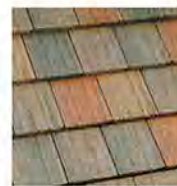
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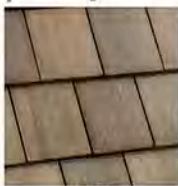
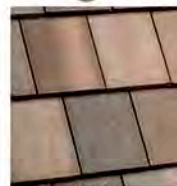
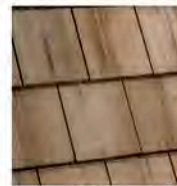
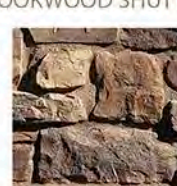
A' Spanish Elevations

	1	2	3
Roof Material: Low "S" Profile			
	SCM 8806 TUSCON BLEND	2723 ADOBE BLEND	2773 WALNUT CREEK BLEND
Stucco Body			
	SW 7570 EGRET WHITE	SW 6126 NAVAJO WHITE	SW 6134 NETUSKE
Fascia / Eaves / Garage Doors / Clay Decor Pipes At Gables			
	SW 7041 VAN DYKE BROWN	SW 2856 FAIRFAX BROWN	SW 6089 GROUNDED
All Trim			
	SW 7041 VAN DYKE BROWN	SW 6135 ECRU	SW 6144 DAPPER TAN
Entry Doors / Shutters			
	SW 6055 FIREY BROWN	SW 7625 MOUNT ETNA	SW 7748 GREEN EARTH
Decorative Metal Iron Details			
	BLACK BY MANUFACTURER	BLACK BY MANUFACTURER	BLACK BY MANUFACTURER

B' Traditional Elevations

	4	5	6
Roof Material: Flat Shake Profile			
	5808 TOMBSTONE	5687 BROWN GRAY RANGE	SCP 8802 NANTUCKET BLEND
Stucco Body			
	SW 7530 BARCELONA BEIGE	SW 7658 GRAY CLOUDS	SW 7507 STONE LION
All Horizontal Sliding			
	SW 2861 AVOCADO	SW 7660 EARL GRAY	SW 7569 STUCCO
Fascia / Eaves / Trim / Corner Boards / Posts / Garage Doors			
	SW 7526 MAISON BLANCHE	SW 7568 NEUTRAL GROUND	SW 7005 PURE WHITE
Entry Doors / Shutters			
	SW 6096 JUTE BROWN	SW 7509 TIKI HUT	SW 6222 RIVERWAY

C' Italian Elevations

	7	8	9
Roof Material: Flat Slate Profile			
	4882 MANTECA BLEND	4881 DEL NORTE BLEND	4880 SHASTA BLEND
Stucco Body			
	SW 6388 GOLDEN FLEECE	SW 7710 BRANDYWINE	SW 7744 ZEUS
Fascia / Eaves / All Trim/ Garage Doors			
	SW 7561 LEMON MERINGUE	SW 7517 CHINA DOLL	SW 7002 DOWNY
Entry Doors / Shutters			
	SW 6076 TURKISH COFFEE	SW 7545 PIER	SW 2809 ROOKWOOD SHUTTER
Masonry Veneer			
	PADOVA FIELDLEDGE	SAWTOOTH RUSTIC LEDGESTONE	ORCHARD CYPRESS RIDGE

SOLARA RANCH

D.R. HORTON DRI
America's Builder

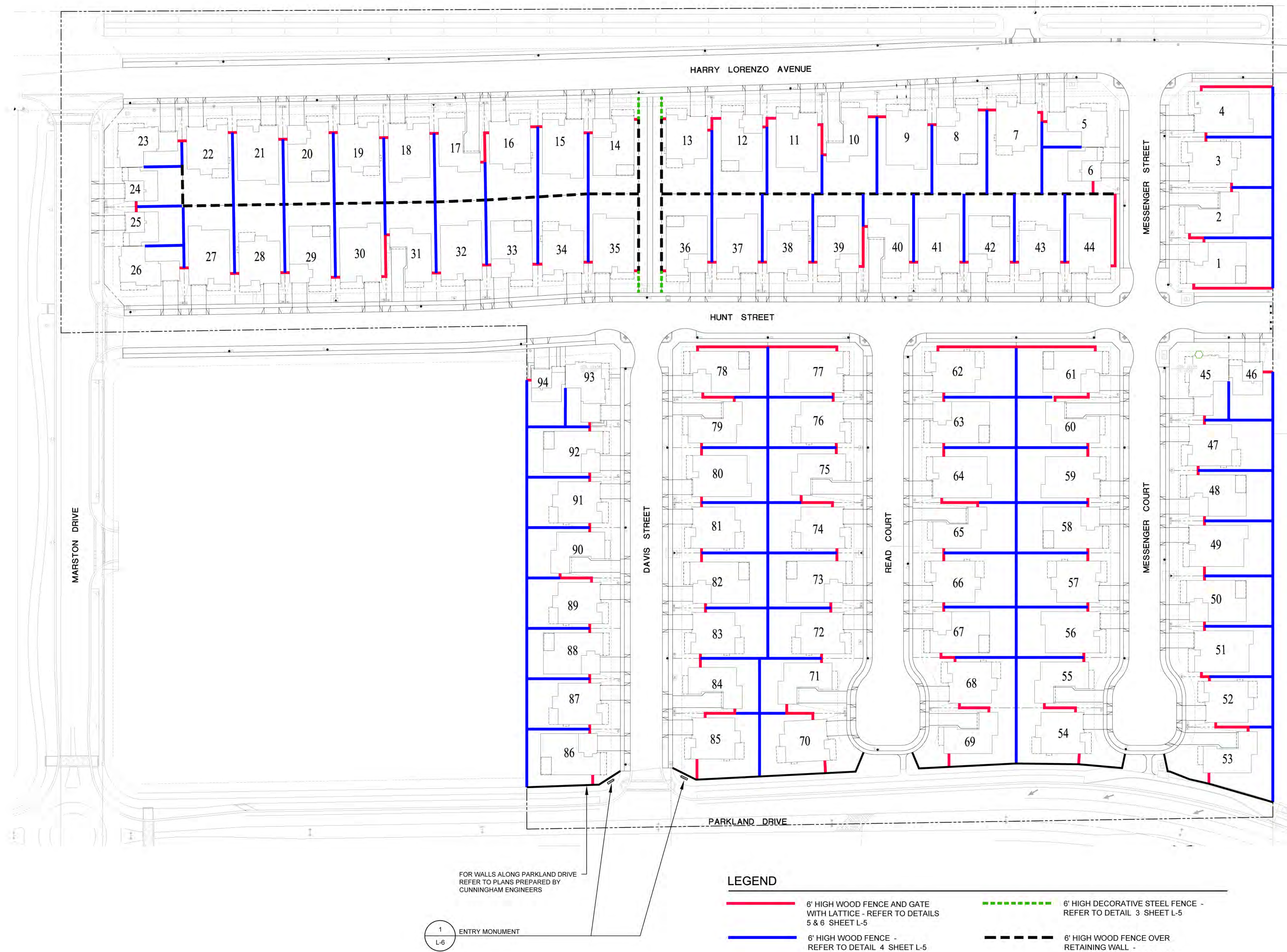
COLOR & MATERIALS BOARD 01

MANUFACTURERS:
PAINT - SHERWIN WILLIAMS PAINT
ROOFING - EAGLE ROOFING - NOR CAL
STONE VENEER - EL DORADO STONE VENEER
MORTAR - ORCO BLENDED PRODUCTS MAC PLUS (OBP)

08/29/2013
05/12/2014 Revised #12
08/25/2014 Revised Brick
04/06/2015 Revised Colors
#13-0028

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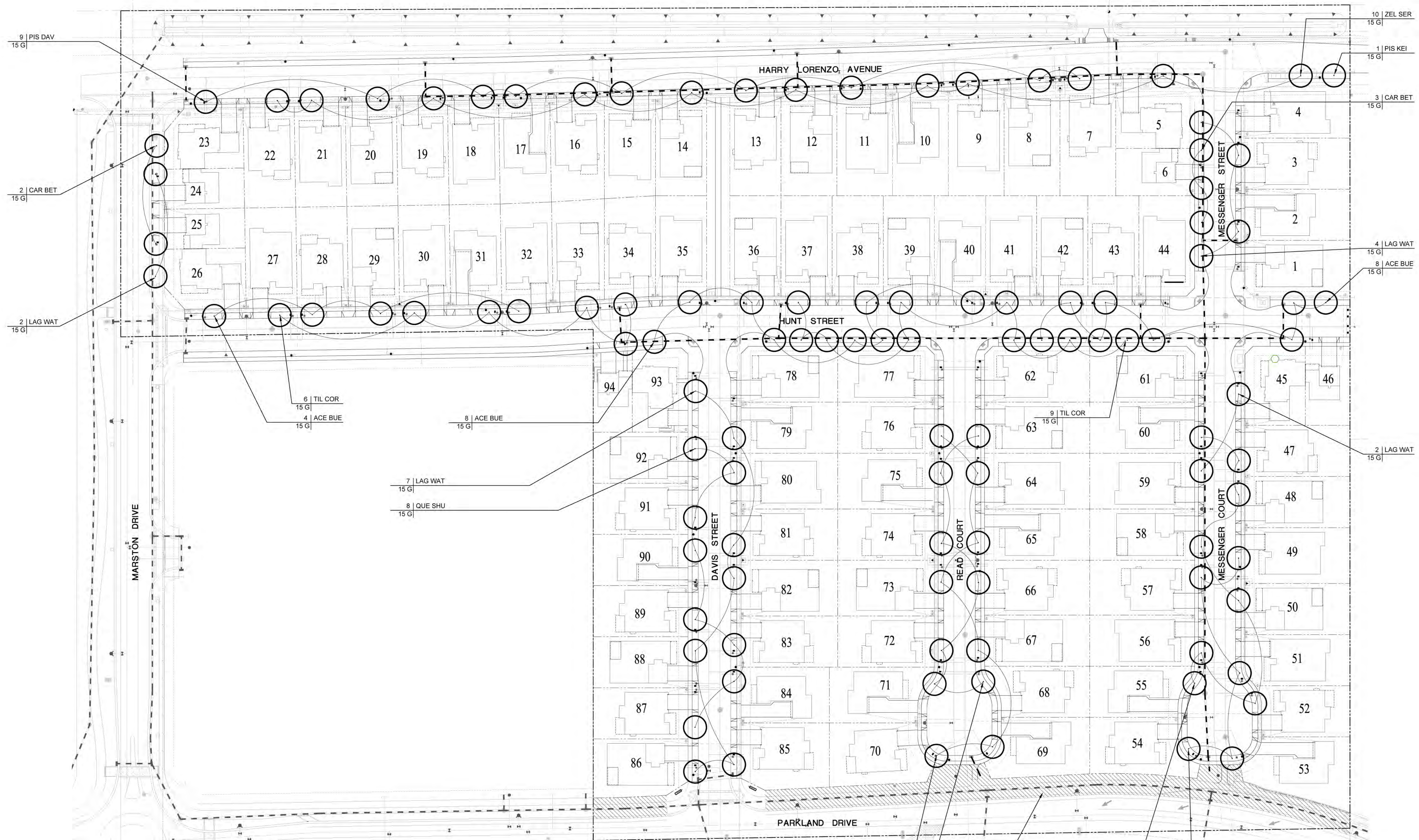
Overall Fencing Plan

SOLARA RANCH Woodland, California

L-1

JANUARY 2015





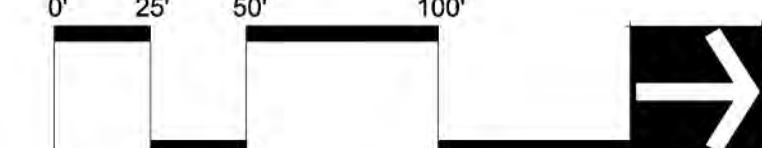
TREE LEGEND

SYMBOL	BOTANICAL NAME	COMMON NAME	CONTAINER SIZE	COMMENTS	H+W
ACE BUE	ACER BUERGERIANUM	TRIDENT MAPLE	15 GALLON	STANDARD	25'X25'
CAR BET	CARPINUS BETULUS	EUROPEAN HORNBEAM	15 GALLON	STANDARD	40'X40'
LAG WAT	LAGERSTROMIA INDICA 'WATERMELLON RED'	RED CRAPE MYRTLE	15 GALLON	STANDARD	25'X25'
LAG MUS	LAGERSTROMIA FAUREI 'MUSKOGEE'	LAVENDAR CRAPE MYRTLE	15 GALLON	STANDARD	25'X12'
PIS KEI	PISTACIA CHINENSIS 'KEITH DAVEY'	CHINESE PISTACHE	15 GALLON	STANDARD	35'X30'
TIL COR	TILIA CORDATA	LITTLE LEAF LINDEN	15 GALLON	STANDARD	30'X50'
QUE SHU	QUERCUS SHUMARDII	SHUMARD RED OAK	15 GALLON	STANDARD	60'X40'
ZEL SER	ZELKOVA SERRATA	SAWLEAF ZELKOVA	15 GALLON	STANDARD	60'X60'

NOTES:
 *FOR IRRIGATION FOR THE STREET TREES AND GROUNDCOVER IN PARKWAY PLEASE REFER TO TYPICAL LANDSCAPE PLANS PREPARED BY R3 STUDIOS, INC.
 *FINAL LOCATION OF ALL STREET TREES TO BE DETERMINED IN FIELD.

PLAN VIEW

Scale: 1"=50'-0"



Overall Street Tree Plan

SOLARA RANCH Woodland, California

JANUARY 2015

L-2



DRIVEWAY PAVING, SLAB, REBAR AND SUB GRADE PREPARATION REFER TO SOILS REPORT. CONCRETE DRIVEWAYS AND PUBLIC SIDEWALK DETAILS - REFER TO PLANS PREPARED BY CEA (TYPICAL) SEE SHEET L-7 - DRIVEWAY SCORING OPTIONS.

CONCRETE PORCH - SEE PLANS PREPARED BY THE ARCHITECT (TYPICAL)

2
L-5
CONCRETE STEPS (AS NEEDED) TYPICAL

1
L-5
CONCRETE PAVING

CONCRETE SIDEWALK - REFER TO PLANS PREPARED BY CBG

2
L-5
CONCRETE STEPS (AS NEEDED) TYPICAL

1
L-5
CONCRETE PAVING

1
L-5
CONCRETE PAVING

5
L-5
WOOD GATE WITH LATTICE (TYP.)

4
L-5
WOOD FENCE (TYP.)

PLAN 1

HOMEOWNER MAINTAINED REARYARD

PLAN 2

Scale: 1"=10'-0"

TYPICAL PLAN 1 & 2

(Corner Lots only)

TYPICAL PLAN 3

Scale: 1"=10'-0"

4
L-5
WOOD FENCE

CONCRETE PORCH - SEE PLANS PREPARED BY THE ARCHITECT (TYPICAL)

2
L-5
CONCRETE STEPS (AS NEEDED) TYPICAL

5
L-5
WOOD FENCE WITH LATTICE

3
L-5
DECORATIVE METAL FENCE

1
L-5
CONCRETE PAVING

1
L-5
CONCRETE PAVING

DRIVEWAY PAVING, SLAB, REBAR AND SUB GRADE PREPARATION REFER TO SOILS REPORT. CONCRETE DRIVEWAYS AND PUBLIC SIDEWALK DETAILS - REFER TO PLANS PREPARED BY CEA (TYPICAL) SEE SHEET L-7 - DRIVEWAY SCORING OPTIONS.

4
L-5
WOOD FENCE (TYP.)

6
L-5
WOOD GATE WITH LATTICE (TYP.)

1
L-5
CONCRETE PAVING

DRIVEWAY PAVING, SLAB, REBAR AND SUB GRADE PREPARATION REFER TO SOILS REPORT. CONCRETE DRIVEWAYS AND PUBLIC SIDEWALK DETAILS - REFER TO PLANS PREPARED BY CEA (TYPICAL) SEE SHEET L-7 - DRIVEWAY SCORING OPTIONS.

GRADING AND DRAINAGE NOTES:

ENTRY WALKS: IN THE EVENT THAT STEPS ARE REQUIRED TO FRONT ENTRY OF HOMES (ENTRY WALK EXCEEDS 5%), A SINGLE 4.5" - 6.5" RISE STEP IS TO BE PROVIDED AT THE CONNECTION BETWEEN THE PORCH AND THE ENTRY WALK. IF ADDITIONAL STEPS ARE REQUIRED, INSTALL 4.5" - 6.5" RISE STEPS (4 RISERS MAX.) AT LOCATION INDICATED ON PLAN. MAINTAIN 5' @ 2% SLOPE BETWEEN SETS OF RISERS. WALKWAY LEADING TO STEPS FROM SIDEWALK OR DRIVEWAY SHALL BE LESS THAN 5%.

SITE DRAINAGE: LANDSCAPE OPERATIONS SHALL NOT IMPEDE DRAINAGE PATHS INDICATED ON CIVIL ENGINEER'S DRAWINGS (TYP.)

SYMBOL LEGEND

F.O.B.
F.O.W.
F.O.C.
B.O.W.
PA
CL
R
ALIGN

FACE OF BUILDING
FACE OF WALL
FACE OF CURB
BACK OF WALK
PLANTING AREA
CENTERLINE
RADIUS
ALIGN

CONSTRUCTION LEGEND

CONCRETE PAVING:
CONCRETE TO BE NATURAL GREY WITH LIGHT BROOM FINISH - SEE DETAIL 1 SHEET L1.4

DECORATIVE STEEL FENCE:
FENCE FROM WWW.AMERISTARFENCE.COM OR APPROVED EQUAL, COLOR TO BE BLACK - SEE DETAIL 3 SHEET L-5

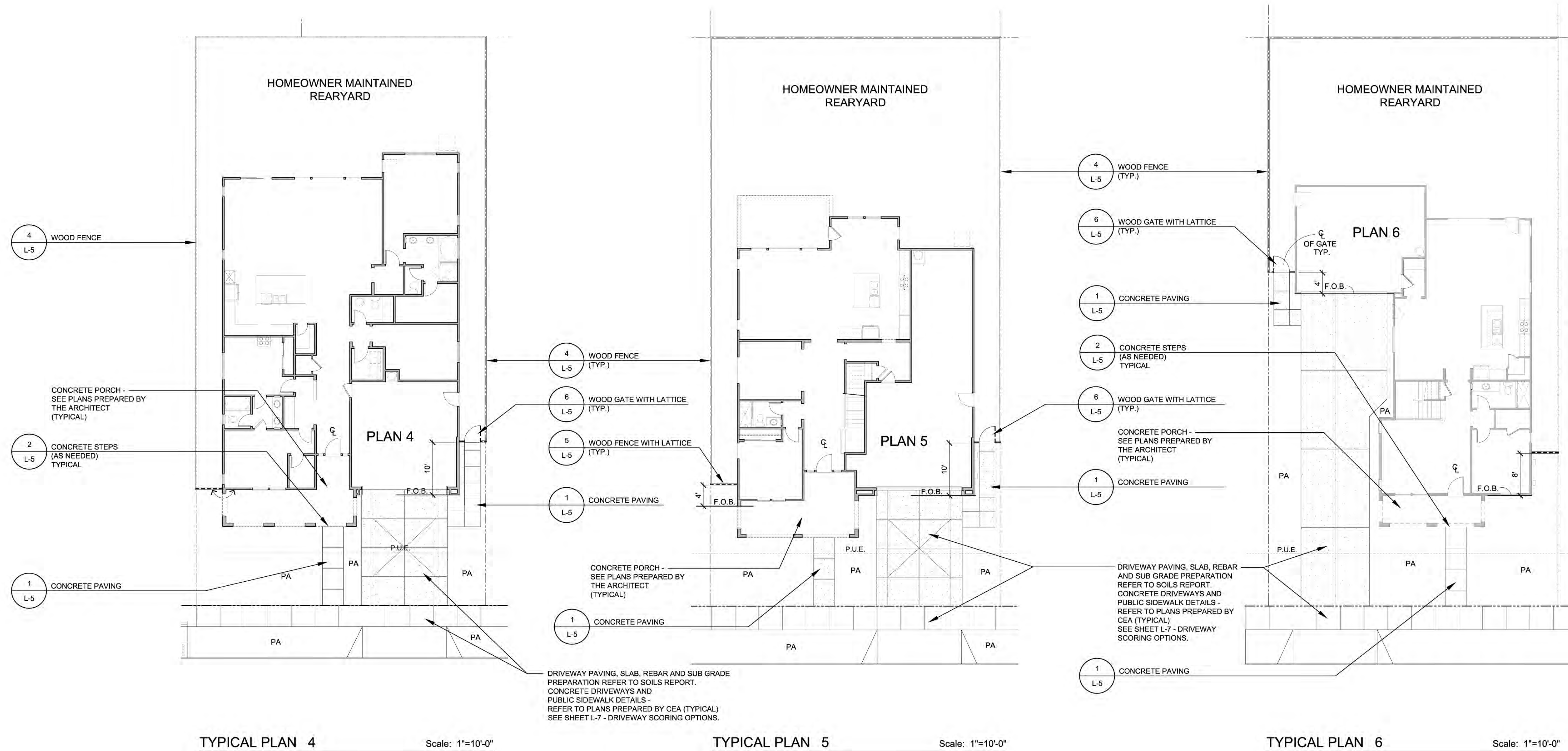
PROJECT MONUMENT:
SEE DETAIL 1 SHEET L-6

WOOD FENCE OVER RETAINING WALL:
WOOD TO BE CEDAR WITH STEEL POSTS, KEYSTONE RETAINING WALL BY OTHERS - SEE DETAIL 7 SHEET L-5

WOOD FENCE:
WOOD TO BE CEDAR WITH STEEL POSTS - SEE DETAIL 4 SHEET L-5

WOOD FENCE WITH LATTICE:
WOOD TO BE CEDAR WITH PTDF POSTS - SEE DETAIL 5 SHEET L-5

WOOD GATE WITH LATTICE:
WOOD TO BE CEDAR WITH PTDF POSTS - SEE DETAIL 6 SHEET L-5



GRADING AND DRAINAGE NOTES:

ENTRY WALKS: IN THE EVENT THAT STEPS ARE REQUIRED TO FRONT ENTRY OF HOMES (ENTRY WALK EXCEEDS 5%), A SINGLE 4.5" - 6.5" RISE STEP IS TO BE PROVIDED AT THE CONNECTION BETWEEN THE PORCH AND THE ENTRY WALK. IF ADDITIONAL STEPS ARE REQUIRED, INSTALL 4.5" - 6.5" RISE STEPS (4 RISERS MAX.) AT LOCATION INDICATED ON PLAN. MAINTAIN 5' @ 2% SLOPE BETWEEN SETS OF RISERS. WALKWAY LEADING TO STEPS FROM SIDEWALK OR DRIVEWAY SHALL BE LESS THAN 5%.

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SYMBOL LEGEND

F.O.B. FACE OF BUILDING
F.O.W. FACE OF WALL
F.O.C. FACE OF CURB
B.O.W. BACK OF WALK
PA PLANTING AREA
CL CENTERLINE
R RADIUS
ALIGN ALIGN

CONSTRUCTION LEGEND

CONCRETE PAVING:
CONCRETE TO BE NATURAL GREY WITH LIGHT BROOM FINISH - SEE DETAIL 1 SHEET L-14

DECORATIVE STEEL FENCE:
FENCE FROM WWW.AMERISTARFENCE.COM OR APPROVED EQUAL, COLOR TO BE BLACK - SEE DETAIL 3 SHEET L-5

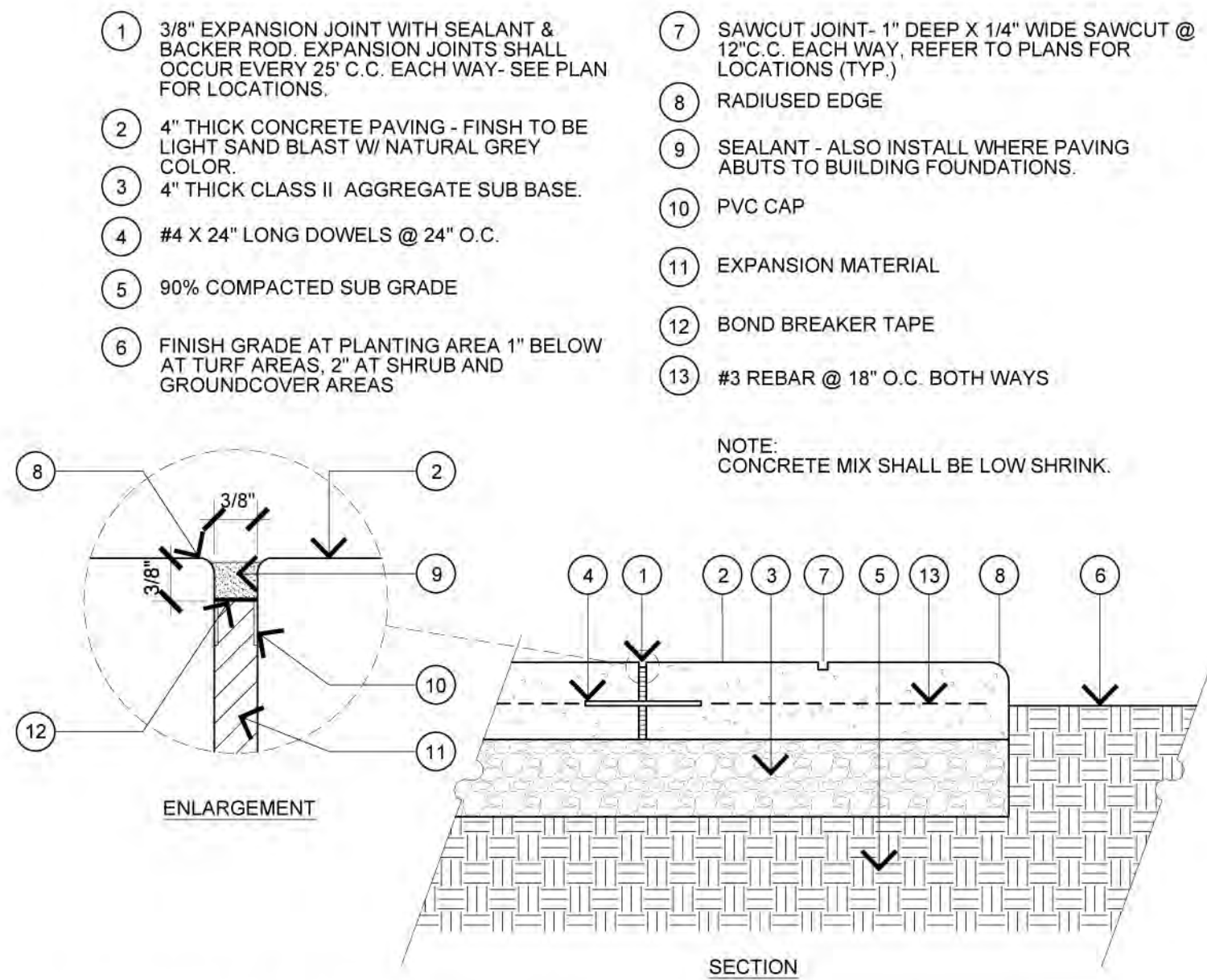
PROJECT MONUMENT:
SEE DETAIL 1 SHEET L-6

WOOD FENCE OVER RETAINING WALL:
WOOD TO BE CEDAR WITH STEEL POSTS, KEYSTONE RETAINING WALL BY OTHERS - SEE DETAIL 7 SHEET L-5

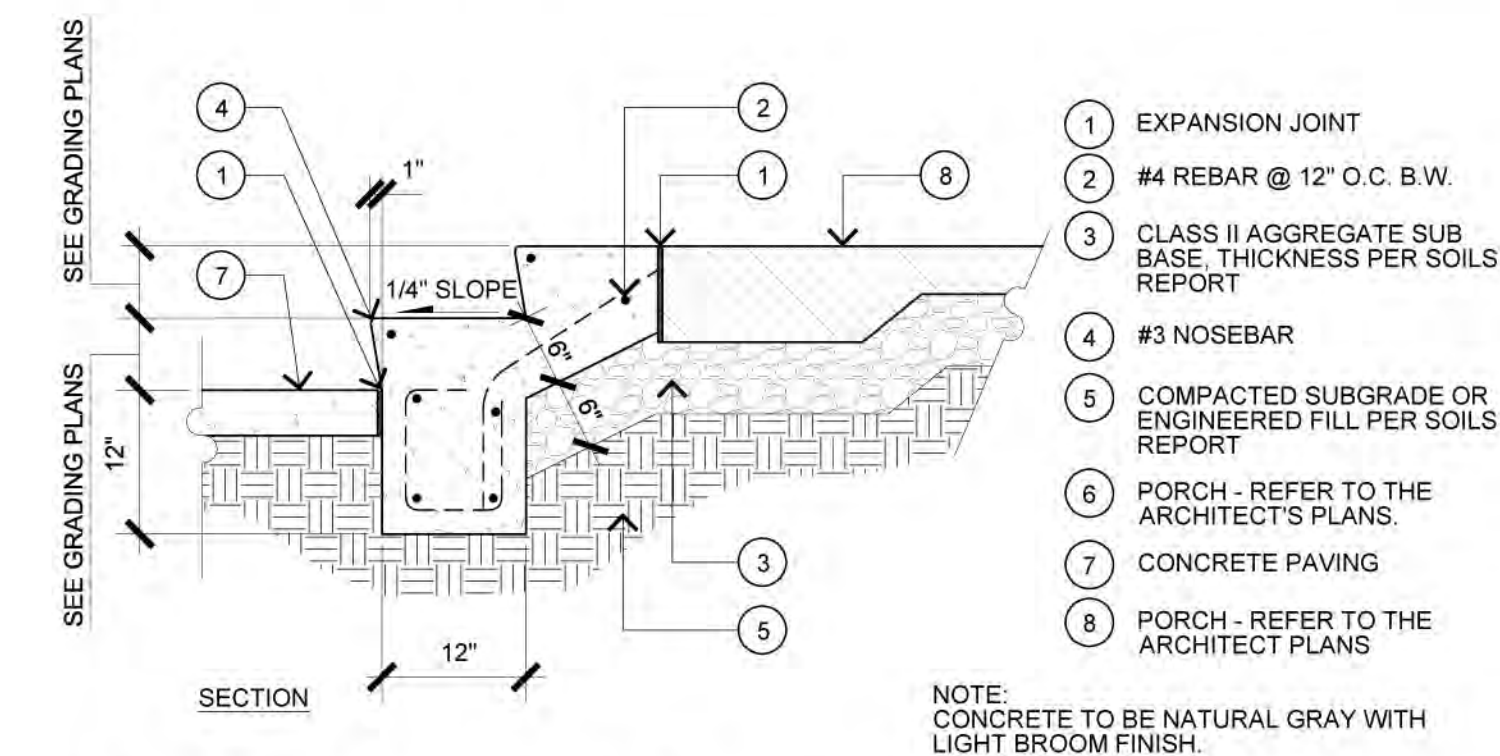
WOOD FENCE:
WOOD TO BE CEDAR WITH STEEL POSTS - SEE DETAIL 4 SHEET L-5

WOOD FENCE WITH LATTICE:
WOOD TO BE CEDAR WITH PTDF POSTS - SEE DETAIL 5 SHEET L-5

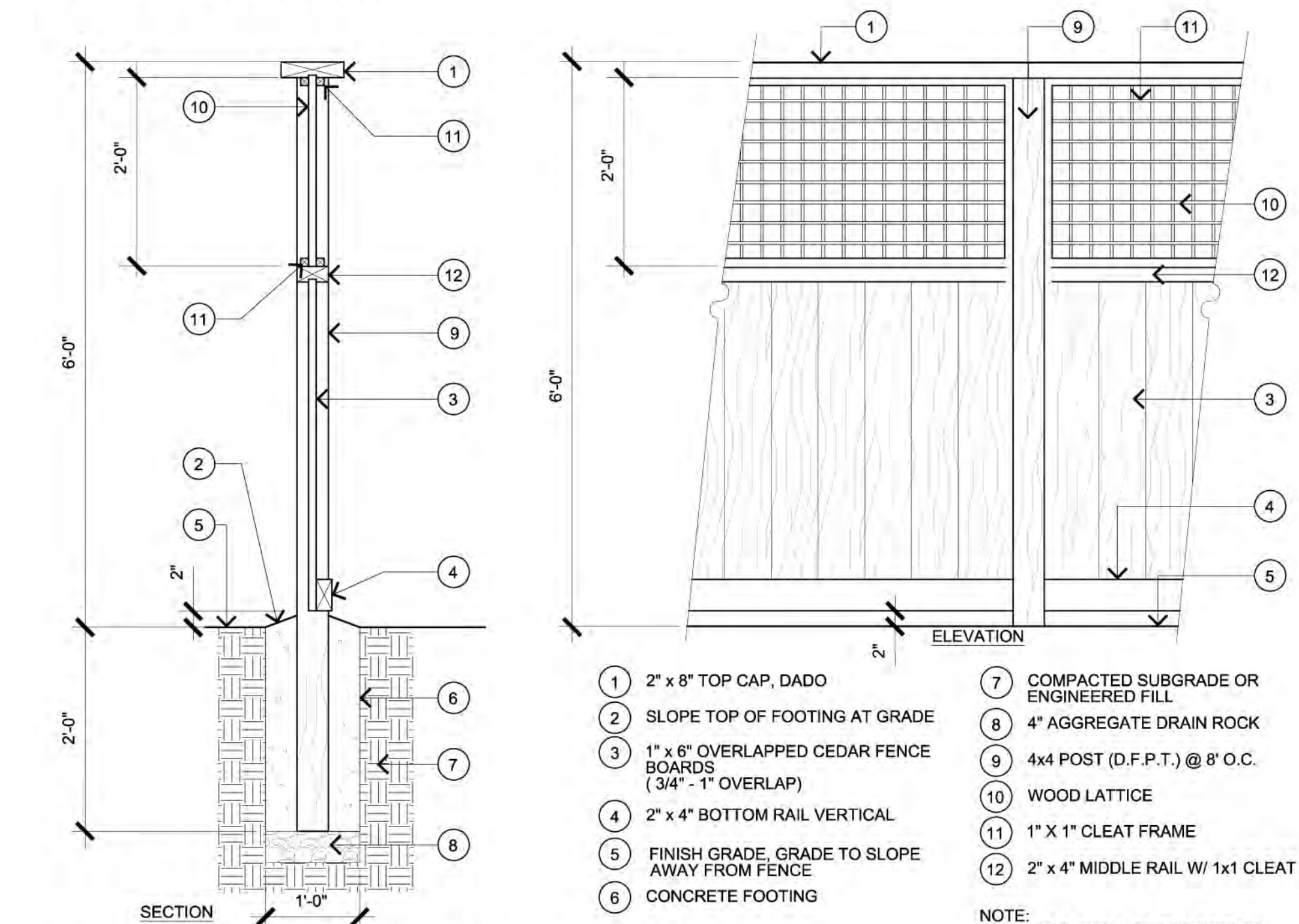
WOOD GATE WITH LATTICE:
WOOD TO BE CEDAR WITH PTDF POSTS - SEE DETAIL 6 SHEET L-5



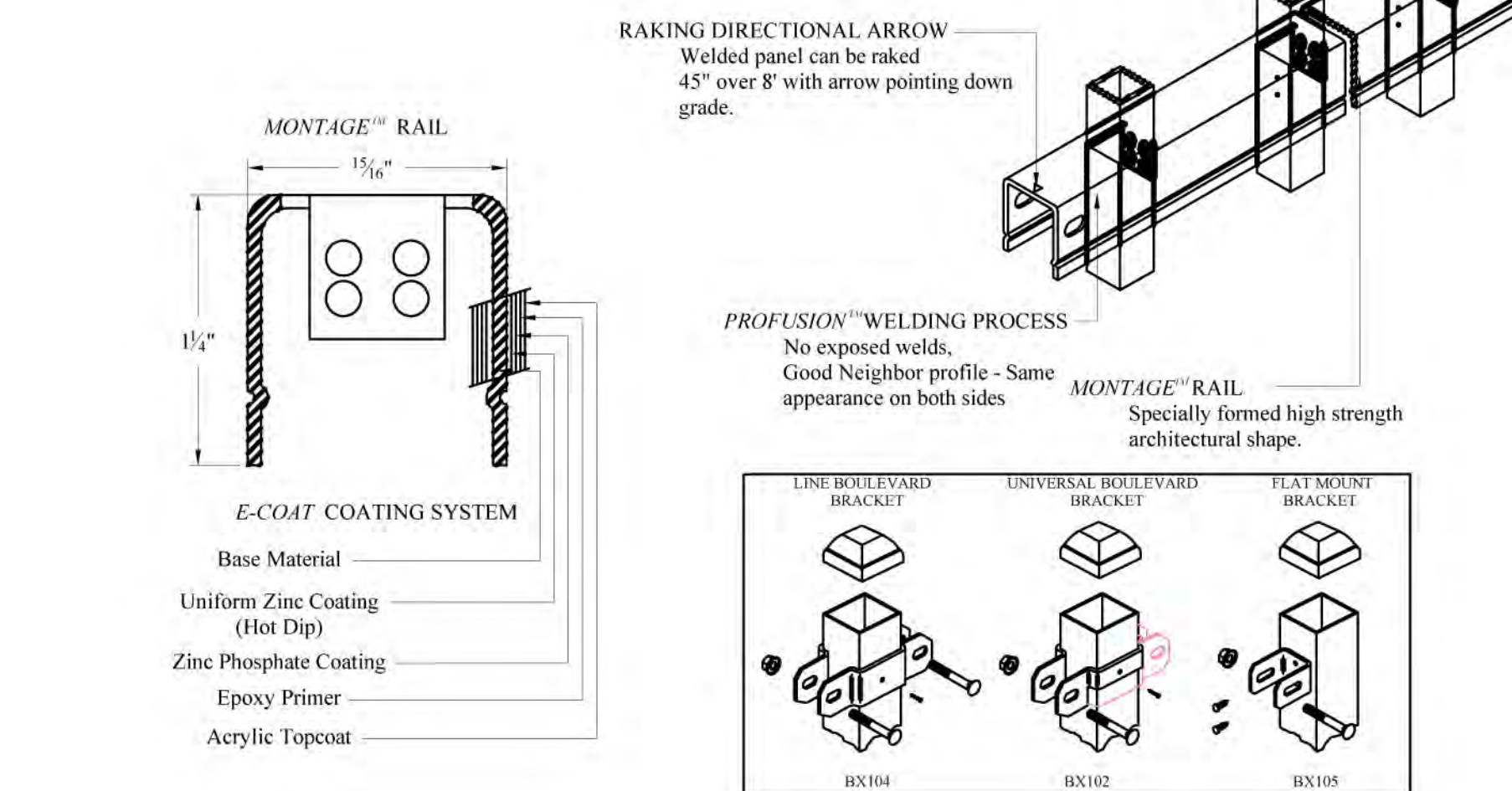
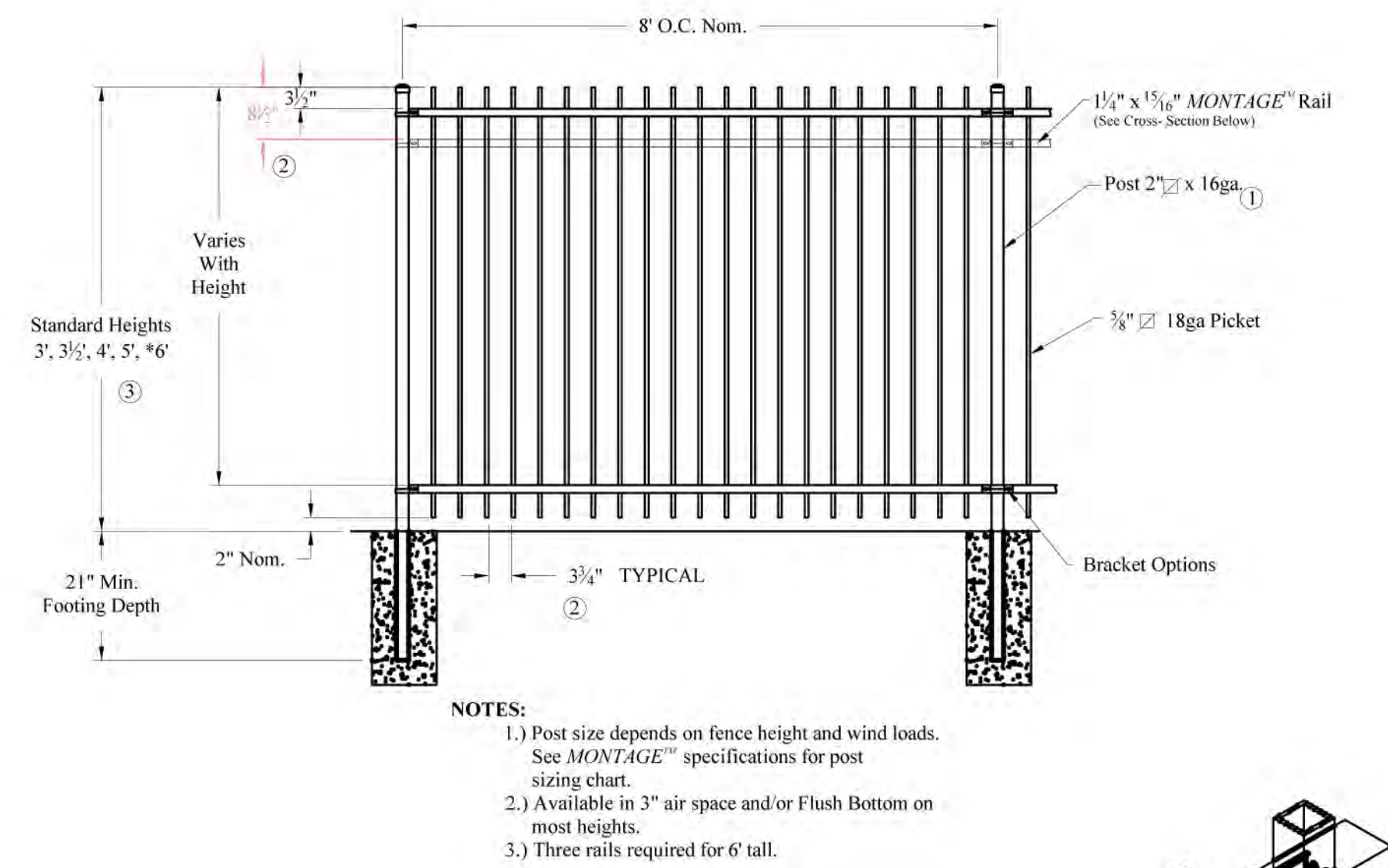
1 CONCRETE PAVING SCALE: 1 1/2"=1'-0"



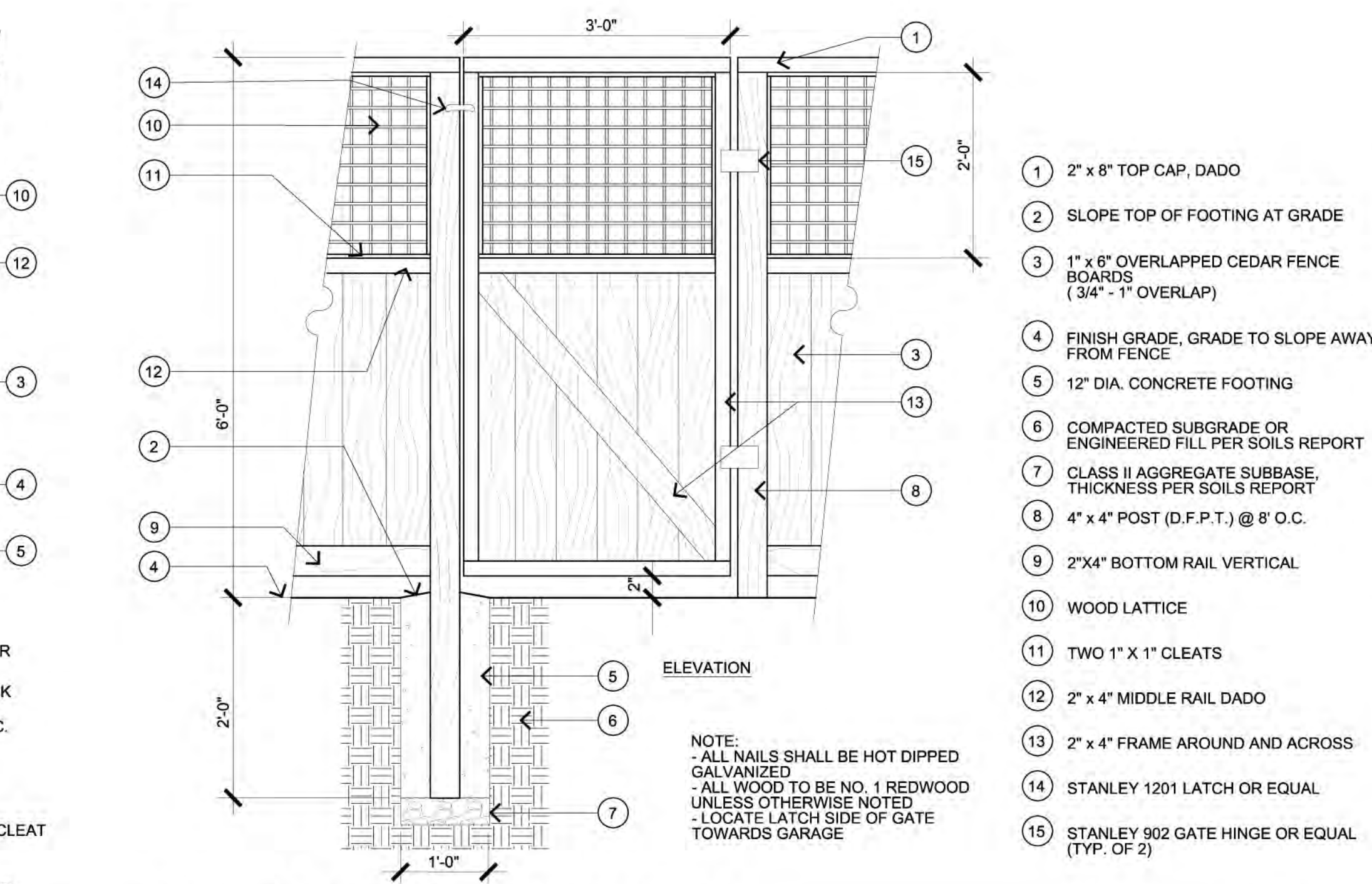
2 CONCRETE STEPS (AS NEEDED) SCALE: 3/4"=1'-0"



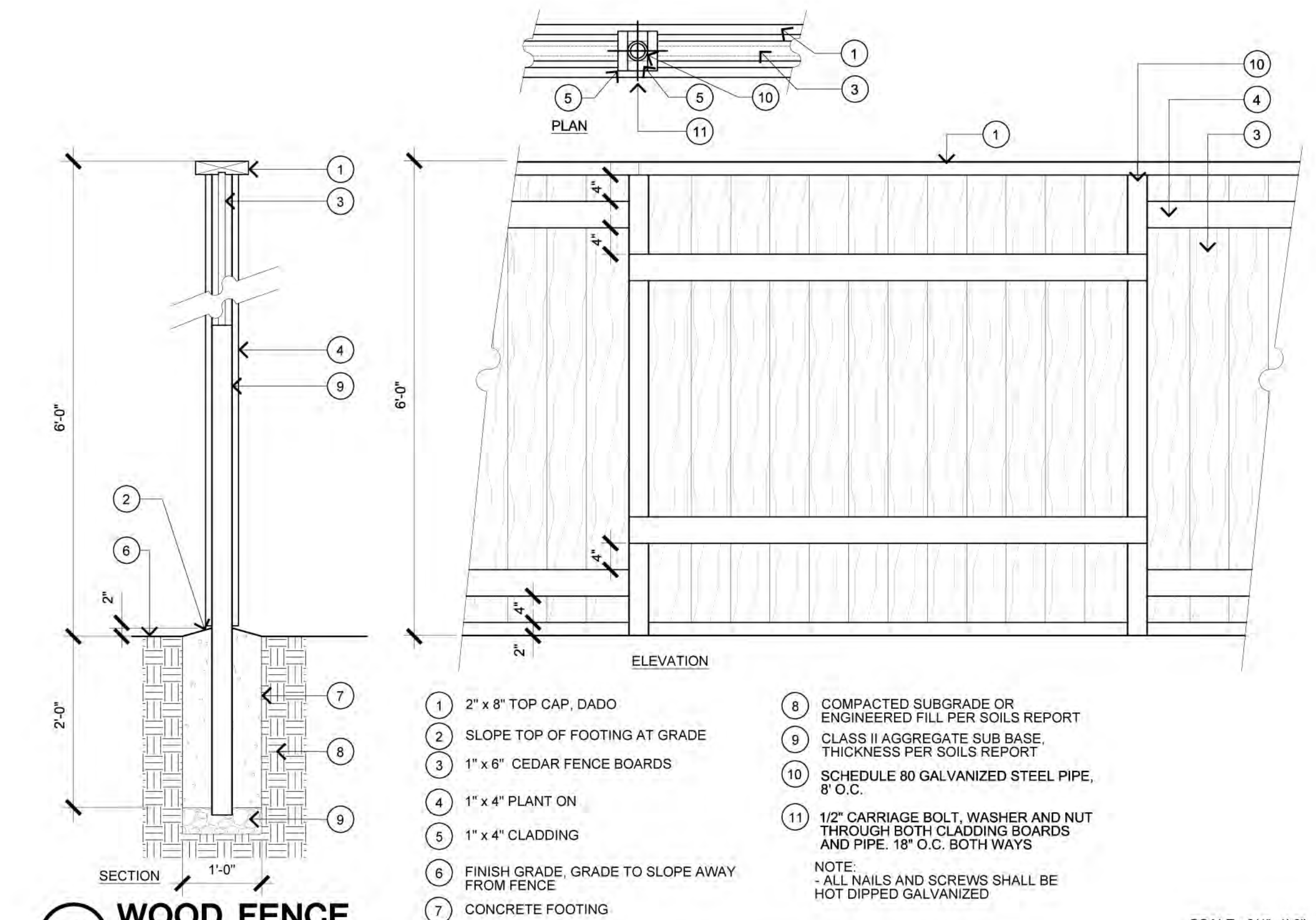
5 WOOD FENCE WITH LATTICE SCALE: 3/4"=1'-0"



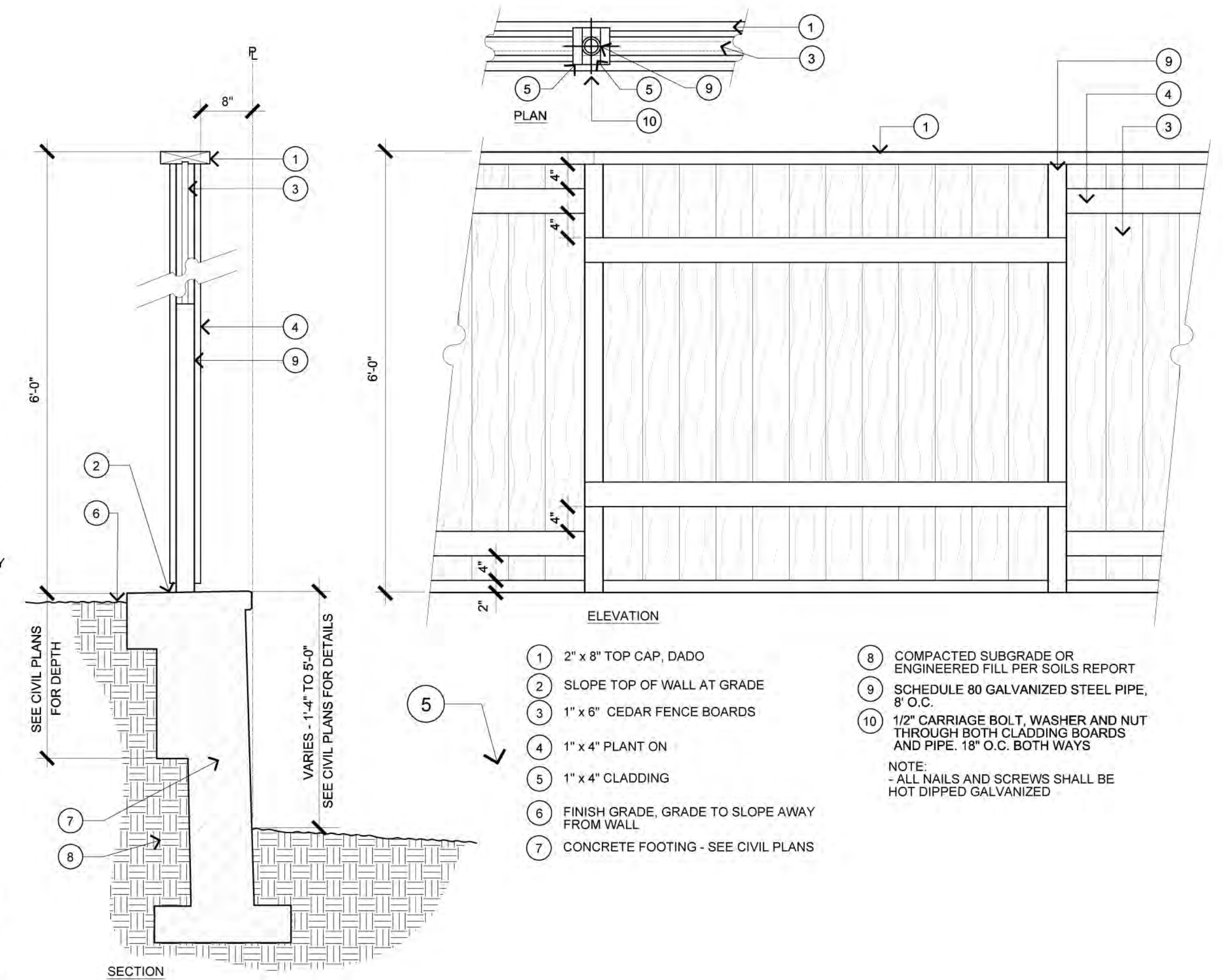
3 DECORATIVE STEEL FENCE



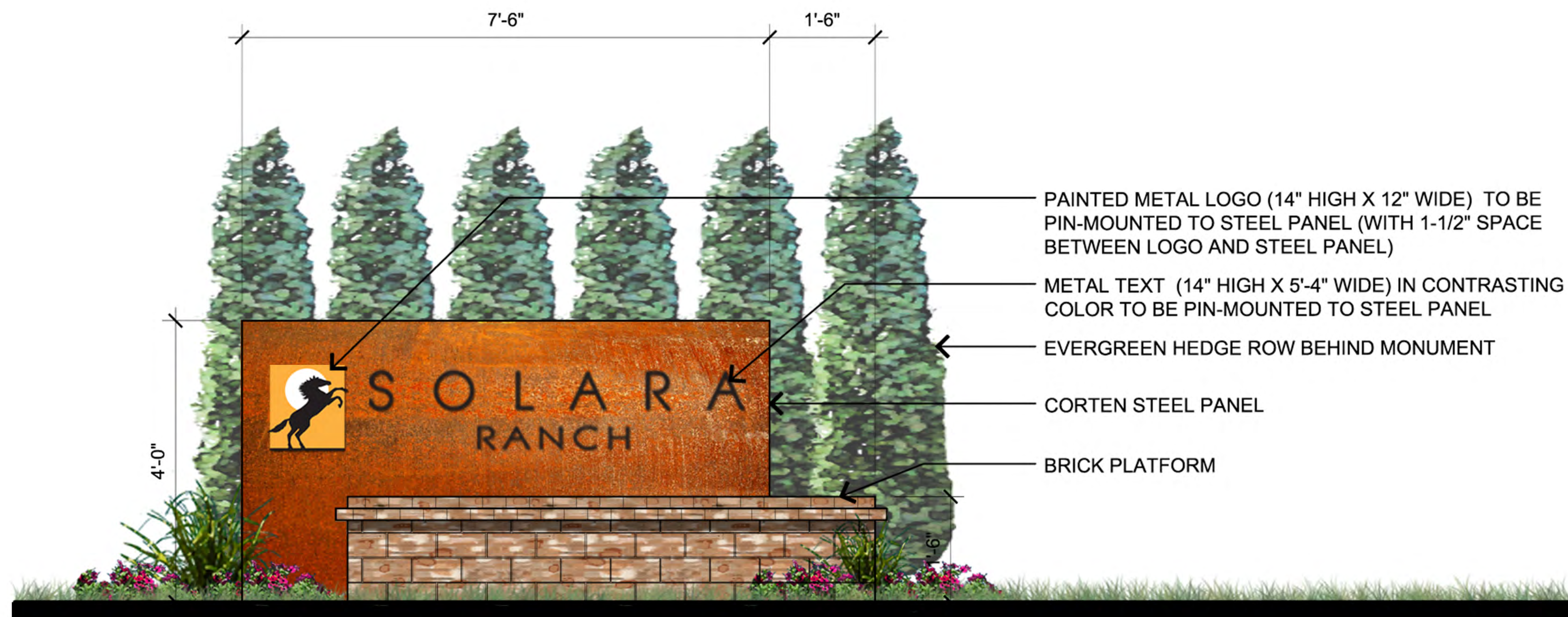
6 WOOD GATE WITH LATTICE SCALE: 3/4"=1'-0"



4 WOOD FENCE SCALE: 3/4"=1'-0"



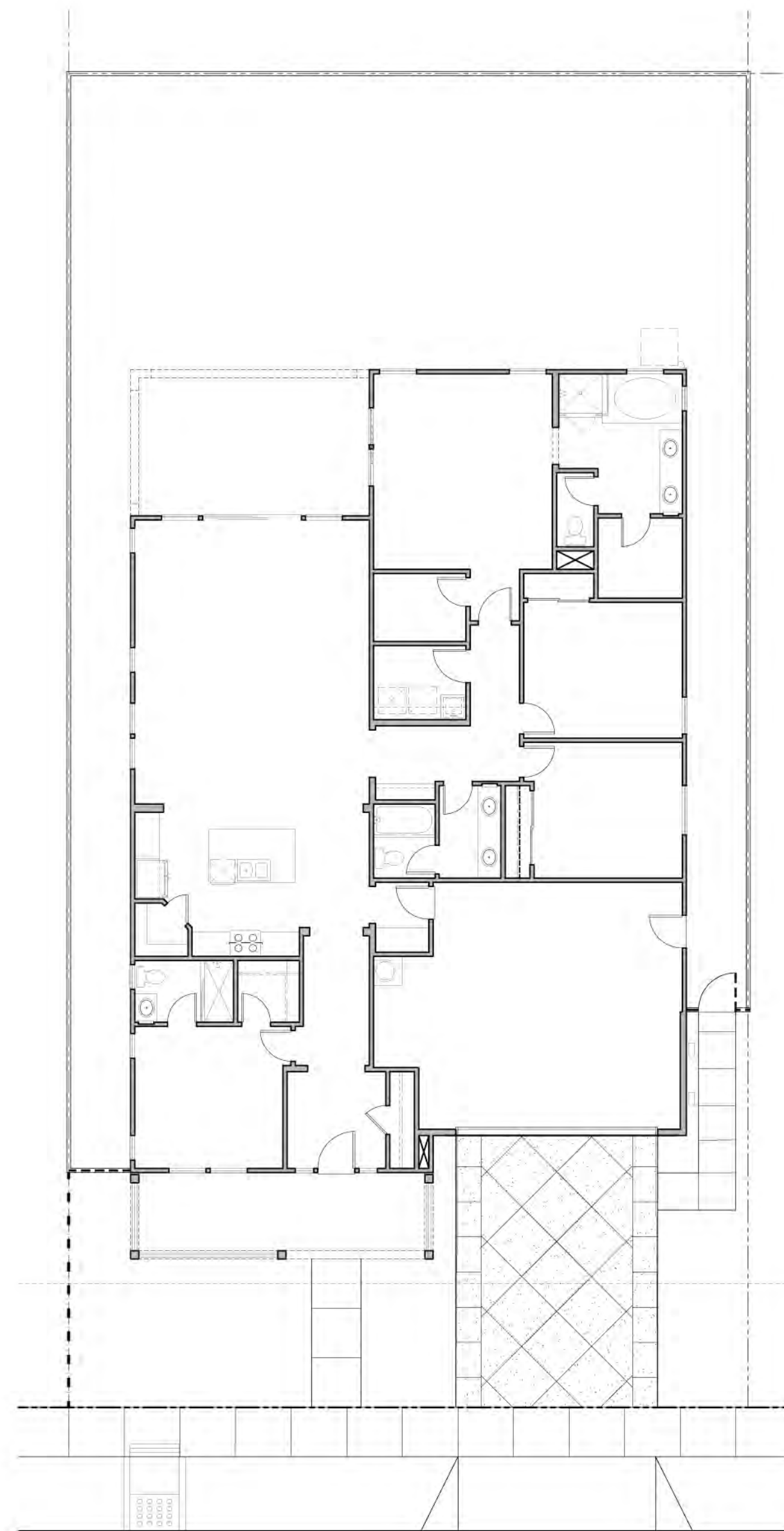
7 WOOD FENCE OVER RETAINING WALL SCALE: 3/4"=1'-0"



Elevation

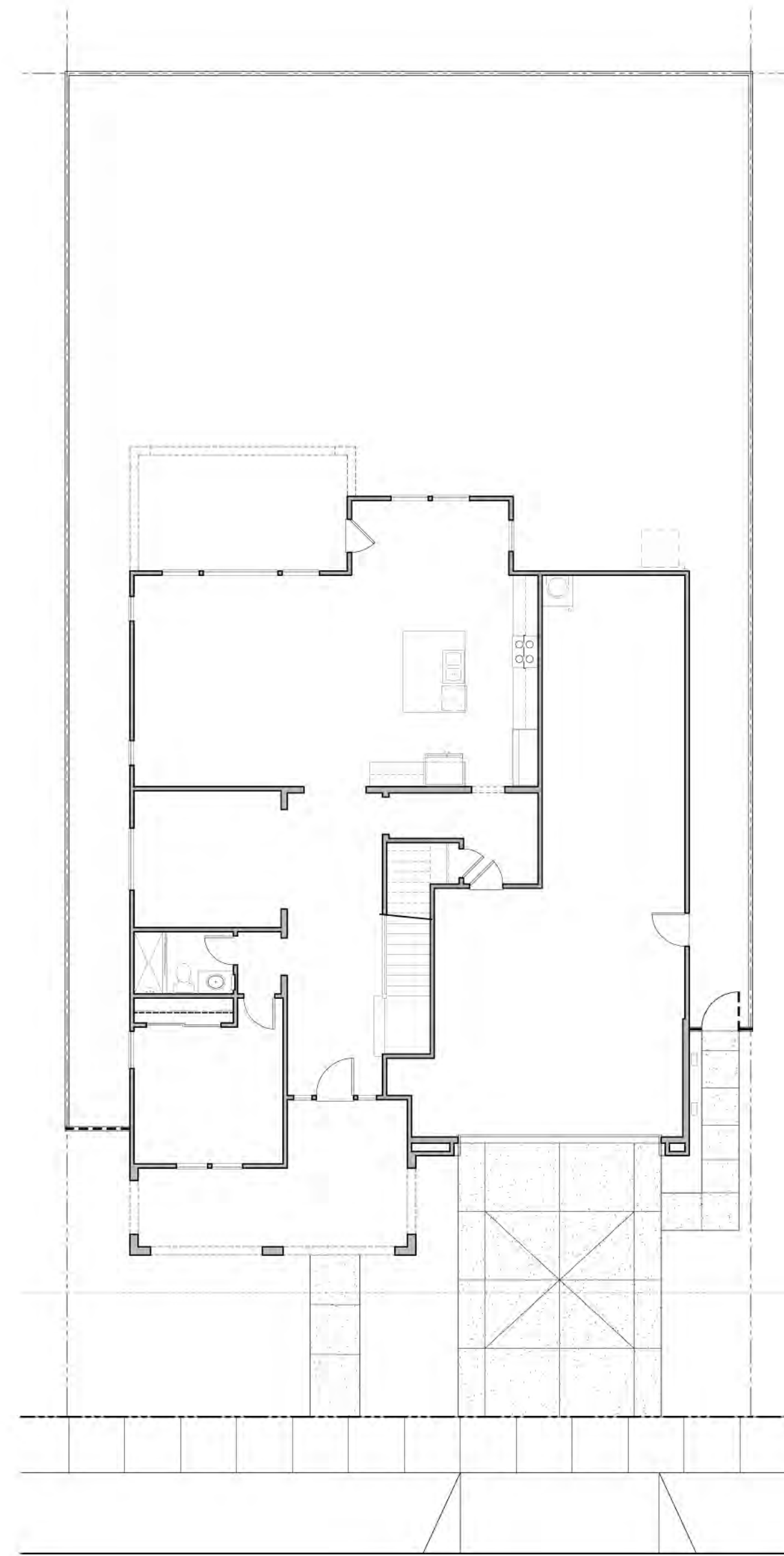
Scale: 1"=1'-0"

Entry Monument Concept



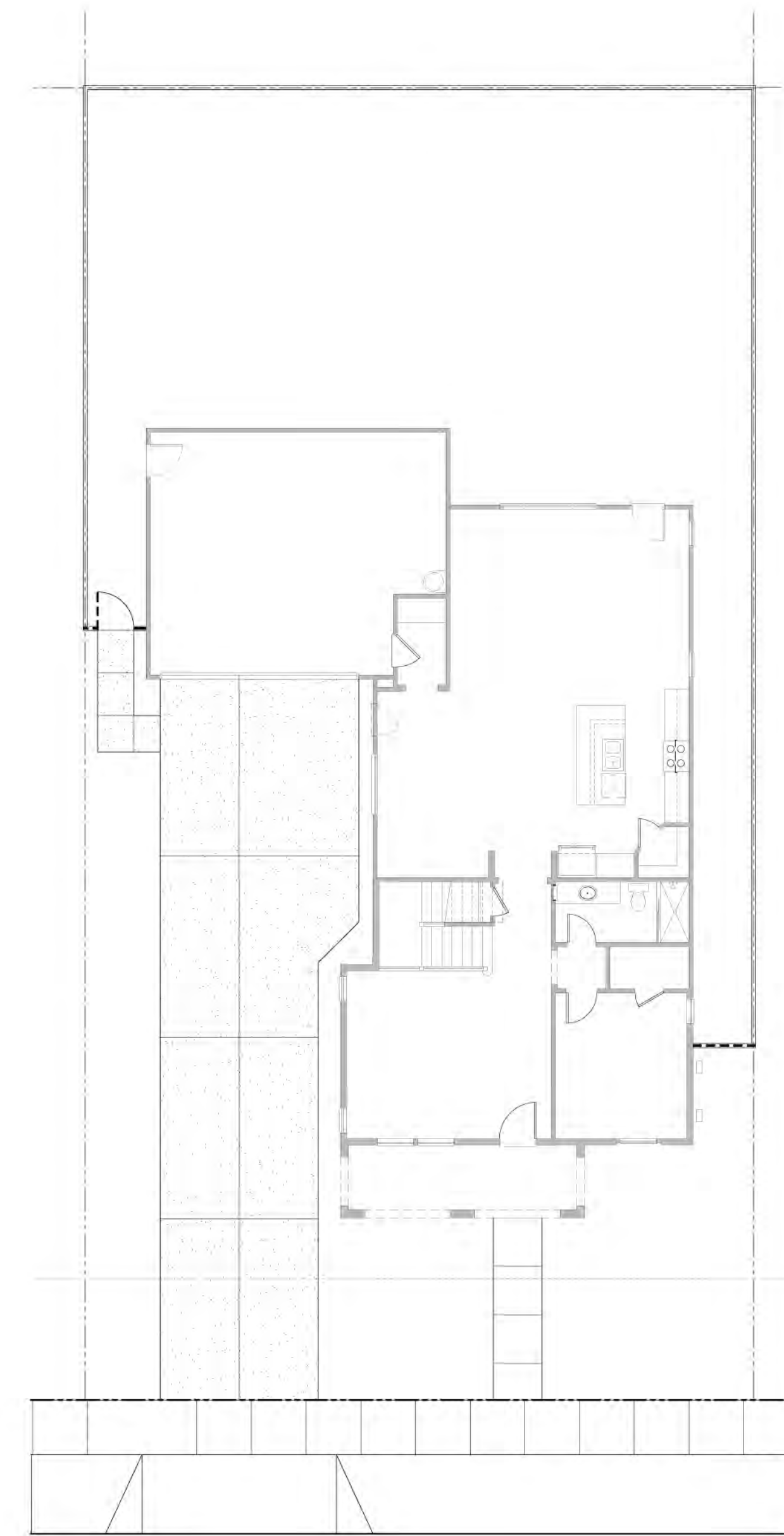
ELEVATION A Scale: 1"=10'-0"

Lots: 2,5,6,7,11,14,17,19,23,24,28,30,33,35,40,42,43,
49,52,55,58,64,67,68,71,76,78,80,83,84,86,91,93,94



ELEVATION B Scale: 1"=10'-0"

Lots: 3,8,10,13,15,21,22,25,26,29,32,36,38,41,45,46,48,53,56,
57,61,62,65,70,72,73,79,81,87,88,92



ELEVATION C Scale: 1"=10'-0"

Lots: 1,4,9,12,16,18,20,27,31,34,37,39,44,47,50,51,54,59,60,63,
66,69,74,75,77,82,85,89,90

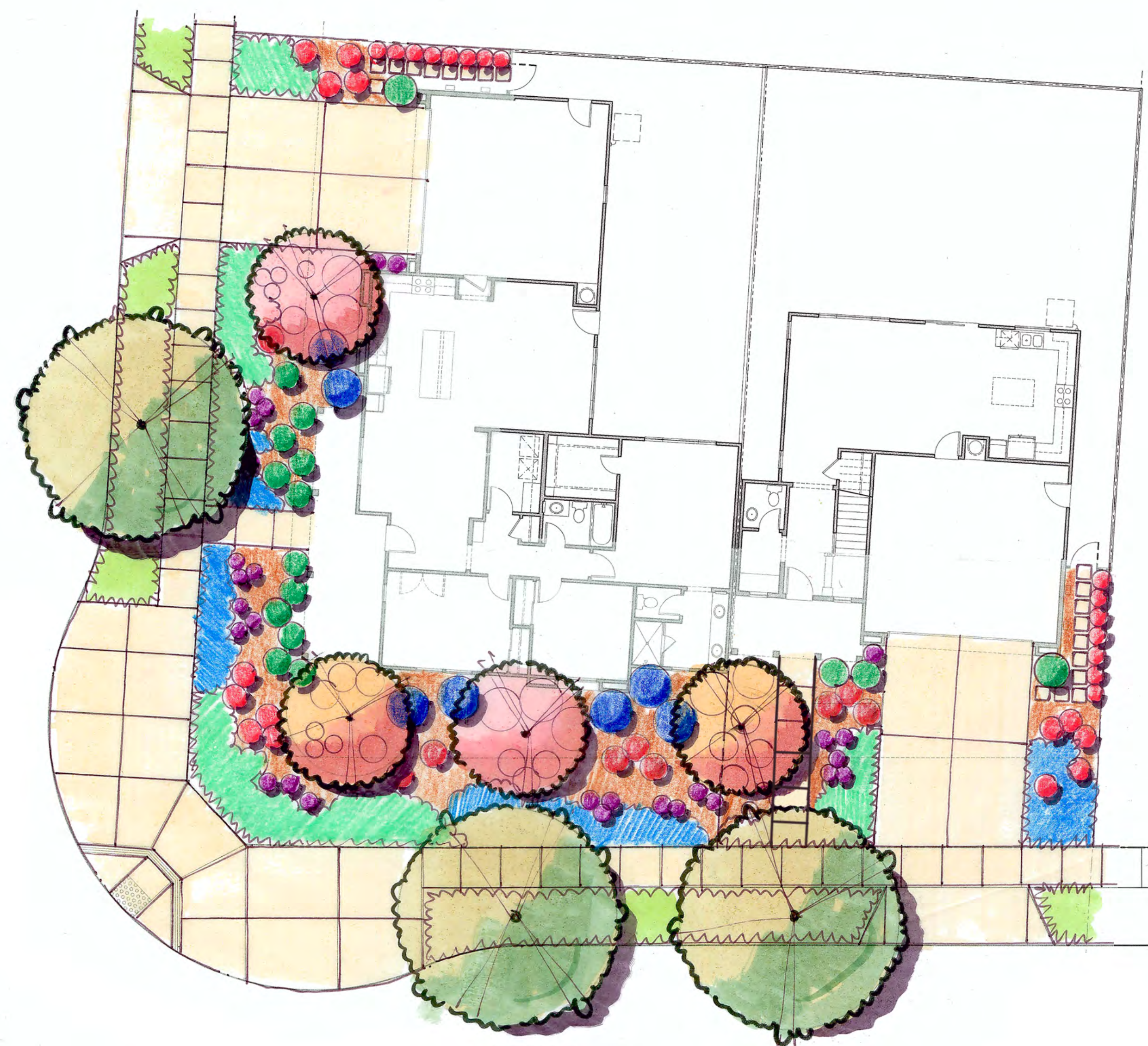
Driveway Scoring Options

SOLARA RANCH Woodland, California

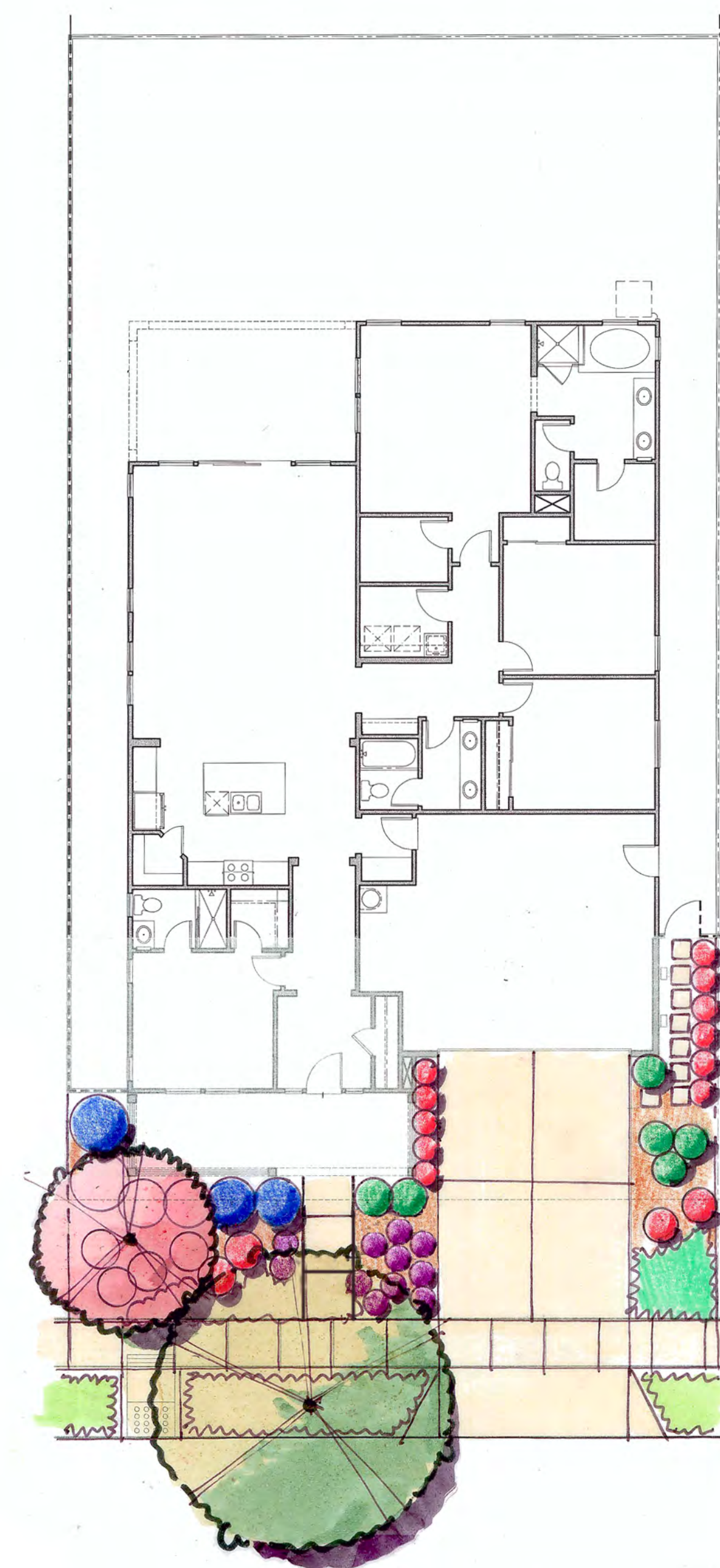
L-7

JANUARY 2015





TYPICAL PLAN 1 & 2
(Corner Lots only) Scale: 1"=10'-0"



TYPICAL PLAN 3 Scale: 1"=10'-0"

FOR PROPOSED PLANTING LEGENDS REFER TO SHEET L-10

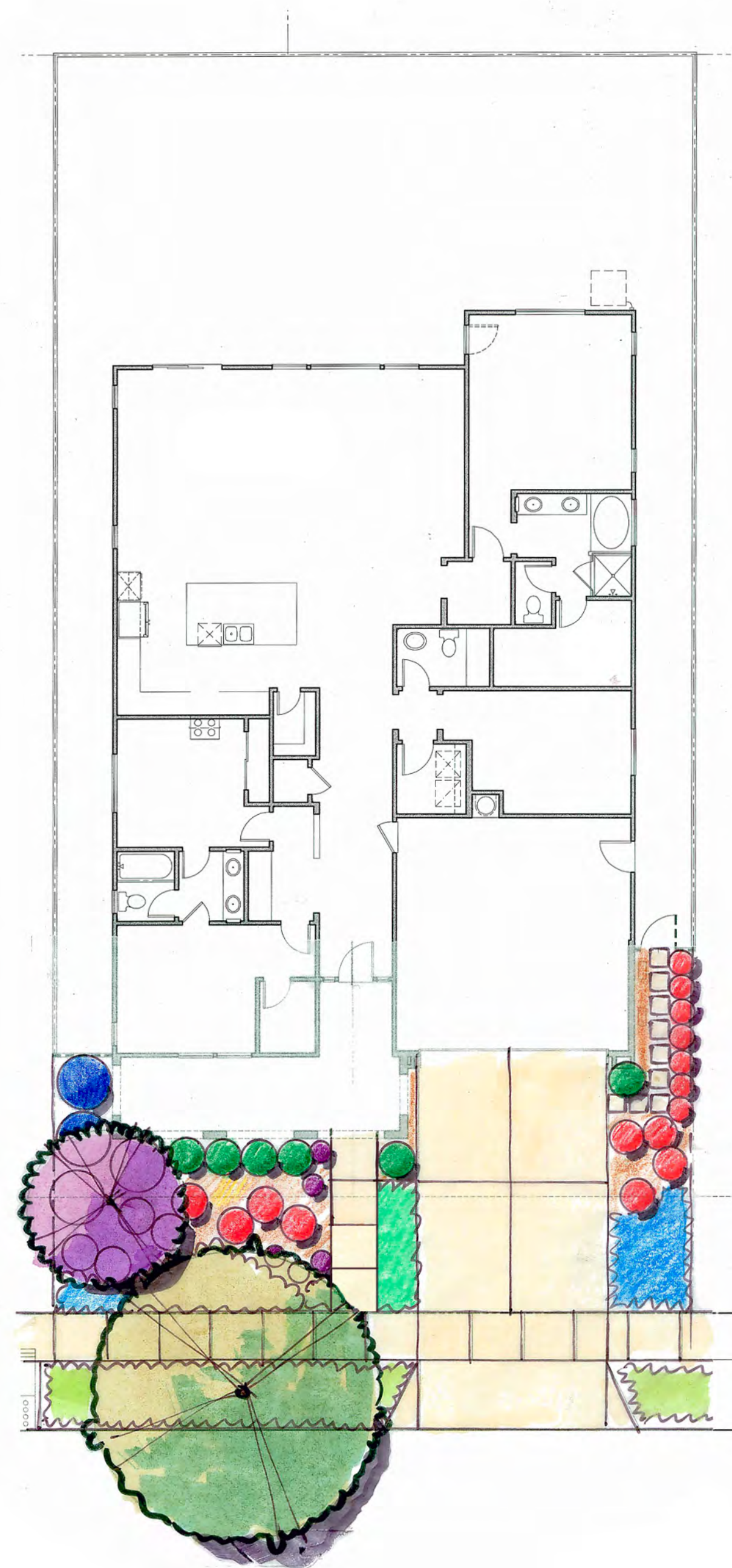
Typical Front Yard Landscape Concepts

SOLARA RANCH Woodland, California

JANUARY 2015

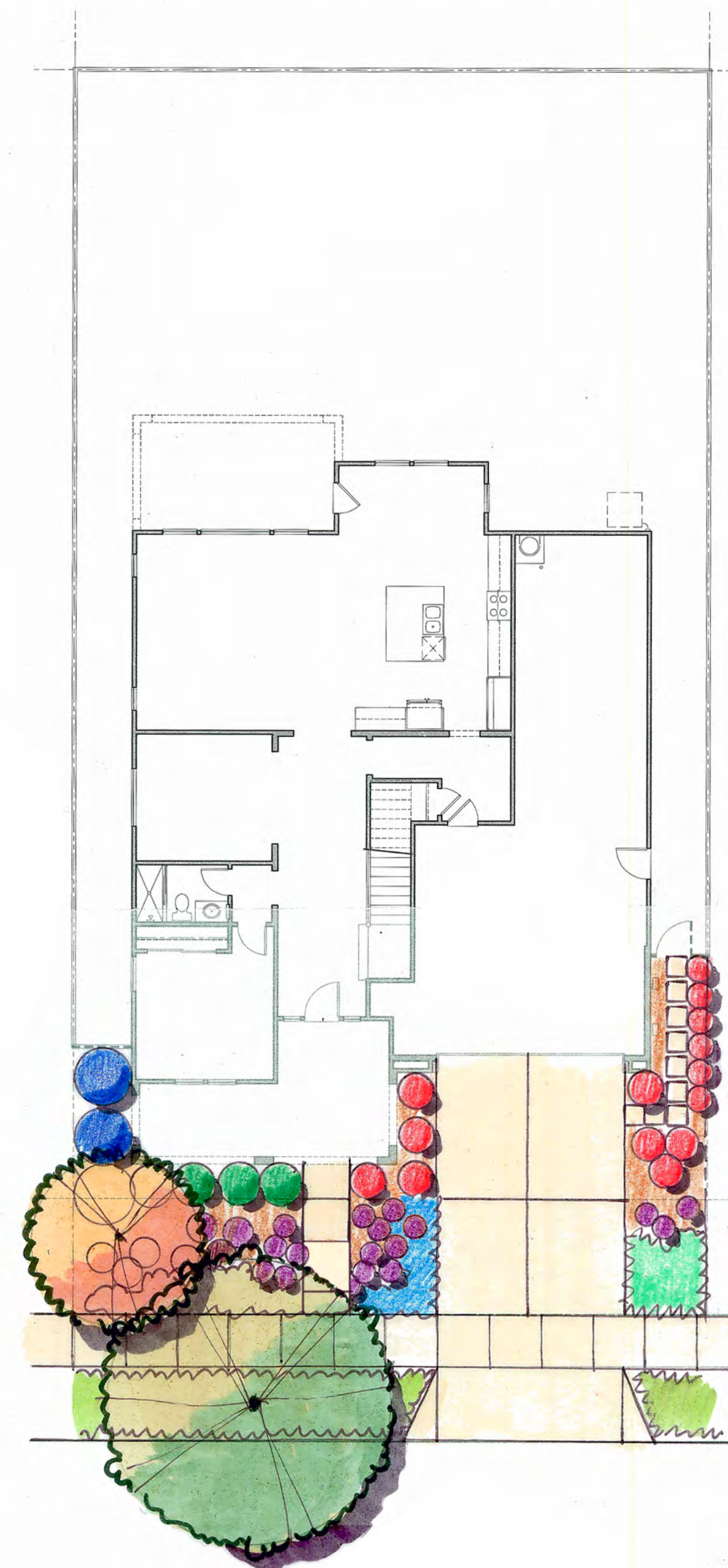
L-8





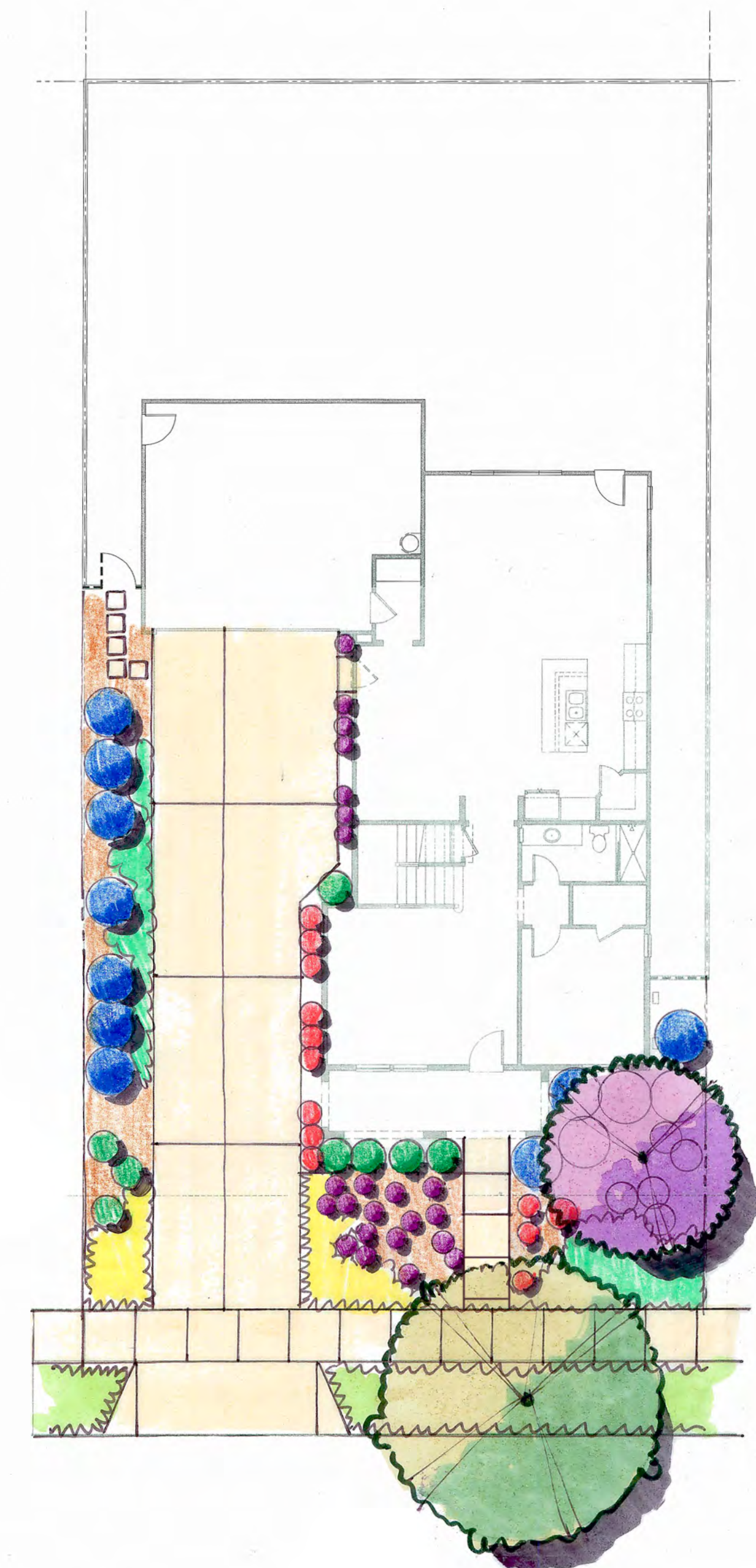
TYPICAL PLAN 4

Scale: 1"=10'-0"



TYPICAL PLAN 5

Scale: 1"=10'-0"



TYPICAL PLAN 6

Scale: 1"=10'-0"

FOR PROPOSED PLANTING LEGENDS REFER TO SHEET L-10

Typical Front Yard Landscape Concepts

SOLARA RANCH Woodland, California

L-9

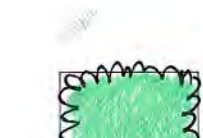
JANUARY 2015



PROPOSED PLANTING LEGENDS
PLAN 1

SYMBOL	BOTANICAL NAME	COMMON NAME	CONTAINER SIZE	EXPOSURE	COMMENTS	WUCOLS
	STREET TREE: ZELKOVA SERRATA 'VILLAGE GREEN'	SAW LEAF ZELKOVA	24" BOX	N/A	STANDARD	M
	ACCENT TREE: LAGERSTROEMIA INDICA 'NATCHEZ'	WHITE FLOWER CRAPE MYRTLE	15 GALLON	N/A	STANDARD	L
	SHRUB A: GREVILLEA NOELII LOROPETALUM CHINESE	NCN NCN	5 GALLON 5 GALLON	SUN PART SHADE		L M
	SHRUB B: DIETES VEGETA ROSA SP.	FORTNIGHT LILY ROSE	5 GALLON 2 GALLON	SUN SUN		M L
	SHRUB C: LAVANDULA STOECHAS PHORMIUM SP.	SPANISH LAVENDER DWARF FLAX	1 GALLON 1 GALLON	SUN SHADE/SUN		L L
	SHRUB D: HEMEROCALLIS HYBRIDS 'ORANGE/YELLOW MIX 50/50' AGAPANTHUS 'PETER PAN'	EVERGREEN DAYLILY DWARF LILY OF THE NILE	1 GALLON 1 GALLON	SUN SHADE/SUN		M M
	GROUNDCOVERS: CORREA REFLEXA 'CAPE CARPET' LANTANA MONTEVIDENSIS 'SPREADING SUNSET'	AUSTRALIAN FUCHSIA TRAILING LANTANA	1 GALLON 1 GALLON	SHADE/SUN SUN		L L

PLAN 4

SYMBOL	BOTANICAL NAME	COMMON NAME	CONTAINER SIZE	EXPOSURE	COMMENTS	WUCOLS
	STREET TREE: ZELKOVA SERRATA 'VILLAGE GREEN'	SAW LEAF ZELKOVA	24" BOX	N/A	STANDARD	M
	ACCENT TREE: LAGERSTROEMIA INDICA 'MUSKOGEE'	PINK-FLOWER CRAPE MYRTLE	15 GALLON	N/A	STANDARD	L
	SHRUB A: CISTUS PURPUREUS LOROPETALUM CHINESE	PINK FLOWER ROCKROSE NCN	5 GALLON 5 GALLON	SUN PART SHADE		L L
	SHRUB B: CALLISTEMON 'LITTLE JOHN' ROSA SP.	DWARF BOTTLE BRUSH ROSE	1 GALLON 5 GALLON	SUN SUN		M L
	SHRUB C: LAVANDULA ANGUSTIFOLIA PHORMIUM SP.	DWARF ENGLISH LAVENDER DWARF NEW ZEALAND FLAX	1 GALLON 1 GALLON	SUN SHADE/SUN		L L
	SHRUB D: DIANELLA TASMANICA PENNISETUM ALOPECUROIDES 'LITTLE BUNNY'	FLAX LILY DWARF FOUNTAIN GRASS	1 GALLON 1 GALLON	SHADE/SUN SUN		M L
	GROUNDCOVERS: ROSE WHITE DRIFT LANTANA MONTEVIDENSIS	WHITE GROUNDCOVER ROSE TRAILING LANTANA	2 GALLON 1 GALLON	SUN SUN		L L

PLAN 2

SYMBOL	BOTANICAL NAME	COMMON NAME	CONTAINER SIZE	EXPOSURE	COMMENTS	WUCOLS
	STREET TREE: ZELKOVA SERRATA 'VILLAGE GREEN'	SAW LEAF ZELKOVA	24" BOX	N/A	STANDARD	M
	ACCENT TREE: CERCIS CANADENSIS	EASTERN RED BUD	15 GALLON	N/A	STANDARD	L
	SHRUB A: ROSMARINUS 'BLUE SPIRES' ARBUTUS UNEDO 'COMPACTA'	UPRIGHT ROSEMARY DWARF STRAWBERRY TREE	5 GALLON 5 GALLON	SUN SHADE/SUN		L L
	SHRUB B: DIETES VEGETA CALLISTEMON 'LITTLE JOHN'	FORTNIGHT LILY DWARF BOTTLE BRUSH	5 GALLON 5 GALLON	SHADE/SUN SUN		L L
	SHRUB C: ROSA 'MEDILAND WHITE' LAVANDULA ANGUSTIFOLIA SPECIES	WHITE MEDILAND ROSE DWARF ENGLISH LAVENDER	2 GALLON 1 GALLON	SUN SUN		L L
	SHRUB D: AGAPANTHUS 'PETER PAN' CORREA 'RAY'S TANGERINE'	DWARF LILY OF THE NILE AUSTRALIAN FUCHSIA	1 GALLON 1 GALLON	SUN/SHADE SHADE/SUN		M L
	GROUNDCOVERS: LANTANA MONTEVIDENSIS ROSA 'PINK DRIFT'	TRAILING LANTANA PINK GROUNDCOVER ROSE	1 GALLON 2 GALLON	SUN SUN		L L

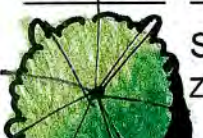
PLAN 5

SYMBOL	BOTANICAL NAME	COMMON NAME	CONTAINER SIZE	EXPOSURE	COMMENTS	WUCOLS
	STREET TREE: ZELKOVA SERRATA 'VILLAGE GREEN'	SAW LEAF ZELKOVA	24" BOX	N/A	STANDARD	M
	ACCENT TREE: CRATAEGUS LAVIGATE 'PAUL'S SCARLET'	ENGLISH HAWTHORN	15 GALLON	N/A	STANDARD	L
	SHRUB A: GREVILLEA NOELII ARBUTUS UNEDO 'COMPACTA'	NCN DWARF STRAWBERRY TREE	5 GALLON 5 GALLON	SUN SHADE/SUN		L L
	SHRUB B: DIETES BICOLOR EURYOPS PECTINATUS 'MUNCHKIN'	FORTNIGHT LILY EURYOPS DAISY	5 GALLON 5 GALLON	SHADE/SUN SUN		L L
	SHRUB C: ROSA 'MEDILAND WHITE' POTENTILLA 'GOLDSTAR'	WHITE MEDILAND ROSE CINQUEFOIL	2 GALLON 1 GALLON	SUN SUN/SHADE		L L
	SHRUB D: AGAPANTHUS 'PETER PAN' PENNISETUM ALOPECUROIDES 'LITTLE BUNNY'	DWARF LILY OF THE NILE DWARF FOUNTAIN GRASS	1 GALLON 1 GALLON	SUN/SHADE SUN		M L
	GROUNDCOVERS: CORREA REFLEXA 'CAPE CARPET' ROSA 'WHITE DRIFT'	AUSTRALIAN FUCHSIA WHITE GROUNDCOVER ROSE	1 GALLON 2 GALLON	SHADE/SUN SUN		L L

PLAN 3

SYMBOL	BOTANICAL NAME	COMMON NAME	CONTAINER SIZE	EXPOSURE	COMMENTS	WUCOLS
	STREET TREE: ZELKOVA SERRATA 'VILLAGE GREEN'	SAW LEAF ZELKOVA	24" BOX	N/A	STANDARD	M
	ACCENT TREE: MALUS FLORIBUNDA 'PRAIRIFIRE'	FLOWERING CRABAPPLE	15 GALLON	N/A	STANDARD	L
	SHRUB A: RHAPHIOLEPIS INDICA 'SPRING RAPTURE' ARBUTUS UNEDO 'COMPACTA'	INDIAN HAWTHORN DWARF STRAWBERRY TREE	5 GALLON 5 GALLON	SUN SHADE		L L
	SHRUB B: FESTUCA MAIREI DIETES BICOLOR	ATLAS FESCUE FORTNIGHT LILY	1 GALLON 5 GALLON	SUN SHADE/SUN		L L
	SHRUB C: ROSA 'MEDILAND RED' PITTOSPORUM TOBIRA 'WHEELER'S DWARF'	RED MEDILAND ROSE PITTOSPORUM	2 GALLON 1 GALLON	SUN SUN/SHADE		L L
	SHRUB D: CORREA 'RAY'S TANGERINE' HEMEROCALLIS HYBRIDS 'ORANGE/YELLOW MIX 50/50'	AUSTRALIAN FUCHSIA EVERGREEN DAYLILY	1 GALLON 1 GALLON	SHADE/SUN SUN		L M
	GROUNDCOVERS: LANTANA 'SPREADING SUNSET' ROSA 'PINK DRIFT'	TRAILING LANTANA PINK GROUNDCOVER ROSE	1 GALLON 2 GALLON	SUN SUN		L L

PLAN 6

SYMBOL	BOTANICAL NAME	COMMON NAME	CONTAINER SIZE	EXPOSURE	COMMENTS	WUCOLS
	STREET TREE: ZELKOVA SERRATA 'VILLAGE GREEN'	SAW LEAF ZELKOVA	24" BOX	N/A	STANDARD	M
	ACCENT TREE: LAGERSTROEMIA INDICA 'TUSCORORA'	RED-FLOWER CRAPE MYRTLE	15 GALLON	N/A	STANDARD	L
	SHRUB A: CISTUS PURPUREUS ROSMARINUS 'BLUE SPIRES'	PINK FLOWER ROCKROSE UPRIGHT ROSEMARY	5 GALLON 5 GALLON	SUN SUN		L L
	SHRUB B: EURYOPS PECTINATUS 'MUNCHKIN' FESTUCA MAIREI	EURYOPS DAISY ATLAS FESCUE	5 GALLON 1 GALLON	SUN SUN		L L
	SHRUB C: PHORMIUM SP. POTENTILLA 'GOLDSTAR'	DWARF NEW ZEALAND FLAX CINQUEFOIL	1 GALLON 1 GALLON	SHADE/SUN SUN/SHADE		L L
	SHRUB D: DIANELLA TASMANICA HEMEROCALLIS HYBRIDS 'ORANGE/YELLOW MIX 50/50'	FLAX LILY EVERGREEN DAYLILY	1 GALLON 1 GALLON	SHADE/SUN SUN		M M
	GROUNDCOVERS: LANTANA MONTEVIDENSIS ROSA 'PINK DRIFT'	LANTANA PINK GROUNDCOVER ROSE	1 GALLON 2 GALLON	SUN SUN		L L



LEGEND:

- SUBDIVISION BOUNDARY
- RIGHT OF WAY
- LOT LINE
- UTILITY EASEMENT
- (S) LOTS WITH SOLAR PANELS

NOTE:

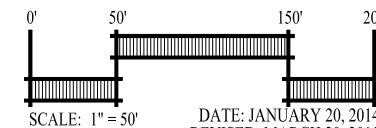
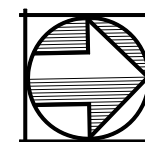
A TOTAL OF (5) LOTS ARE REQUIRED TO HAVE SOLAR PANELS. THE LOTS SHOWN (41, 57, 80, 81 & 82) ON THE PLAN MAY BE SUBJECT TO CHANGE.

PRODUCT MIX

PRODUCT	# PLOTTED	% OF TOTAL
PLAN 1	5	5.3%
PLAN 2	5	5.3%
PLAN 3	22	23.4%
PLAN 4	21	22.3%
PLAN 5	26	27.6%
PLAN 6	15	16.1%
TOTAL	94	100%

DEVELOPMENT PLAN
SOLARA RANCH

CITY OF WOODLAND YOLO COUNTY CALIFORNIA



Carlson, Barbee & Gibson, Inc.
CIVIL ENGINEERS • SURVEYORS • PLANNERS

2633 CAMINO RAMON, SUITE 350
SAN RAMON, CALIFORNIA 94583

(925) 866-0322



Carlson, Barbee & Gibson, Inc.

CIVIL ENGINEERS • SURVEYORS • PLANNERS

January 13, 2015
Job No.: 1815-000

LOT COVERAGE SOLARA RANCH WOODLAND, CALIFORNIA

LOT	LOT AREA (SF)	PLAN TYPE																				NOTES		
		Plan 1A	Plan B	Plan 2A	Plan 2B	Plan 3A	Opt. Loggia 3A	Plan 3B	Opt. Loggia 3B	Plan 3C	Opt. Loggia 3C	Plan 4A	Plan 4B	Plan 4C	Plan 5A	Opt. Loggia 5A	Plan 5B	Opt. Loggia 5B	Plan 5C	Opt. Loggia 5C	Plan 6A		Plan 6B	Plan 6C
		FOOTPRINT AREA (SF)																						
		2,153	2,200	1,290	1,286	2,809	3,038	2,788	3,017	2,749	3,028	2,924	2,805	2,800	2,285	2,463	2,139	2,317	2,134	2,312	1,973		1,973	1,973
1	6,741				41.7%	45.1%	41.4%	44.8%	40.8%	44.9%	43.4%	41.6%	41.5%	33.9%	36.5%	31.7%	34.4%	31.7%	34.3%	29.3%	29.3%	29.3%		
2	6,215				45.2%	48.9%	44.9%	48.5%	44.2%	48.7%	47.0%	45.1%	45.1%	36.8%	39.6%	34.4%	37.3%	34.3%	37.2%	31.7%	31.7%	31.7%		
3	6,215				45.2%	48.9%	44.9%	48.5%	44.2%	48.7%	47.0%	45.1%	45.1%	36.8%	39.6%	34.4%	37.3%	34.3%	37.2%	31.7%	31.7%	31.7%		
4	6,567				42.8%	46.3%	42.5%	45.9%	41.9%	46.1%	44.5%	42.7%	42.6%	34.8%	37.5%	32.6%	35.3%	32.5%	35.2%	30.0%	30.0%	30.0%		
5	5,824	37.0%	37.8%																					
6	4,324			29.8%	29.7%																			
7	7,206					39.0%	42.2%	38.7%	41.9%	38.1%	42.0%	40.6%	38.9%	38.9%	31.7%	34.2%	29.7%	32.2%	29.6%	32.1%	27.4%	27.4%	27.4%	
8	7,036					39.9%	43.2%	39.6%	42.9%	39.1%	43.0%	41.6%	39.9%	39.8%	32.5%	35.0%	30.4%	32.9%	30.3%	32.9%	28.0%	28.0%	28.0%	
9	6,866					40.9%	44.2%	40.6%	43.9%	40.0%	44.1%	42.6%	40.9%	40.8%	33.3%	35.9%	31.2%	33.7%	31.1%	33.7%	28.7%	28.7%	28.7%	
10	6,706					41.9%	45.3%	41.6%	45.0%	41.0%	45.2%	43.6%	41.8%	41.8%	34.1%	36.7%	31.9%	34.6%	31.8%	34.5%	29.4%	29.4%	29.4%	
11	6,598					42.6%	46.0%	42.3%	45.7%	41.7%	45.9%	44.3%	42.5%	42.4%	34.6%	37.3%	32.4%	35.1%	32.3%	35.0%	29.9%	29.9%	29.9%	
12	6,502					43.2%	46.7%	42.9%	46.4%	42.3%	46.6%	45.0%	43.1%	43.1%	35.1%	37.9%	32.9%	35.6%	32.8%	35.6%	30.3%	30.3%	30.3%	
13	5,871					47.8%	51.7%	47.5%	51.4%	46.8%	51.6%	49.8%	47.8%	47.7%	38.9%	42.0%	36.4%	39.5%	36.3%	39.4%	33.6%	33.6%	33.6%	
14	5,751					48.8%	52.8%	48.5%	52.5%	47.8%	52.7%	50.8%	48.8%	48.7%	39.7%	42.8%	37.2%	40.3%	37.1%	40.2%	34.3%	34.3%	34.3%	
15	5,756					48.8%	52.8%	48.4%	52.4%	47.8%	52.6%	50.8%	48.7%	48.6%	39.7%	42.8%	37.2%	40.3%	37.1%	40.2%	34.3%	34.3%	34.3%	
16	6,159					45.6%	49.3%	45.3%	49.0%	44.6%	49.2%	47.5%	45.5%	45.5%	37.1%	40.0%	34.7%	37.6%	34.6%	37.5%	32.0%	32.0%	32.0%	
17	5,943					47.3%	51.1%	46.9%	50.8%	46.3%	51.0%	49.2%	47.2%	47.1%	38.4%	41.4%	36.0%	39.0%	35.9%	38.9%	33.2%	33.2%	33.2%	
18	5,941					47.3%	51.1%	46.9%	50.8%	46.3%	51.0%	49.2%	47.2%	47.1%	38.5%	41.5%	36.0%	39.0%	35.9%	38.9%	33.2%	33.2%	33.2%	
19	5,940					47.3%	51.1%	46.9%	50.8%	46.3%	51.0%	49.2%	47.2%	47.1%	38.5%	41.5%	36.0%	39.0%	35.9%	38.9%	33.2%	33.2%	33.2%	
20	5,940					47.3%	51.1%	46.9%	50.8%	46.3%	51.0%	49.2%	47.2%	47.1%	38.5%	41.5%	36.0%	39.0%	35.9%	38.9%	33.2%	33.2%	33.2%	
21	5,940					47.3%	51.1%	46.9%	50.8%	46.3%	51.0%	49.2%	47.2%	47.1%	38.5%	41.5%	36.0%	39.0%	35.9%	38.9%	33.2%	33.2%	33.2%	
22	5,940					47.3%	51.1%	46.9%	50.8%	46.3%	51.0%	49.2%	47.2%	47.1%	38.5%	41.5%	36.0%	39.0%	35.9%	38.9%	33.2%	33.2%	33.2%	
23	5,267	40.9%	41.8%																					
24	3,693			34.9%	34.8%																			
25	3,723			34.6%	34.5%																			
26	5,415	39.8%	40.6%																					
27	5,940					47.3%	51.1%	46.9%	50.8%	46.3%	51.0%	49.2%	47.2%	47.1%	38.5%	41.5%	36.0%	39.0%	35.9%	38.9%	33.2%	33.2%	33.2%	
28	5,940					47.3%	51.1%	46.9%	50.8%	46.3%	51.0%	49.2%	47.2%	47.1%	38.5%	41.5%	36.0%	39.0%	35.9%	38.9%	33.2%	33.2%	33.2%	
29	5,940					47.3%	51.1%	46.9%	50.8%	46.3%	51.0%	49.2%	47.2%	47.1%	38.5%	41.5%	36.0%	39.0%	35.9%	38.9%	33.2%	33.2%	33.2%	
30	5,940					47.3%	51.1%	46.9%	50.8%	46.3%	51.0%	49.2%	47.2%	47.1%	38.5%	41.5%	36.0%	39.0%	35.9%	38.9%	33.2%	33.2%	33.2%	
31	5,940					47.3%	51.1%	46.9%	50.8%	46.3%	51.0%	49.2%	47.2%	47.1%	38.5%	41.5%	36.0%	39.0%	35.9%	38.9%	33.2%	33.2%	33.2%	

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LOT	LOT AREA (SF)	PLAN TYPE																					NOTES	
		Plan 1A	Plan B	Plan 2A	Plan 2B	Plan 3A	Opt. Loggia 3A	Plan 3B	Opt. Loggia 3B	Plan 3C	Opt. Loggia 3C	Plan 4A	Plan 4B	Plan 4C	Plan 5A	Opt. Loggia 5A	Plan 5B	Opt. Loggia 5B	Plan 5C	Opt. Loggia 5C	Plan 6A	Plan 6B		Plan 6C
		FOOTPRINT AREA (SF)																						
		2,153	2,200	1,290	1,286	2,809	3,038	2,788	3,017	2,749	3,028	2,924	2,805	2,800	2,285	2,463	2,139	2,317	2,134	2,312	1,973	1,973		1,973
32	5,973				47.0%	50.9%	46.7%	50.5%	46.0%	50.7%	49.0%	47.0%	46.9%	38.3%	41.2%	35.8%	38.8%	35.7%	38.7%	33.0%	33.0%	33.0%		
33	6,073				46.3%	50.0%	45.9%	49.7%	45.3%	49.9%	48.1%	46.2%	46.1%	37.6%	40.6%	35.2%	38.2%	35.1%	38.1%	32.5%	32.5%	32.5%		
34	5,947				47.2%	51.1%	46.9%	50.7%	46.2%	50.9%	49.2%	47.2%	47.1%	38.4%	41.4%	36.0%	39.0%	35.9%	38.9%	33.2%	33.2%	33.2%		
35	5,942				47.3%	51.1%	46.9%	50.8%	46.3%	51.0%	49.2%	47.2%	47.1%	38.5%	41.5%	36.0%	39.0%	35.9%	38.9%	33.2%	33.2%	33.2%		
36	5,940				47.3%	51.1%	46.9%	50.8%	46.3%	51.0%	49.2%	47.2%	47.1%	38.5%	41.5%	36.0%	39.0%	35.9%	38.9%	33.2%	33.2%	33.2%		
37	5,940				47.3%	51.1%	46.9%	50.8%	46.3%	51.0%	49.2%	47.2%	47.1%	38.5%	41.5%	36.0%	39.0%	35.9%	38.9%	33.2%	33.2%	33.2%		
38	5,940				47.3%	51.1%	46.9%	50.8%	46.3%	51.0%	49.2%	47.2%	47.1%	38.5%	41.5%	36.0%	39.0%	35.9%	38.9%	33.2%	33.2%	33.2%		
39	5,940				47.3%	51.1%	46.9%	50.8%	46.3%	51.0%	49.2%	47.2%	47.1%	38.5%	41.5%	36.0%	39.0%	35.9%	38.9%	33.2%	33.2%	33.2%		
40	5,940				47.3%	51.1%	46.9%	50.8%	46.3%	51.0%	49.2%	47.2%	47.1%	38.5%	41.5%	36.0%	39.0%	35.9%	38.9%	33.2%	33.2%	33.2%		
41	5,940				47.3%	51.1%	46.9%	50.8%	46.3%	51.0%	49.2%	47.2%	47.1%	38.5%	41.5%	36.0%	39.0%	35.9%	38.9%	33.2%	33.2%	33.2%		
42	5,940				47.3%	51.1%	46.9%	50.8%	46.3%	51.0%	49.2%	47.2%	47.1%	38.5%	41.5%	36.0%	39.0%	35.9%	38.9%	33.2%	33.2%	33.2%		
43	5,940				47.3%	51.1%	46.9%	50.8%	46.3%	51.0%	49.2%	47.2%	47.1%	38.5%	41.5%	36.0%	39.0%	35.9%	38.9%	33.2%	33.2%	33.2%		
44	6,441				43.6%	47.2%	43.3%	46.8%	42.7%	47.0%	45.4%	43.5%	43.5%	35.5%	38.2%	33.2%	36.0%	33.1%	35.9%	30.6%	30.6%	30.6%		
45	5,486	39.2%	40.1%																					
46	4,080			31.6%	31.5%																			
47	6,215					45.2%	48.9%	44.9%	48.5%	44.2%	48.7%	47.0%	45.1%	45.1%	36.8%	39.6%	34.4%	37.3%	34.3%	37.2%	31.7%	31.7%	31.7%	
48	6,215					45.2%	48.9%	44.9%	48.5%	44.2%	48.7%	47.0%	45.1%	45.1%	36.8%	39.6%	34.4%	37.3%	34.3%	37.2%	31.7%	31.7%	31.7%	
49	6,780					41.4%	44.8%	41.1%	44.5%	40.5%	44.7%	43.1%	41.4%	41.3%	33.7%	36.3%	31.5%	34.2%	31.5%	34.1%	29.1%	29.1%	29.1%	
50	6,215					45.2%	48.9%	44.9%	48.5%	44.2%	48.7%	47.0%	45.1%	45.1%	36.8%	39.6%	34.4%	37.3%	34.3%	37.2%	31.7%	31.7%	31.7%	
51	6,136					45.8%	49.5%	45.4%	49.2%	44.8%	49.3%	47.7%	45.7%	45.6%	37.2%	40.1%	34.9%	37.8%	34.8%	37.7%	32.2%	32.2%	32.2%	
52	5,279														43.3%	46.7%	40.5%	43.9%	40.4%	43.8%	37.4%	37.4%	37.4%	
53	7,133														32.0%	34.5%	30.0%	32.5%	29.9%	32.4%	27.7%	27.7%	27.7%	
54	6,313														36.2%	39.0%	33.9%	36.7%	33.8%	36.6%	31.3%	31.3%	31.3%	
55	5,578														41.0%	44.2%	38.3%	41.5%	38.3%	41.4%	35.4%	35.4%	35.4%	
56	6,215					45.2%	48.9%	44.9%	48.5%	44.2%	48.7%	47.0%	45.1%	45.1%	36.8%	39.6%	34.4%	37.3%	34.3%	37.2%	31.7%	31.7%	31.7%	
57	6,667					42.1%	45.6%	41.8%	45.3%	41.2%	45.4%	43.9%	42.1%	42.0%	34.3%	36.9%	32.1%	34.8%	32.0%	34.7%	29.6%	29.6%	29.6%	
58	6,215					45.2%	48.9%	44.9%	48.5%	44.2%	48.7%	47.0%	45.1%	45.1%	36.8%	39.6%	34.4%	37.3%	34.3%	37.2%	31.7%	31.7%	31.7%	
59	6,780					41.4%	44.8%	41.1%	44.5%	40.5%	44.7%	43.1%	41.4%	41.3%	33.7%	36.3%	31.5%	34.2%	31.5%	34.1%	29.1%	29.1%	29.1%	
60	6,215					45.2%	48.9%	44.9%	48.5%	44.2%	48.7%	47.0%	45.1%	45.1%	36.8%	39.6%	34.4%	37.3%	34.3%	37.2%	31.7%	31.7%	31.7%	
61	6,741					41.7%	45.1%	41.4%	44.8%	40.8%	44.9%	43.4%	41.6%	41.5%	33.9%	36.5%	31.7%	34.4%	31.7%	34.3%	29.3%	29.3%	29.3%	
62	6,741					41.7%	45.1%	41.4%	44.8%	40.8%	44.9%	43.4%	41.6%	41.5%	33.9%	36.5%	31.7%	34.4%	31.7%	34.3%	29.3%	29.3%	29.3%	
63	6,215					45.2%	48.9%	44.9%	48.5%	44.2%	48.7%	47.0%	45.1%	45.1%	36.8%	39.6%	34.4%	37.3%	34.3%	37.2%	31.7%	31.7%	31.7%	
64	6,780					41.4%	44.8%	41.1%	44.5%	40.5%	44.7%	43.1%	41.4%	41.3%	33.7%	36.3%	31.5%	34.2%	31.5%	34.1%	29.1%	29.1%	29.1%	
65	6,215					45.2%	48.9%	44.9%	48.5%	44.2%	48.7%	47.0%	45.1%	45.1%	36.8%	39.6%	34.4%	37.3%	34.3%	37.2%	31.7%	31.7%	31.7%	
66	6,780					41.4%	44.8%	41.1%	44.5%	40.5%	44.7%	43.1%	41.4%	41.3%	33.7%	36.3%	31.5%	34.2%	31.5%	34.1%	29.1%	29.1%	29.1%	
67	6,215					45.2%	48.9%	44.9%	48.5%	44.2%	48.7%	47.0%	45.1%	45.1%	36.8%	39.6%	34.4%	37.3%	34.3%	37.2%	31.7%	31.7%	31.7%	
68	5,578														41.0%	44.2%	38.3%	41.5%	38.3%	41.4%	35.4%	35.4%	35.4%	
69	6,407														35.7%	38.4%	33.4%	36.2%	33.3%	36.1%	30.8%	30.8%	30.8%	
70	6,769														33.8%	36.4%	31.6%	34.2%	31.5%	34.2%	29.1%	29.1%	29.1%	

Carlson, Barbee & Gibson, Inc.

LOT	LOT AREA (SF)	PLAN TYPE																					NOTES	
		Plan 1A	Plan B	Plan 2A	Plan 2B	Plan 3A	Opt. Loggia 3A	Plan 3B	Opt. Loggia 3B	Plan 3C	Opt. Loggia 3C	Plan 4A	Plan 4B	Plan 4C	Plan 5A	Opt. Loggia 5A	Plan 5B	Opt. Loggia 5B	Plan 5C	Opt. Loggia 5C	Plan 6A	Plan 6B		Plan 6C
		FOOTPRINT AREA (SF)																						
		2,153	2,200	1,290	1,286	2,809	3,038	2,788	3,017	2,749	3,028	2,924	2,805	2,800	2,285	2,463	2,139	2,317	2,134	2,312	1,973	1,973		1,973
71	6,035													37.9%	40.8%	35.4%	38.4%	35.4%	38.3%	32.7%	32.7%	32.7%		
72	5,720					49.1%	53.1%	48.7%	52.7%	48.1%	52.9%	51.1%	49.0%	49.0%	39.9%	43.1%	37.4%	40.5%	37.3%	40.4%	34.5%	34.5%	34.5%	
73	6,240					45.0%	48.7%	44.7%	48.3%	44.1%	48.5%	46.9%	45.0%	44.9%	36.6%	39.5%	34.3%	37.1%	34.2%	37.1%	31.6%	31.6%	31.6%	
74	5,720					49.1%	53.1%	48.7%	52.7%	48.1%	52.9%	51.1%	49.0%	49.0%	39.9%	43.1%	37.4%	40.5%	37.3%	40.4%	34.5%	34.5%	34.5%	
75	6,240					45.0%	48.7%	44.7%	48.3%	44.1%	48.5%	46.9%	45.0%	44.9%	36.6%	39.5%	34.3%	37.1%	34.2%	37.1%	31.6%	31.6%	31.6%	
76	5,720					49.1%	53.1%	48.7%	52.7%	48.1%	52.9%	51.1%	49.0%	49.0%	39.9%	43.1%	37.4%	40.5%	37.3%	40.4%	34.5%	34.5%	34.5%	
77	6,201					45.3%	49.0%	45.0%	48.7%	44.3%	48.8%	47.2%	45.2%	45.2%	36.8%	39.7%	34.5%	37.4%	34.4%	37.3%	31.8%	31.8%	31.8%	
78	6,210					45.2%	48.9%	44.9%	48.6%	44.3%	48.8%	47.1%	45.2%	45.1%	36.8%	39.7%	34.4%	37.3%	34.4%	37.2%	31.8%	31.8%	31.8%	
79	5,720					49.1%	53.1%	48.7%	52.7%	48.1%	52.9%	51.1%	49.0%	49.0%	39.9%	43.1%	37.4%	40.5%	37.3%	40.4%	34.5%	34.5%	34.5%	
80	6,240					45.0%	48.7%	44.7%	48.3%	44.1%	48.5%	46.9%	45.0%	44.9%	36.6%	39.5%	34.3%	37.1%	34.2%	37.1%	31.6%	31.6%	31.6%	
81	5,720					49.1%	53.1%	48.7%	52.7%	48.1%	52.9%	51.1%	49.0%	49.0%	39.9%	43.1%	37.4%	40.5%	37.3%	40.4%	34.5%	34.5%	34.5%	
82	6,240					45.0%	48.7%	44.7%	48.3%	44.1%	48.5%	46.9%	45.0%	44.9%	36.6%	39.5%	34.3%	37.1%	34.2%	37.1%	31.6%	31.6%	31.6%	
83	5,720					49.1%	53.1%	48.7%	52.7%	48.1%	52.9%	51.1%	49.0%	49.0%	39.9%	43.1%	37.4%	40.5%	37.3%	40.4%	34.5%	34.5%	34.5%	
84	5,700														40.1%	43.2%	37.5%	40.6%	37.4%	40.6%	34.6%	34.6%	34.6%	
85	6,603														34.6%	37.3%	32.4%	35.1%	32.3%	35.0%	29.9%	29.9%	29.9%	
86	6,150					45.7%	49.4%	45.3%	49.1%	44.7%	49.2%	47.5%	45.6%	45.5%	37.2%	40.0%	34.8%	37.7%	34.7%	37.6%	32.1%	32.1%	32.1%	
87	5,611					50.1%	54.1%	49.7%	53.8%	49.0%	54.0%	52.1%	50.0%	49.9%	40.7%	43.9%	38.1%	41.3%	38.0%	41.2%	35.2%	35.2%	35.2%	
88	5,611					50.1%	54.1%	49.7%	53.8%	49.0%	54.0%	52.1%	50.0%	49.9%	40.7%	43.9%	38.1%	41.3%	38.0%	41.2%	35.2%	35.2%	35.2%	
89	5,612					50.1%	54.1%	49.7%	53.8%	49.0%	54.0%	52.1%	50.0%	49.9%	40.7%	43.9%	38.1%	41.3%	38.0%	41.2%	35.2%	35.2%	35.2%	
90	5,612					50.1%	54.1%	49.7%	53.8%	49.0%	54.0%	52.1%	50.0%	49.9%	40.7%	43.9%	38.1%	41.3%	38.0%	41.2%	35.2%	35.2%	35.2%	
91	5,612					50.1%	54.1%	49.7%	53.8%	49.0%	54.0%	52.1%	50.0%	49.9%	40.7%	43.9%	38.1%	41.3%	38.0%	41.2%	35.2%	35.2%	35.2%	
92	5,612					50.1%	54.1%	49.7%	53.8%	49.0%	54.0%	52.1%	50.0%	49.9%	40.7%	43.9%	38.1%	41.3%	38.0%	41.2%	35.2%	35.2%	35.2%	
93	5,343	40.3%	41.2%																					
94	3,625			35.6%	35.5%																			

Note:

1. Plan 6A, 6B, and 6C all have the same footprint sf.



Legislation Details (With Text)

File #: 14-743 Version: 1 Name:
Type: Staff Report Status: Agenda Ready
File created: 4/29/2015 In control: Planning Commission
On agenda: 5/7/2015 Final action:
Title: SUBJECT: Discussion Concerning Planning Commission Subcommittees
DATE: May 7, 2015

RECOMMENDATION:

Staff recommends that the Planning Commission:

- 1) Review the staff report; and
- 2) Consider the formation of possible subcommittees including the purpose, task and duration; and
- 3) Make a recommendation regarding the possible subcommittees and appointment of members.

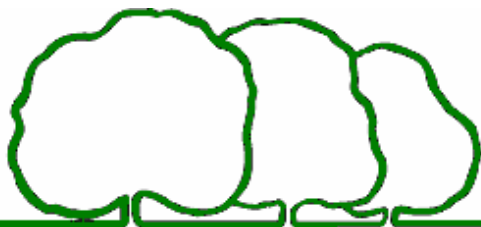
Sponsors:

Indexes:

Code sections:

Attachments: [Ralph M. Brown Act Information.pdf](#)

Date	Ver.	Action By	Action	Result
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City of Woodland

MEMORANDUM

TO: Members of the Woodland Planning Commission
FROM: Cindy Norris, Principal Planner
SUBJECT: Discussion Concerning Planning Commission Subcommittees
DATE: May 7, 2015

RECOMMENDATION:

Staff recommends that the Planning Commission:

- 1) Review the staff report; and
- 2) Consider the formation of possible subcommittees including the purpose, task and duration; and
- 3) Make a recommendation regarding the possible subcommittees and appointment of members.

PROJECT PROPOSAL:

The Planning Commission has requested that that staff prepare information to assist in the consideration of the formation of specific subcommittees of the Planning Commission.

BACKGROUND:

Pursuant to Section 501 of the Planning Commission Rules and Regulations, the Chairperson, *shall appoint all standing committees each year following the election of officers and such special committees that as from time to time may be authorized by the Commission.* At their regularly scheduled meeting on April 16, 2015, the Planning Commission requested that staff provide a list of potential subcommittees for consideration including purpose and possible work program.

PROJECT ANALYSIS:

The Planning Commission conducts the business of the City with regard to land use and zoning matters as an advisory agency to the City Council. From time to time there may be subjects that may require in depth analysis or consideration apart from the regular conduct of business. A subcommittee may be utilized as a tool to provide the Commission with that in depth evaluation.

A subcommittee is advisory to the Planning Commission. The subcommittee may deliver opinions and advice to potential applicants as well as to the Commission as a whole. A subcommittee may be formed as a working body to consider a specific topic for a limited period of time, or the subcommittee may be a standing committee to consider items of a similar concern from time to time. In either case, the committee is made up of less than a quorum of a legislative body.

Where a subcommittee is formed to study a particular subject on a temporary basis, to discuss, and conduct research and analysis on a particular limited topic for the amount of time it takes to evaluate that matter only, can be considered exempt from the Brown Act. In those cases, a temporary committee may choose to meet on their own, without staff, in order to research a topic that they will then report back on. Standing Committees of the Planning Commission are those that have regular continuing jurisdiction on a subject matter or a meeting schedule fixed by formal action of the legislative body. Standing Committees are subject to the Brown Act noticing requirements. In those cases, the Act requires posting an agenda accessible to the public at least seventy two hours (72) hours in advance of a regular meeting and members of the public may attend. Information concerning the Ralph M. Brown Act may be found on the League of California Cities web site at the following link: <http://www.cacities.org/Resources/Open-Government>. (Attachment 1)

Key elements to consider in the formation of subcommittees:

- Purpose and focus of the subcommittee - temporary (task force) or standing committee
- Number of members to be appointed to a subcommittee (less than 4)
- Desired outcome or work product or review (single task/product or continuing jurisdiction)
- Amount of time required by the Planning Commission members (identifying topics, research, review of material, attendance at meetings...)
- Role of Staff and required assistance (Setting topics, agendas, staff reports, attendance at meetings, follow up...)
- Time and location of meetings (suggest coordination with regular agendas, (just before a regular meeting, as example, for ease of facilitation and attendance)

Suggested Subcommittees:

General Plan Update Subcommittee:

- Reviews and provides information concerning the General Plan Update to the Planning Commission on matters such as land use and policy recommendations. To occur during the course of the General Plan Update
- May be composed of 2-3 members
- Focused attention and review of the General Plan as the body specifically charged with “Maintaining the General Plan”.
- Planning Commission time - possibly 4 hours a month on average
- Staff time - possibly 2-4 hours a month on average

Zoning Ordinance Review Subcommittee:

- Reviews and forwards recommendations to the Commission on matters pertaining to Chapter 25, Zoning Regulations. The subcommittee may become involved in evaluation, research and in some instances may become a working group to develop recommendations on possible zoning ordinance amendments. This would be a committee that would have “continuing jurisdiction” regarding zoning matters.
- May be composed of 2-3 members
- The first order of business may be the consideration of City initiated, minor code amendment updates including consideration of the following:
 - Accessory structure coverage requirements
 - Clarification to second dwelling unit development standards
 - Side yard fence requirements in the NP zone
 - Clarifications regarding infill ‘encouragement’ policies and setbacks from alleys
 - Front yard pavement coverage allowance
 - Clarification regarding lot splits in existing older neighborhoods.

Additional Code updates which may require a greater degree of focused work over time:

- Developing Water Conservation landscaping requirements,
- Adding Design Review provisions into the Zoning Code,
- Evaluation of the Non-conforming Use Chapter,
- Consideration of use tables; and
- Development of form based code requirements to implement the updated General Plan policies.
- Planning Commission time - possibly 6-10 hours a month as an average
- Staff time - possibly 10-15 hours a month as an average

Public Art Review Subcommittee:

- Review of possible public art policies or ordinances, with the goal of making a recommendation to the City Council concerning public art.
- May be composed of 2-3 members
- Allows for a more consistent and clear review procedures for the public, applicants, staff and the commission. Assist in the evaluation of public art projects proposed by applicants as required through Design Review.

- Planning Commission time - possibly 4-8 hours a month as an average
- Staff time - possibly 4-8 hours a month as an average (may include City Attorney time)

RECOMMENDATION:

Staff recommends that the Planning Commission:

- 1) Review the staff report; and
- 2) Consider the formation of possible subcommittees including the purpose, tasks and duration; and
- 3) Make a recommendation regarding the possible subcommittees and appointment of members.

ATTACHMENTS:

1. Ralph M. Brown Act Information



OPEN & PUBLIC IV:

A Guide to the Ralph M. Brown Act

— 2ND EDITION, REVISED JULY 2010 —



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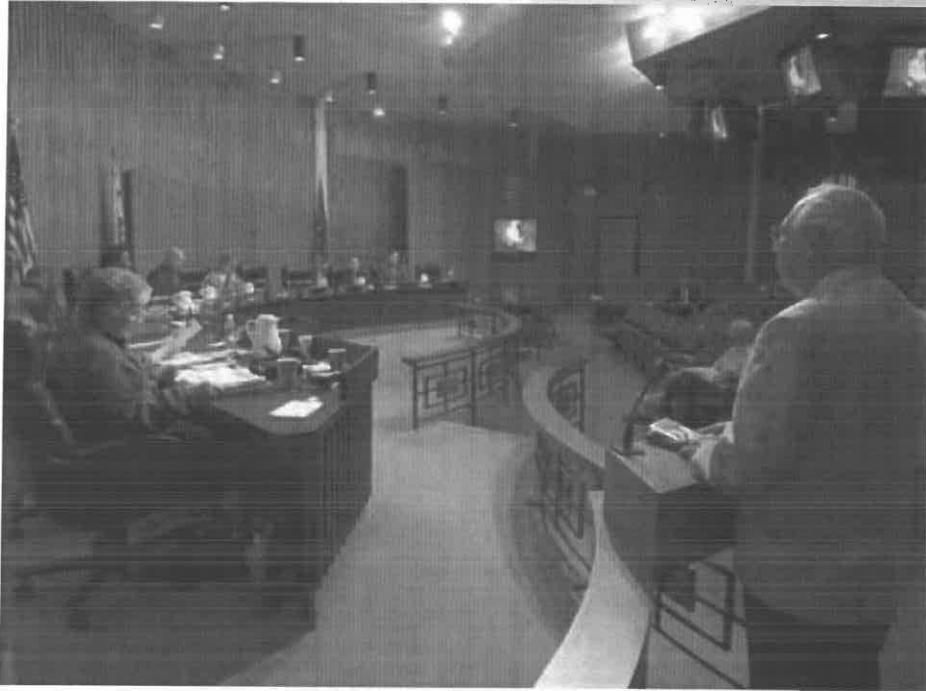
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CHAPTER 1:

IT IS THE PEOPLE'S BUSINESS



THE RIGHT OF ACCESS

BROAD COVERAGE

NARROW EXEMPTIONS

PUBLIC PARTICIPATION
IN MEETINGS

CONTROVERSY

BEYOND THE LAW—GOOD
BUSINESS PRACTICES

ACHIEVING BALANCE

HISTORICAL NOTE

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OPEN & PUBLIC IV

A GUIDE TO THE RALPH M. BROWN ACT



CH. 1: IT IS THE PEOPLE'S BUSINESS

CH. 2: LEGISLATIVE BODIES

CH. 3: MEETINGS

CH. 4: AGENDAS, NOTICES, AND
PUBLIC PARTICIPATION

CH. 5: CLOSED SESSIONS

CH. 6: REMEDIES

**OPEN & PUBLIC IV:
A GUIDE TO THE RALPH M. BROWN ACT, 2ND EDITION**
Revised July 2010



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League of California Cities

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FOREWORD

The goal of this publication is to explain the requirements of the Ralph M. Brown Act, California's open meeting law, in lay language so that it can be readily understood by local government officials and employees, the public and the news media. We offer practical advice—especially in areas where the Brown Act is unclear or has been the subject of controversy—to assist local agencies in complying with the requirements of the law.

A number of organizations representing diverse views and constituencies have contributed to this publication in an effort to make it reflect as broad a consensus as possible among those who daily interpret and implement the Brown Act. The League thanks the following organizations for their contributions:

Association of California Healthcare Districts
Association of California Water Agencies
California Association of Sanitation Agencies (CASA)
California Attorney General—Department of Justice
City Clerks Association of California
California Municipal Utilities Association
California Redevelopment Association
California School Boards Association
California Special Districts Association
California State Association of Counties
Community College League of California
California First Amendment Project
California Newspaper Publishers Association
Common Cause
League of Women Voters of California

This publication is current as of June 2010. Updates to the publication responding to changes in the Brown Act or new court interpretations are available at www.cacities.org/opengovernment.

This publication is not intended to provide legal advice. A public agency's legal counsel is responsible for advising its governing body and staff and should always be consulted when legal issues arise.

To improve the readability of this publication:

- Most text will look like this;
- Practice tips are in the margins;
- Hypothetical examples are printed in blue; and
- Frequently asked questions, along with our answers, are in shaded text.

Additional copies of this publication may be purchased by visiting CityBooks online at www.cacities.org/store.

CHAPTER 1:

IT IS THE PEOPLE'S BUSINESS



■ THE RIGHT OF ACCESS

Two key parts of the Brown Act have not changed since its adoption in 1953. One is the Brown Act's initial section, declaring the Legislature's intent:

"In enacting this chapter, the Legislature finds and declares that the public commissions, boards, and councils and the other public agencies in this State exist to aid in the conduct of the people's business. It is the intent of the law that their actions be taken openly and that their deliberations be conducted openly."

"The people of this State do not yield their sovereignty to the agencies which serve them. The people, in delegating authority, do not give their public servants the right to decide what is good for the people to know and what is not good for them to know. The people insist on remaining informed so that they may retain control over the instruments they have created."¹

The people reconfirmed that intent 50 years later in the November 2004 election by adopting Proposition 59, amending the California Constitution to include a public right of access to government information:

"The people have the right of access to information concerning the conduct of the people's business, and, therefore, the meetings of public bodies and the writings of public officials and agencies shall be open to public scrutiny."²

The Brown Act's other unchanged provision is a single sentence:

"All meetings of the legislative body of a local agency shall be open and public, and all persons shall be permitted to attend any meeting of the legislative body of a local agency, except as otherwise provided in this chapter."³

That one sentence is by far the most important of the entire Brown Act. If the opening is the soul, that sentence is the heart of the Brown Act.

Practice Tip:

The key to the Brown Act is a single sentence. In summary, all meetings shall be open and public except when the Brown Act authorizes otherwise.

■ BROAD COVERAGE

The Brown Act covers members of virtually every type of local government body, elected or appointed, decision-making or advisory. Some types of private organizations are covered, as are newly-elected members of a legislative body, even before they take office.

Similarly, meetings subject to the Brown Act are not limited to face-to-face gatherings. They also include any communication medium or device through which a majority of a legislative body discusses, deliberates or takes action on an item of business outside of a noticed meeting. They include meetings held from remote locations by teleconference.

New communication technologies present new Brown Act challenges. For example, common e-mail practices of forwarding or replying to messages can easily lead to a serial meeting prohibited by the Brown Act, as can participation by members of a legislative body in an Internet chatroom or blog dialogue. Communicating during meetings using electronic technology (such as laptop computers, personal digital assistants, or cellular telephones) may create the perception that private communications are influencing the outcome of decisions; some state legislatures have banned the practice. On the other hand, widespread cablecasting and web streaming of meetings has greatly expanded public access to the decision-making process.

■ NARROW EXEMPTIONS

The express purpose of the Brown Act is to assure that local government agencies conduct the public's business openly and publicly. Courts and the California Attorney General usually broadly construe the Brown Act in favor of greater public access and narrowly construe exemptions to its general rules.⁴

Generally, public officials should think of themselves as living in glass houses, and that they may only draw the curtains when it is in the public interest to preserve confidentiality. Closed sessions may be held only as specifically authorized by the provisions of the Brown Act itself.

The Brown Act, however, is limited to meetings among a majority of the members of multi-member government bodies when the subject relates to local agency business. It does not apply to independent conduct of individual decision-makers. It does not apply to social, ceremonial, educational, and other gatherings as long as a majority of the members of a body don't discuss issues related to their local agency's business. Meetings of temporary advisory committees—as distinguished from standing committees—made up solely of less than a quorum of a legislative body are not subject to the Brown Act.

The law does not apply to local agency staff or employees, but they may facilitate a violation by acting as a conduit for discussion, deliberation, or action by the legislative body.⁵

The law, on the one hand, recognizes the need of individual local officials to meet and discuss matters with their constituents. On the other hand, it requires—with certain specific exceptions to protect the community and preserve individual rights—that the decision-making process be public. Sometimes the boundary between the two is not easy to draw.

Practice Tip:

Think of the government's house as being made of glass. The curtains may be drawn only to further the public's interest.



■ PUBLIC PARTICIPATION IN MEETINGS

In addition to requiring the public's business to be conducted in open, noticed meetings, the Brown Act also extends to the public the right to participate in meetings. Individuals, lobbyists, and members of the news media possess the right to attend, record, broadcast, and participate in public meetings. The public's participation is further enhanced by the Brown Act's requirement that a meaningful agenda be posted in advance of meetings, by limiting discussion and action to matters listed on the agenda, and by requiring that meeting materials be made available.

Legislative bodies may, however, adopt reasonable regulations on public testimony and the conduct of public meetings, including measures to address disruptive conduct and irrelevant speech.

■ CONTROVERSY

Not surprisingly, the Brown Act has been a source of confusion and controversy since its inception. News media and government watchdogs often argue the law is toothless, pointing out that there has never been a single criminal conviction for a violation. They often suspect that closed sessions are being misused.

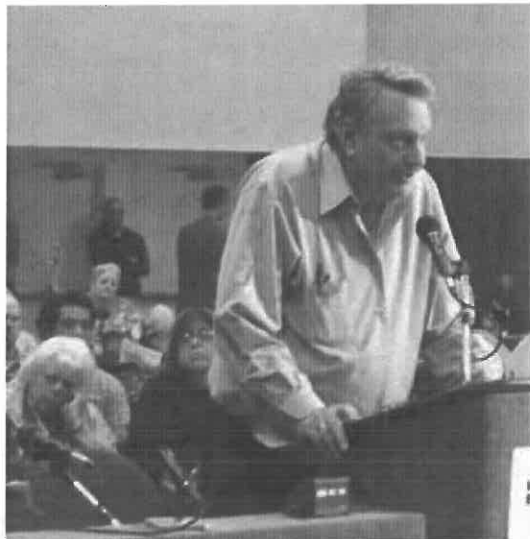
Public officials complain that the Brown Act makes it difficult to respond to constituents and requires public discussions of items better discussed privately—such as why a particular person should not be appointed to a board or commission. Many elected officials find the Brown Act inconsistent with their private business experiences. Closed meetings can be more efficient; they eliminate grandstanding and promote candor. The techniques that serve well in business—the working lunch, the sharing of information through a series of phone calls or emails, the backroom conversations and compromises—are often not possible under the Brown Act.

As a matter of public policy, California (along with many other states) has concluded that there is more to be gained than lost by conducting public business in the open. Government behind closed doors may well be efficient and business-like, but it may be perceived as unresponsive and untrustworthy.

■ BEYOND THE LAW—GOOD BUSINESS PRACTICES

Violations of the Brown Act can lead to invalidation of an agency's action, payment of a challenger's attorney's fees, public embarrassment, even criminal prosecution. But the Brown Act is a floor, not a ceiling for conduct of public officials. This guide is focused not only on the Brown Act as a minimum standard, but also on meeting practices or activities that, legal or not, are likely to create controversy. Problems may crop up, for example, when agenda descriptions are too brief or vague, when an informal get-together takes on the appearance of a meeting, when an agency conducts too much of its business in closed session or discusses matters in closed session that are beyond the authorized scope, or when controversial issues arise that are not on the agenda.

The Brown Act allows a legislative body to adopt practices and requirements for greater access to meetings for itself and its subordinate committees and bodies that are more stringent than the law itself requires.⁶ Rather than simply restate the basic requirements of the Brown Act, local open meeting policies should strive to anticipate and prevent problems in areas where the Brown Act doesn't provide full guidance. As with the adoption of any other significant policy, public comment should be solicited.



Practice Tip:

Transparency is a foundational value for ethical government practices. The Brown Act is a floor, not a ceiling, for conduct.

A local policy could build on these basic Brown Act goals:

- A legislative body's need to get its business done smoothly;
- The public's right to participate meaningfully in meetings, and to review documents used in decision-making at a relevant point in time;
- A local agency's right to confidentially address certain negotiations, personnel matters, claims and litigation; and
- The right of the press to fully understand and communicate public agency decision-making.

An explicit and comprehensive public meeting and information policy, especially if reviewed periodically, can be an important element in maintaining or improving public relations. Such a policy exceeds the absolute requirements of the law—but if the law were enough this guide would be unnecessary. A narrow legalistic approach will not avoid or resolve potential controversies. An agency should consider going beyond the law, and look at its unique circumstances and determine if there is a better way to prevent potential problems and promote public trust. At the very least, local agencies need to think about how their agendas are structured in order to make Brown Act compliance easier. They need to plan carefully to make sure public participation fits smoothly into the process.

■ ACHIEVING BALANCE

The Brown Act should be neither an excuse for hiding the ball nor a mechanism for hindering efficient and orderly meetings. The Brown Act represents a balance among the interests of constituencies whose interests do not always coincide. It calls for openness in local government, yet should allow government to function responsively and productively.

There must be both adequate notice of what discussion and action is to occur during a meeting as well as a normal degree of spontaneity in the dialogue between elected officials and their constituents.

The ability of an elected official to confer with constituents or colleagues must be balanced against the important public policy prohibiting decision-making outside of public meetings.

In the end, implementation of the Brown Act must ensure full participation of the public and preserve the integrity of the decision-making process, yet not stifle government officials and impede the effective and natural operation of government.

■ HISTORICAL NOTE

In late 1951, *San Francisco Chronicle* reporter Mike Harris spent six weeks looking into the way local agencies conducted meetings. State law had long required that business be done in public, but Harris discovered secret meetings or caucuses were common. He wrote a 10-part series on "Your Secret Government" that ran in May and June 1952.

Out of the series came a decision to push for a new state open meeting law. Harris and Richard (Bud) Carpenter, legal counsel for the League of California Cities, drafted such a bill and Assembly Member Ralph M. Brown agreed to carry it. The Legislature passed the bill and Gov. Earl Warren signed it into law in 1953.

The Ralph M. Brown Act, known as the "Brown Act", has evolved under a series of amendments and court decisions, and has been the model for other open meeting laws—such as the Bagley-Keene Act, enacted in 1967 to cover state agencies.

Practice Tip:

The Brown Act should be viewed as a tool to facilitate the business of local government agencies. Local policies that go beyond the minimum requirements of law may help instill public confidence and avoid problems.



Assembly Member Brown is best known for the open meeting law that carries his name. He was elected to the Legislature in 1942 and served 19 years, including the last three years as Speaker. He then became an appellate court justice.

Endnotes

- 1 California Government Code section 54950
- 2 California Constitution, Art. 1, section 3 (b)(1)
- 3 California Government Code section 54953 (a)
- 4 This principle of broad construction when it furthers public access and narrow construction if a provision limits public access is also stated in the amendment to the state's Constitution adopted by Proposition 59 in 2004. California Constitution, Art. 1, section 3(b)(2)
- 5 California Government Code section 54952.2 (c); *Wolfe v. City of Fremont* (2006) 144 Cal.App.4th 533
- 6 California Government Code section 54953.7

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CHAPTER 2:

LEGISLATIVE BODIES



WHAT IS A "LEGISLATIVE BODY"
OF A LOCAL AGENCY?

WHAT IS NOT A "LEGISLATIVE BODY"
FOR PURPOSES OF THE BROWN ACT?

CHAPTER 2:

LEGISLATIVE BODIES



The Brown Act applies to the legislative bodies of local agencies. It defines “legislative body” broadly to include just about every type of decision-making body of a local agency.¹

■ WHAT IS A “LEGISLATIVE BODY” OF A LOCAL AGENCY?

A “legislative body” includes:

- **The “governing body”** of a local agency or any other local body created by state or federal statute.² This includes city councils, boards of supervisors, school boards and boards of trustees of special districts. A “local agency” is any city, county, school district, municipal corporation, redevelopment agency, district, political subdivision, or other public agency.³ A housing authority is a local agency under the Brown Act even though it is created by and is an agent of the state.⁴ The California Attorney General has opined that air pollution control districts and regional open space districts are also covered.⁵ Entities created pursuant to joint powers agreements are local agencies within the meaning of the Brown Act.⁶
- **Newly-elected members** of a legislative body who have not yet assumed office must conform to the requirements of the Brown Act as if already in office.⁷ Thus, meetings between incumbents and newly-elected members of a legislative body, such as a meeting between two outgoing members and a member-elect of a five-member body, could violate the Brown Act.

Practice Tip:

The prudent presumption is that an advisory committee or task force is subject to the Brown Act. Even if one clearly is not, it may want to comply with the Brown Act. Public meetings may reduce the possibility of misunderstandings and controversy.

Q On the morning following the election to a five-member legislative body of a local agency, two successful candidates, neither an incumbent, meet with an incumbent member of the legislative body for a celebratory breakfast. Does this violate the Brown Act?

A It might, and absolutely would if the conversation turns to agency business. Even though the candidates-elect have not officially been sworn in, the Brown Act applies. If purely a social event, there is no violation but it would be preferable if others were invited to attend to avoid the appearance of impropriety.

- **Appointed bodies**—whether permanent or temporary, decision-making or advisory—including planning commissions, civil service commissions and other subsidiary committees, boards, and bodies. Volunteer groups, executive search committees, task forces, and “blue ribbon committees” created by formal action of the governing body are legislative bodies. When the members of two or more legislative bodies are appointed to serve on an entirely separate advisory group, the resulting body may be subject to the Brown Act. In one reported case, a city council created a committee of two members of the city council and two members of the city planning commission to review qualifications of prospective planning commissioners and make recommendations to the council. The court held that their joint mission made them a legislative body subject to the Brown Act. Had the two committees remained separate and met only to exchange information, they would have been exempt from the Brown Act.⁸
- **Standing committees** of a legislative body, irrespective of their composition, which have either: (1) a continuing subject matter jurisdiction, or (2) a meeting schedule fixed by charter, ordinance, resolution, or formal action of a legislative body.⁹ Even if comprised of less than a quorum of the governing body, a standing committee is subject to the Brown Act. For example, if a governing body creates long-term committees on budget and finance or on public safety, those are standing committees subject to the Brown Act. Further, function over form controls. For example, a statement by the legislative body that “the advisory committee shall not exercise continuing subject matter jurisdiction” or the fact that the committee does not have a fixed meeting schedule is not determinative.¹⁰ “Formal action” by a legislative body includes authorization given to the agency’s executive officer to appoint an advisory committee pursuant to agency-adopted policy.¹¹
- The governing body of any **private organization** either: (1) created by the legislative body in order to exercise authority that may lawfully be delegated by such body to a private corporation, limited liability company or other entity or (2) that receives agency funding and whose governing board includes a member of the legislative body of the local agency appointed by the legislative body as a full voting member of the private entity’s governing board.¹² These include some nonprofit corporations created by local agencies.¹³ If a local agency contracts with a private firm for a service (for example, payroll, janitorial, or food services), the private firm is not covered by the Brown Act.¹⁴ When a member of a legislative body sits on a board of a private organization as a private person and is not appointed by the legislative body, the board will not be subject to the Brown Act. Similarly, when the legislative body appoints someone other than one of its own members to such boards, the Brown Act does not apply. Nor does it apply when a private organization merely receives agency funding.¹⁵

Practice Tip:

It can be difficult to determine whether a subcommittee of a body falls into the category of a standing committee or an exempt temporary committee. Suppose a committee is created to explore the renewal of a franchise or a topic of similarly limited scope and duration. Is it an exempt temporary committee or a non-exempt standing committee? The answer may depend on factors such as how meeting schedules are determined, the scope of the committee’s charge, or whether the committee exists long enough to have “continuing jurisdiction.”

Q: The local chamber of commerce is funded in part by the city. The mayor sits on the chamber’s board of directors. Is the chamber board a legislative body subject to the Brown Act?

A: *Maybe. If the chamber’s governing documents require the mayor to be on the board and the city council appoints the mayor to that position, the board is a legislative body. If, however, the chamber board independently appoints the mayor to its board, or the mayor attends chamber board meetings in a purely advisory capacity, it is not.*

Q: If a community college district board creates an auxiliary organization to operate a campus bookstore or cafeteria, is the board of the organization a legislative body?

A: *Yes. But, if the district instead contracts with a private firm to operate the bookstore or cafeteria, the Brown Act would not apply to the private firm.*

- **Certain kinds of hospital operators.** A lessee of a hospital (or portion of a hospital) first leased under Health and Safety Code subsection 32121(p) after Jan. 1, 1994, which exercises “material authority” delegated to it by a local agency, whether or not such lessee is organized and operated by the agency or by a delegated authority.¹⁶

■ WHAT IS NOT A “LEGISLATIVE BODY” FOR PURPOSES OF THE BROWN ACT?

- A temporary advisory committee **composed solely of less than a quorum** of the legislative body that serves a limited or single purpose, that is not perpetual, and that will be dissolved once its specific task is completed is not subject to the Brown Act.¹⁷ Temporary committees are sometimes called *ad hoc* committees, a term not used in the Brown Act. Examples include an advisory committee composed of less than a quorum created to interview candidates for a vacant position or to meet with representatives of other entities to exchange information on a matter of concern to the agency, such as traffic congestion.¹⁸
- Groups advisory to a single decision-maker or appointed by staff are not covered. The Brown Act applies only to committees created by formal action of the legislative body and not to committees created by others. A committee advising a superintendent of schools would not be covered by the Brown Act. However, the same committee, if created by formal action of the school board, would be covered.¹⁹

Q. A member of the legislative body of a local agency informally establishes an advisory committee of five residents to advise her on issues as they arise. Does the Brown Act apply to this committee?

A. No, because the committee has not been established by formal action of the legislative body.

Q. During a meeting of the city council, the council directs the city manager to form an advisory committee of residents to develop recommendations for a new ordinance. The city manager forms the committee and appoints its members; the committee is instructed to direct its recommendations to the city manager. Does the Brown Act apply to this committee?

A. Possibly, because the direction from the city council might be regarded as a formal action of the body notwithstanding that the city manager controls the committee.

- Individual decision makers who are not elected or appointed members of a legislative body are not covered by the Brown Act. For example, a disciplinary hearing presided over by a department head or a meeting of agency department heads are not subject to the Brown Act since such assemblies are not those of a legislative body.²⁰
- County central committees of political parties are also not Brown Act bodies.²¹

Endnotes

- 1 *Taxpayers for Livable Communities v. City of Malibu* (2005) 126 Cal.App.4th 1123
- 2 California Government Code section 54952(a)
- 3 California Government Code section 54951. *But see:* Education Code section 35147, which exempts certain school councils and school site advisory committees from the Brown Act and imposes upon them a separate set of rules.
- 4 *Torres v. Board of Commissioners* (1979) 89 Cal.App.3d 545
- 5 71 Ops.Cal.Atty.Gen. 96 (1988); 73 Ops.Cal.Atty.Gen. 1 (1990)
- 6 *McKee v. Los Angeles Interagency Metropolitan Police Apprehension Crime Task Force* (2005) 134 Cal.App.4th 354
- 7 California Government Code section 54952.1
- 8 *Joiner v. City of Sebastopol* (1981) 125 Cal.App.3d 799
- 9 California Government Code section 54952(b)
- 10 79 Ops. Cal.Atty.Gen. 69 (1996)
- 11 *Frazer v. Dixon Unified School District* (1993) 18 Cal.App.4th 781
- 12 California Government Code section 54952(c)(1)(B). The same rule applies to a full voting member appointed prior to February 9, 1996 who, after that date, is made a non-voting board member by the legislative body. California Government Code section 54952(c)(2)
- 13 California Government Code section 54952(c)(1)(A); *International Longshoremen's and Warehousemen's Union v. Los Angeles Export Terminal* (1999) 69 Cal.App.4th 287; *Epstein v. Hollywood Entertainment Dist. II Business Improvement District* (2001) 87 Cal.App.4th 862; *see also:* 81 Ops.Cal.Atty.Gen. 281 (1998); 85 Ops.Cal.Atty.Gen. 55
- 14 *International Longshoremen's and Warehousemen's Union v. Los Angeles Export Terminal* (1999) 69 Cal.App.4th 287, 300 fn. 5
- 15 "The Brown Act," California Attorney General (2003), p. 7
- 16 California Government Code section 54952(d)
- 17 California Government Code section 54952(b); *see also:* *Freedom Newspapers, Inc. v. Orange County Employees Retirement System Board of Directors* (1993) 6 Cal.4th 821
- 18 *Taxpayers for Livable Communities v. City of Malibu* (2005) 126 Cal.App.4th 1123
- 19 56 Ops.Cal.Atty.Gen. 14 (1973)
- 20 *Wilson v. San Francisco Municipal Railway* (1973) 29 Cal.App.3d 870
- 21 59 Ops.Cal.Atty.Gen. 162 (1976)

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CHAPTER 3:

MEETINGS



BROWN ACT MEETINGS

SIX EXCEPTIONS TO THE MEETING
DEFINITION

COLLECTIVE BRIEFINGS

RETREATS OR WORKSHOPS OF
LEGISLATIVE BODIES

SERIAL MEETINGS

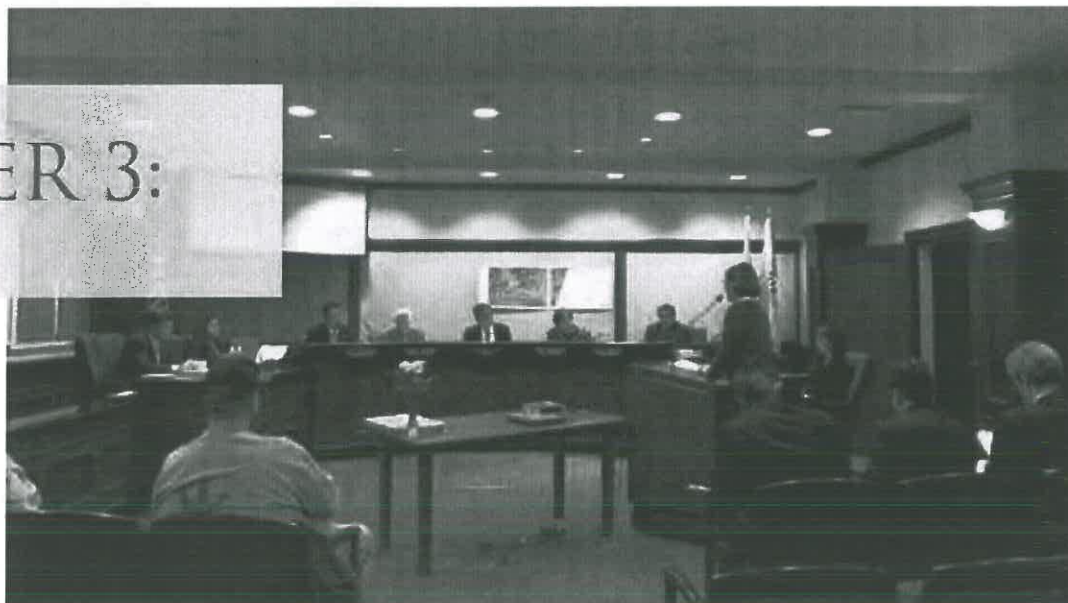
INFORMAL GATHERINGS

TECHNOLOGICAL CONFERENCING

LOCATION OF MEETINGS

CHAPTER 3:

MEETINGS



The Brown Act only applies to meetings of local legislative bodies. The Brown Act defines a meeting as: "... any congregation of a majority of the members of a legislative body at the same time and place to hear, discuss, or deliberate upon any item that is within the subject matter jurisdiction of the legislative body or the local agency to which it pertains."¹ Under the Brown Act, the term "meeting" is not limited to gatherings at which action is taken but includes deliberative gatherings as well.

■ BROWN ACT MEETINGS

Brown Act gatherings include a legislative body's regular meetings, special meetings, emergency meetings and adjourned meetings.

- "Regular meetings" are meetings occurring at the dates, times, and location set by resolution, ordinance, or other formal action by the legislative body and are subject to 72-hour posting requirements.²
- "Special meetings" are meetings called by the presiding officer or majority of the legislative body to discuss only discrete items on the agenda under the Brown Act's notice requirements for special meetings.³
- "Emergency meetings" are a limited class of meetings held when prompt action is needed due to actual or threatened disruption of public facilities and are held on little notice.⁴
- "Adjourned meetings" are regular or special meetings that have been adjourned or re-adjourned to a time and place specified in the order of adjournment, with no agenda required for regular meetings adjourned for less than five calendar days as long as no additional business is transacted.⁵

■ SIX EXCEPTIONS TO THE MEETING DEFINITION

The Brown Act creates six exceptions to the meeting definition: ⁶

Individual Contacts

The first exception involves individual contacts between a member of the legislative body and any other person. The Brown Act does not limit a legislative body member acting on his or her own. This exception recognizes the right to confer with constituents, advocates, consultants, news reporters, local agency staff or a colleague.

Individual contacts, however, cannot be used to do in stages what would be prohibited in one step. For example, a series of individual contacts that leads to discussion, deliberation or action among a majority of the members of a legislative body is prohibited. Such serial meetings are discussed below.

Conferences

The second exception allows a legislative body majority to attend a conference or similar gathering open to the public that addresses issues of general interest to the public or to public agencies of the type represented by the legislative body.

Among other things, this exception permits legislative body members to attend annual association conferences of city, county, school, community college, and other local agency officials, so long as those meetings are open to the public. However, a majority of members cannot discuss among themselves, other than as part of the scheduled program, business of a specific nature that is within their local agency's subject matter jurisdiction.



Community Meetings

The third exception allows a legislative body majority to attend an open and publicized meeting held by another organization to address a topic of local community concern. Again, a majority cannot discuss among themselves, other than as part of the scheduled program, business of a specific nature that is within their local agency's subject matter jurisdiction. Under this exception, a legislative body majority may attend a local service club meeting or a local candidates' night if the meetings are open to the public.

"I see we have four distinguished members of the city council at our meeting tonight," said the chair of the Environmental Action Coalition.

"I wonder if they have anything to say about the controversy over enacting a slow growth ordinance?"

The Brown Act permits a majority of a legislative body to attend and speak at an open and publicized meeting conducted by another organization. The Brown Act may nevertheless be violated if a majority discusses, deliberates, or takes action on an item during the meeting of the other organization. There is a fine line between what is permitted and what is not; hence, members should exercise caution when participating in these types of events.

- Q.** The local chamber of commerce sponsors an open and public candidate debate during an election campaign. Three of the five agency members are up for re-election and all three participate. All of the candidates are asked their views of a controversial project scheduled for a meeting to occur just after the election. May the three incumbents answer the question?
- A.** Yes, because the Brown Act does not constrain the incumbents from expressing their views regarding important matters facing the local agency as part of the political process the same as any other candidates.



Other Legislative Bodies

The fourth exception allows a majority of a legislative body to attend an open and publicized meeting of: (1) another body of the local agency and (2) a legislative body of another local agency.⁷ Again, the majority cannot discuss among themselves, other than as part of the scheduled meeting, business of a specific nature that is within their local agency's subject matter jurisdiction. This exception allows, for example, a city council or a majority of a board of supervisors to attend a controversial meeting of the planning commission.

Nothing in the Brown Act prevents the majority of a legislative body from sitting together at such a meeting. They may choose not to, however, to preclude any possibility of improperly discussing local agency business and to avoid the appearance of a Brown Act violation. Further, aside from the Brown Act, there may be other reasons, such as due process considerations, why the members should avoid giving public testimony or trying to influence the outcome of proceedings before a subordinate body.

- Q.** The entire legislative body intends to testify against a bill before the Senate Local Government Committee in Sacramento. Must this activity be noticed as a meeting of the body?
- A.** *No, because the members are attending and participating in an open meeting of another governmental body which the public may attend.*
- Q.** The members then proceed upstairs to the office of their local Assembly member to discuss issues of local interest. Must this session be noticed as a meeting and be open to the public?
- A.** *Yes, because the entire body may not meet behind closed doors except for proper closed sessions. The same answer applies to a private lunch or dinner with the Assembly member.*

Standing Committees

The fifth exception authorizes the attendance of a majority at an open and noticed meeting of a standing committee of the legislative body, provided that the legislative body members who are not members of the standing committee attend only as observers (meaning that they cannot speak or otherwise participate in the meeting).⁸

- Q.** The legislative body establishes a standing committee of two of its five members, which meets monthly. A third member of the legislative body wants to attend these meetings and participate. May she?
- A.** *She may attend, but only as an observer; she may not participate.*

Social or Ceremonial Events

The sixth and final exception permits a majority of a legislative body to attend a purely social or ceremonial occasion. Once again, a majority cannot discuss business among themselves of a specific nature that is within the subject matter jurisdiction of the local agency.

Nothing in the Brown Act prevents a majority of members from attending the same football game, party, wedding, funeral, reception, or farewell. The test is not whether a majority of a legislative body attends the function, but whether business of a specific nature within the subject matter jurisdiction of the local agency is discussed. So long as no local agency business is discussed, there is no violation of the Brown Act.

■ COLLECTIVE BRIEFINGS

None of these six exceptions permits a majority of a legislative body to meet together with staff in advance of a meeting for a collective briefing. Any such briefings that involve a majority of the body in the same place and time must be open to the public and satisfy Brown Act meeting notice and agenda requirements.

■ RETREATS OR WORKSHOPS OF LEGISLATIVE BODIES

There is consensus among local agency attorneys that gatherings by a majority of legislative body members at the legislative body's retreats, study sessions, or workshops are covered under the Brown Act. This is the case whether the retreat, study session, or workshop focuses on long-range agency planning, discussion of critical local issues, or on team building and group dynamics.⁹

Q. The legislative body wants to hold a team-building session to improve relations among its members. May such a session be conducted behind closed doors?

A. *No, this is not a proper subject for a closed session, and there is no other basis to exclude the public. Council relations are a matter of public business.*

■ SERIAL MEETINGS

One of the most frequently asked questions about the Brown Act involves serial meetings. At any one time, such meetings involve only a portion of a legislative body, but eventually involve a majority.

The problem with serial meetings is the process, which deprives the public of an opportunity for meaningful participation in legislative body decision-making. The Brown Act provides that "[a] majority of the members of a legislative body shall not, outside a meeting...use a series of communications of any kind, directly or through intermediaries, to discuss, deliberate, or take action on any item of business that is within the subject matter jurisdiction of the legislative body."¹⁰

The serial meeting may occur by either a "daisy-chain" or a "hub-and-spoke" sequence. In the daisy-chain scenario, Member A contacts Member B, Member B contacts Member C, Member C contacts Member D and so on, until a quorum has discussed, deliberated or taken action on an item within the legislative body's subject matter jurisdiction. The hub-and-spoke process involves, for example, a staff member (the hub) communicating with members of a legislative body (the spokes) one-by-one for a decision on a proposed action,¹¹ or a chief executive officer briefing a majority of redevelopment agency members prior to a formal meeting and, in the process, information about the members' respective views is revealed. Each of these scenarios violates the Brown Act.

A legislative body member has the right, if not the duty, to meet with constituents to address their concerns. That member also has the right to confer with a colleague or appropriate staff about local agency business. An employee or official of a local agency may engage in separate conversations or communications outside of an open and noticed meeting "with members of a legislative body in order to answer questions or provide information regarding a matter that is within the subject matter jurisdiction of the local agency if that person does not communicate to members of the legislative body the comments or position of any other member or members of the legislative body."¹²

The Brown Act has been violated however, if several one-on-one meetings or conferences leads to a discussion, deliberation or action by a majority. In one case, a violation occurred when a quorum of a city council directed staff by letter on an eminent domain action.¹³



A unilateral written communication to the legislative body, such as an informational or advisory memorandum, does not violate the Brown Act.¹⁴ Such a memo, however, may be a public record.¹⁵

The phone call was from a lobbyist. "Say, I need your vote for that project in the south area. How about it?"

"Well, I don't know," replied Board Member Aletto. "That's kind of a sticky proposition. You sure you need my vote?"

"Well, I've got Bradley and Cohen lined up and another vote leaning. With you I'd be over the top."

Moments later, the phone rings again. "Hey, I've been hearing some rumbles on that south area project," said the newspaper reporter. "I'm counting noses. How are you voting on it?"

Neither the lobbyist nor the reporter has violated the Brown Act, but they are facilitating a violation. The board member may have violated the Brown Act by hearing about the positions of other board members and indeed coaxing the lobbyist to reveal the other board members' positions by asking "You sure you need my vote?" The prudent course is to avoid such leading conversations and to caution lobbyists, staff and news media against revealing such positions of others.

The mayor sat down across from the city manager. "From now on," he declared, "I want you to provide individual briefings on upcoming agenda items. Some of this material is very technical, and the council members don't want to sound like idiots asking about it in public. Besides that, briefings will speed up the meeting."

Agency employees or officials may have separate conversations or communications outside of an open and noticed meeting "with members of a legislative body in order to answer questions or provide information regarding a matter that is within the subject matter jurisdiction of the local agency if that person does not communicate to members of the legislative body the comments or position of any other member or members of the legislative body."¹⁶ Members should always be vigilant when discussing local agency business with anyone to avoid conversations that could lead to a discussion, deliberation or action taken among the majority of the legislative body.

"Thanks for the information," said Council Member Kim. "These zoning changes can be tricky, and now I think I'm better equipped to make the right decision."

"Glad to be of assistance," replied the planning director. "Any idea what the other council members think of the problem?"

The planning director should not ask, and the member should not answer. A one-on-one meeting that involves communicating the comments or position of other members violates the Brown Act.

Practice Tip:

When briefing legislative body members, staff must exercise care not to disclose other members' views and positions.

- Q.** The agency's Web site includes a chat room where agency employees and officials participate anonymously and often discuss issues of local agency business. Members of the legislative body participate regularly. Does this scenario present a potential for violation of the Brown Act?
- A.** Yes, because it is a technological device that may serve to allow for a majority of members to discuss, deliberate or take action on matters of agency business.
- Q.** A member of a legislative body contacts two other members on a five-member body relative to scheduling a special meeting. Is this an illegal serial meeting?
- A.** No, the Brown Act expressly allows this kind of communication, though the members should avoid discussing the merits of what is to be taken up at the meeting.

Particular care should be exercised when staff briefings of legislative body members occur by email because of the ease of using the “reply to all” button that may inadvertently result in a Brown Act violation.

■ INFORMAL GATHERINGS

Often members are tempted to mix business with pleasure—for example, by holding a post meeting gathering. Informal gatherings at which local agency business is discussed or transacted violate the law if they are not conducted in conformance with the Brown Act.¹⁷ A luncheon gathering in a crowded dining room violates the Brown Act if the public does not have an adequate opportunity to hear or participate in the deliberations of members.

Thursday at 11:30 a.m., as they did every week, the board of directors of the Dry Gulch Irrigation District trooped into Pop’s Donut Shoppe for an hour of talk and fellowship. They sat at the corner window, fronting on Main and Broadway, to show they had nothing to hide. Whenever he could, the managing editor of the weekly newspaper down the street hurried over to join the board.

A gathering like this would not violate the Brown Act if board members scrupulously avoided talking about irrigation district issues. But it is the kind of situation that should be avoided. The public is unlikely to believe the board members could meet regularly without discussing public business. A newspaper executive’s presence in no way lessens the potential for a violation of the Brown Act.

- Q.** The agency has won a major victory in the Supreme Court on an issue of importance. The presiding officer decides to hold an impromptu press conference in order to make a statement to the print and broadcast media. All the other members show up in order to make statements of their own and be seen by the media. Is this gathering illegal?
- A.** *Technically there is no exception for this sort of gathering, but as long as members do not state their intentions as to future action to be taken and the press conference is open to the public, it seems harmless.*

■ TECHNOLOGICAL CONFERENCING

In an effort to keep up with information age technologies, the Brown Act now specifically allows a legislative body to use any type of teleconferencing to meet, receive public comment and testimony, deliberate, or conduct a closed session.¹⁸ While the Brown Act contains specific requirements for conducting a teleconference, the decision to use teleconferencing is entirely discretionary within the body.

“Teleconference” is defined as “a meeting of a legislative body, the members of which are in different locations, connected by electronic means, through either audio or video, or both.”¹⁹ In addition to the specific requirements relating to teleconferencing, the meeting must comply with all provisions of the Brown Act otherwise applicable. The Brown Act contains the following specific requirements:²⁰

- Teleconferencing may be used for all purposes during any meeting;
- At least a quorum of the legislative body must participate from locations within the local agency’s jurisdiction;
- Additional teleconference locations may be made available for the public;



Practice Tip:

Legal counsel for the local agency should be consulted before teleconferencing a meeting.

- Each teleconference location must be specifically identified in the notice and agenda of the meeting, including a full address and room number, as may be applicable;
- Agendas must be posted at each teleconference location, even if a hotel room or a residence;
- Each teleconference location must be accessible to the public and have technology, such as a speakerphone, to enable the public to participate;
- The agenda must provide the opportunity for the public to address the legislative body directly at each teleconference location; and
- All votes must be by roll call.

Q. A member on vacation wants to participate in a meeting of the legislative body and vote by cellular phone from her car while driving from Washington, D.C. to New York. May she?

A. *She may not participate or vote because she is not in a noticed and posted teleconference location.*

The use of teleconferencing to conduct a legislative body meeting presents a variety of new issues beyond the scope of this guide to discuss in detail. Therefore, before teleconferencing a meeting, legal counsel for the local agency should be consulted.

■ LOCATION OF MEETINGS

The Brown Act generally requires all regular and special meetings of a legislative body, including retreats and workshops, to be held within the boundaries of the territory over which the local agency exercises jurisdiction.²¹

An open and publicized meeting of a legislative body may be held outside of agency boundaries if the purpose of the meeting is one of the following:

- Comply with state or federal law or a court order, or for a judicial conference or administrative proceeding in which the local agency is a party;
- Inspect real or personal property, which cannot be conveniently brought into the local agency's territory, provided the meeting is limited to items relating to that real or personal property;

Q. The agency is considering approving a major retail mall. The developer has built other similar malls, and invites the entire legislative body to visit a mall outside the jurisdiction. May the entire body go?

A. *Yes, the Brown Act permits meetings outside the boundaries of the agency for specified reasons and inspection of property is one such reason. The field trip must be treated as a meeting and the public must be able to attend.*

- Participate in multiagency meetings or discussions, however, such meetings must be held within the boundaries of one of the participating agencies, and all involved agencies must give proper notice;
- Meet in the closest meeting facility if the local agency has no meeting facility within its boundaries or at its principal office if that office is located outside the territory over which the agency has jurisdiction;

- Meet with elected or appointed federal or California officials when a local meeting would be impractical, solely to discuss a legislative or regulatory issue affecting the local agency and over which the federal or state officials have jurisdiction;
- Meet in or nearby a facility owned by the agency, provided that the topic of the meeting is limited to items directly related to the facility; or
- Visit the office of its legal counsel for a closed session on pending litigation, when to do so would reduce legal fees or costs.²²

In addition, the governing board of a school or community college district may hold meetings outside of its boundaries to attend a conference on nonadversarial collective bargaining techniques, interview candidates for school district superintendent, or interview a potential employee from another district.²³ A school board may also interview members of the public residing in another district if the board is considering employing that district's superintendent.

Similarly, meetings of a joint powers authority can occur within the territory of at least one of its member agencies, and a joint powers authority with members throughout the state may meet anywhere in the state.²⁴

Finally, if a fire, flood, earthquake, or other emergency makes the usual meeting place unsafe, the presiding officer can designate another meeting place for the duration of the emergency. News media that have requested notice of meetings must be notified of the designation by the most rapid means of communication available.²⁵

Endnotes:

- 1 California Government Code section 54952.2(a)
- 2 California Government Code section 54954(a)
- 3 California Government Code section 54956
- 4 California Government Code section 54956.5
- 5 California Government Code section 54955
- 6 California Government Code section 54952.2(c)
- 7 California Government Code section 54952.2(c)(4)
- 8 California Government Code section 54952.2(c)(6)
- 9 “The Brown Act,” California Attorney General (2003), p. 10
- 10 California Government Code section 54952.2(b)(1)
- 11 *Stockton Newspaper Inc. v. Redevelopment Agency* (1985) 171 Cal.App.3d 95
- 12 California Government Code section 54952.2(b)(2)
- 13 *Common Cause v. Stirling* (1983) 147 Cal.App.3d 518
- 14 *Roberts v. City of Palmdale* (1993) 5 Cal.4th 363
- 15 California Government Code section 54957.5(a)
- 16 California Government Code section 54952.2(b)(2)
- 17 California Government Code section 54952.2; 43 Ops.Cal.Atty.Gen. 36 (1964)
- 18 California Government Code section 54953(b)(1)
- 19 California Government Code section 54953(b)(4)
- 20 California Government Code section 54953
- 21 California Government Code section 54954(b)
- 22 California Government Code section 54954(b)(1)-(7)
- 23 California Government Code section 54954(c)
- 24 California Government Code section 54954(d)
- 25 California Government Code section 54954(e)

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CHAPTER 4:

AGENDAS, NOTICES, AND PUBLIC PARTICIPATION



AGENDAS FOR REGULAR MEETINGS

MAILED AGENDA UPON WRITTEN REQUEST

NOTICE REQUIREMENTS FOR SPECIAL MEETINGS

NOTICES AND AGENDAS FOR ADJOURNED AND
CONTINUED MEETINGS AND HEARINGS

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MEETINGS

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RESPONDING TO THE PUBLIC

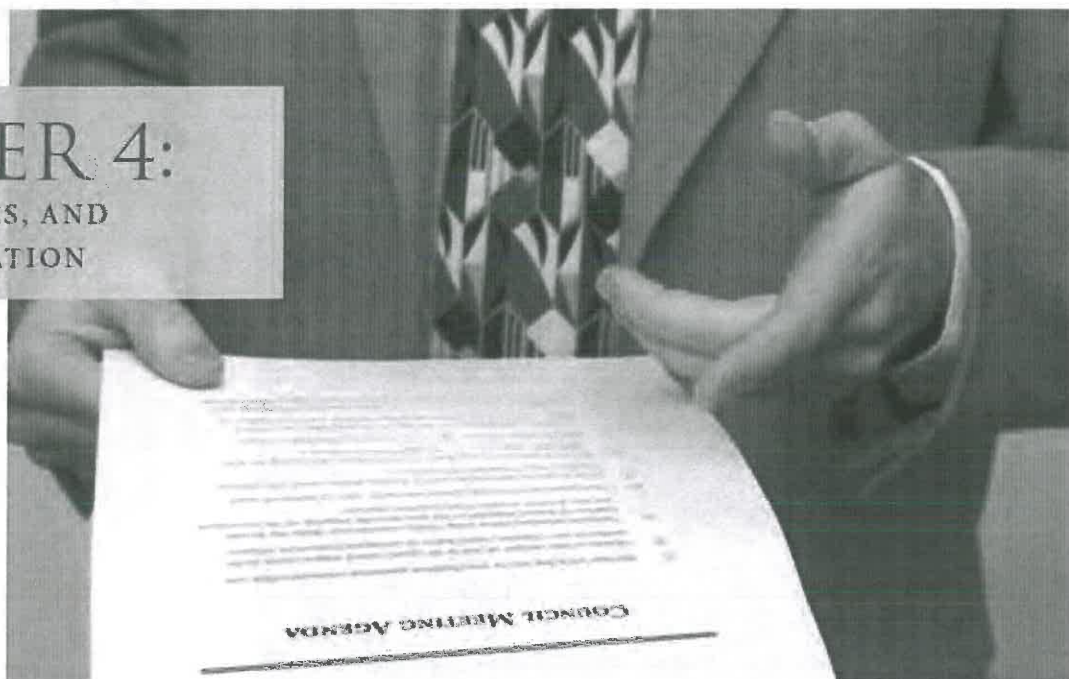
THE RIGHT TO ATTEND MEETINGS

RECORDS AND RECORDINGS

THE PUBLIC'S PLACE ON THE AGENDA

CHAPTER 4:

AGENDAS, NOTICES, AND PUBLIC PARTICIPATION



Effective notice is essential for an open and public meeting. Whether a meeting is open or how the public may participate in that meeting is academic if nobody knows about the meeting.

■ AGENDAS FOR REGULAR MEETINGS

Every regular meeting of a legislative body of a local agency—including advisory committees, commissions, or boards, as well as standing committees of legislative bodies—must be preceded by a posted agenda that advises the public of the meeting and the matters to be transacted or discussed.

The agenda must be posted at least 72 hours before the regular meeting in a location “freely accessible to members of the public.”¹ The courts have not definitively interpreted the “freely accessible” requirement. The California Attorney General has interpreted this provision to require posting in locations accessible to the public 24 hours a day during the 72-hour period, but any of the 72 hours may fall on a weekend.² Posting may also be made on a touch screen electronic kiosk accessible without charge to the public 24 hours a day during the 72-hour period.³ However, only posting an agenda on an agency’s Web site is inadequate since there is no universal access to the internet. The agenda must state the meeting time and place and must contain “a brief general description of each item of business to be transacted or discussed at the meeting, including items to be discussed in closed session.”⁴

Practice Tip:

Putting together a meeting agenda requires careful thought.

- Q The agenda for a regular meeting contains the following items of business:

- “Consideration of a report regarding traffic on Eighth Street”
- “Consideration of contract with ABC Consulting”

Are these descriptions adequate?

- A If the first is, it is barely adequate. A better description would provide the reader with some idea of what the report is about and what is being recommended. The second is not adequate. A better description might read “consideration of a contract with ABC Consulting in the amount of \$50,000 for traffic engineering services regarding traffic on Eighth Street.”

- Q.** The agenda includes an item entitled "City Manager's Report," during which time the city manager provides a brief report on notable topics of interest, none of which are listed on the agenda.

Is this permissible?

- A.** Yes, so long as it does not result in extended discussion or action by the body.

A brief general description may not be sufficient for closed session agenda items. The Brown Act provides safe harbor language for the various types of permissible closed sessions. Substantial compliance with the safe harbor language is recommended to protect legislative bodies and elected officials from legal challenges.

■ MAILED AGENDA UPON WRITTEN REQUEST

The legislative body, or its designee, must mail a copy of the agenda or, if requested, the entire agenda packet, to any person who has filed a written request for such materials. These copies shall be mailed at the time the agenda is posted. If requested, these materials must be made available in appropriate alternative formats to persons with disabilities.

A request for notice is valid for one calendar year and renewal requests must be filed Jan. 1 of each year. The legislative body may establish a fee to recover the cost of providing the service. Failure of the requesting person to receive the agenda does not constitute grounds for invalidation of actions taken at the meeting.⁵



■ NOTICE REQUIREMENTS FOR SPECIAL MEETINGS

There is no express agenda requirement for special meetings, but the notice of the special meeting effectively serves as the agenda and limits the business that may be transacted or discussed. Written notice must be sent to each member of the legislative body (unless waived in writing by that member) and to each local newspaper of general circulation, and radio or television station that has requested such notice in writing. This notice must be delivered by personal delivery or any other means that ensures receipt, at least 24 hours before the time of the meeting.

The notice must state the time and place of the meeting, as well as all business to be transacted or discussed. It is recommended that the business to be transacted or discussed be described in the same manner that an item for a regular meeting would be described on the agenda—with a brief general description. As noted above, closed session items should be described in accordance with the Brown Act's safe harbor provisions to protect legislative bodies and elected officials from challenges of noncompliance with notice requirements. The special meeting notice must also be posted at least 24 hours prior to the special meeting in a site freely accessible to the public. The body cannot consider business not in the notice.⁶

■ NOTICES AND AGENDAS FOR ADJOURNED AND CONTINUED MEETINGS AND HEARINGS

A regular or special meeting can be adjourned and re-adjourned to a time and place specified in the order of adjournment.⁷ If no time is stated, the meeting is continued to the hour for regular meetings. Whoever is present (even if they are less than a quorum) may so adjourn a meeting; if no member of the legislative body is present, the clerk or secretary may adjourn the meeting. If a meeting is adjourned for less than five calendar days, no new agenda need be posted so long as a new item of business is not introduced.⁸ A copy of the order of adjournment must be posted within 24 hours after the adjournment, at or near the door of the place where the meeting was held.

A hearing can be continued to a subsequent meeting. The process is the same as for continuing adjourned meetings, except that if the hearing is continued to a time less than 24 hours away, a copy of the order or notice of continuance must be posted immediately following the meeting.⁹

■ NOTICE REQUIREMENTS FOR EMERGENCY MEETINGS

The special meeting notice provisions apply to emergency meetings, except for the 24-hour notice.¹⁰ News media that have requested written notice of special meetings must be notified by telephone at least one hour in advance of an emergency meeting, and all telephone numbers provided in that written request must be tried. If telephones are not working, the notice requirements are deemed waived. However, the news media must be notified as soon as possible of the meeting and any action taken.

News media may make a practice of having written requests on file for notification of special or emergency meetings. Absent such a request, a local agency has no legal obligation to notify news media of special or emergency meetings—although notification may be advisable in any event to avoid controversy.

■ EDUCATIONAL AGENCY MEETINGS

The Education Code contains some special agenda and special meeting provisions,¹¹ however, they are generally consistent with the Brown Act. An item is probably void if not posted.¹² A school district board must also adopt regulations to make sure the public can place matters affecting district's business on meeting agendas and to address the board on those items.¹³

■ NOTICE REQUIREMENTS FOR TAX OR ASSESSMENT MEETINGS AND HEARINGS

The Brown Act prescribes specific procedures for adoption by a city, county, special district, or joint powers authority of any new or increased general tax or assessment.¹⁴ At least one public meeting must be held to allow public testimony on the tax or assessment. In addition, there must also be at least 45 days notice of a public hearing at which public testimony may be given before the legislative body proposes to act on the tax or assessment. The agency may recover the reasonable costs of the public meetings, hearings, and notice.¹⁵

The Brown Act exempts certain fees, standby or availability charges, recurring assessments, and new or increased assessments that are subject to the notice and hearing requirements of the Constitution.¹⁶ As a practical matter, the Constitution's notice requirements have preempted this section of the Brown Act.

■ NON-AGENDA ITEMS

The Brown Act generally prohibits any action or discussion of items not on the posted agenda. However, there are three specific situations in which a legislative body can act on an item not on the agenda:¹⁷

- When a majority decides there is an "emergency situation" (as defined for emergency meetings);
- When two-thirds of the members present (or all members if less than two-thirds are present) determine there is a need for immediate action and the need to take action "came to the attention of the local agency subsequent to the agenda being posted." This exception requires a degree of urgency. Further, an item cannot be considered under this provision if the legislative body or the staff knew about the need to take immediate action before the agenda was posted. A new need does not arise because staff forgot to put an item on the agenda or because an applicant missed a deadline; or
- When an item appeared on the agenda of, and was continued from, a meeting held not more than five days earlier.

Practice Tip:

Subject to very limited exceptions, the Brown Act prohibits any action or discussion of an item not on the posted agenda.

The exceptions are narrow, as indicated by this list. The first two require a specific determination by the legislative body. That determination can be challenged in court and, if unsubstantiated, can lead to invalidation of an action.

"I'd like a two-thirds vote of the board, so we can go ahead and authorize commencement of phase two of the East Area Project," said Chair Lopez.

"It's not on the agenda. But we learned two days ago that we finished phase one ahead of schedule—believe it or not—and I'd like to keep it that way. Do I hear a motion?"

The desire to stay ahead of schedule generally would not satisfy "a need for immediate action." Too casual an action could invite a court challenge by a disgruntled resident. The prudent course is to place an item on the agenda for the next meeting and not risk invalidation.



"We learned this morning of an opportunity for a state grant," said the chief engineer at the regular board meeting, "but our application has to be submitted in two days. We'd like the board to give us the go ahead tonight, even though it's not on the agenda."

A legitimate immediate need can be acted upon even though not on the posted agenda by following a two-step process:

- First, make two determinations: (a) that there is an immediate need to take action and (b) that the need arose after the posting of the agenda. The matter is then placed on the agenda.
- Second, discuss and act on the added agenda item.

■ RESPONDING TO THE PUBLIC

The public can talk about anything within the jurisdiction of the legislative body, but the legislative body generally cannot act on or discuss an item not on the agenda. What happens when a member of the public raises a subject not on the agenda?

While the Brown Act does not allow discussion or action on items not on the agenda, it does allow members of the legislative body, or its staff, to "briefly respond" to comments or questions from members of the public, provide a reference to staff or other resources for factual information, or direct staff to place the issue on a future agenda. In addition, even without a comment from the public, a legislative body member or a staff member may ask for information, request a report back, request to place a matter on the agenda for a subsequent meeting (subject to the body's rules or procedures), ask a question for clarification, make a brief announcement, or briefly report on his or her own activities.¹⁸ However, caution should be used to avoid any discussion or action on such items.

Council Member A: I would like staff to respond to Resident Joe's complaints during public comment about the repaving project on Elm Street—are there problems with this project?

City Manager: The public works director has prepared a 45-minute power point presentation for you on the status of this project and will give it right now.

Council Member B: Take all the time you need; we need to get to the bottom of this. Our residents are unhappy.

It is clear from this dialogue that the Elm Street project was not on the council's agenda, but was raised during the public comment period for items not on the agenda. Council Member A properly asked staff to respond; the city manager should have given at most a brief response. If a lengthy report from the public works director was warranted, the city manager should have stated that it would be placed on the agenda for the next meeting. Otherwise, both the long report and the likely discussion afterward will improperly embroil the council in a matter that is not listed on the agenda.

■ THE RIGHT TO ATTEND AND OBSERVE MEETINGS

A number of other Brown Act provisions protect the public's right to attend, observe, and participate in meetings.

Members of the public cannot be required to register their names, provide other information, complete a questionnaire, or otherwise "fulfill any condition precedent" to attending a meeting. Any attendance list, questionnaire, or similar document posted at or near the entrance to the meeting room or circulated at a meeting must clearly state that its completion is voluntary and that all persons may attend whether or not they fill it out.¹⁹

No meeting can be held in a facility that prohibits attendance based on race, religion color, national origin, ethnic group identification, age, sex, sexual orientation, or disability, or that is inaccessible to the disabled. Nor can a meeting be held where the public must make a payment or purchase in order to be present.²⁰ This does not mean however that the public is entitled to free entry to a conference attended by a majority of the legislative body.²¹

While a legislative body may use teleconferencing in connection with a meeting, the public must be given notice of and access to the teleconference location. Members of the public must be able to address the legislative body from the teleconference location.²²

Action by secret ballot, whether preliminary or final, is flatly prohibited.²³

Q: The agenda calls for election of the legislative body's officers. Members of the legislative body want to cast unsigned written ballots that would be tallied by the clerk, who would announce the results. Is this voting process permissible?

A: No. The possibility that a public vote might cause hurt feelings among members of the legislative body or might be awkward—or even counterproductive—does not justify a secret ballot.

There can be no semi-closed meetings, in which some members of the public are permitted to attend as spectators while others are not; meetings are either open or closed.²⁴

The legislative body may remove persons from a meeting who willfully interrupt proceedings. If order still cannot be restored, the meeting room may be cleared. Members of the news media who have not participated in the disturbance must be allowed to continue to attend the meeting. The legislative body may establish a procedure to re-admit an individual or individuals not responsible for the disturbance.²⁵



■ RECORDS AND RECORDINGS

The public has the right to review agendas and other writings distributed by any person to a majority of the legislative body in connection with a matter subject to discussion or consideration at a meeting. Except for privileged documents, those materials are public records and must be made available upon request without delay.²⁶ A fee or deposit as permitted by the California Public Records Act may be charged for a copy of a public record.²⁷

Q: In connection with an upcoming hearing on a discretionary use permit, counsel for the legislative body transmits a memorandum to all members of the body outlining the litigation risks in granting or denying the permit. Must this memorandum be included in the packet of agenda materials available to the public?

A: *No. The memorandum is a privileged attorney-client communication.*

Q: In connection with an agenda item calling for the legislative body to approve a contract, staff submits to all members of the body a financial analysis explaining why the terms of the contract favor the local agency. Must this memorandum be included in the packet of agenda materials available to the public?

A: *Yes. The memorandum has been distributed to the majority of the legislative body, relates to the subject matter of a meeting, and is not a privileged communication.*

A legislative body may discuss or act on some matters without considering written materials. But if writings are distributed to a majority of a legislative body in connection with an agenda item, they must also be available to the public. A writing distributed to a majority of the legislative body less than 72 hours before the meeting must be made available for inspection at the time of distribution at a public office or location designated for that purpose; and the agendas for all meetings of the legislative body must include the address of this office or location.²⁸ A writing distributed during a meeting must be made public:

- At the meeting if prepared by the local agency or a member of its legislative body; or
- After the meeting if prepared by some other person.²⁹

Any tape or film record of an open and public meeting made for whatever purpose by or at the direction of the local agency is subject to the Public Records Act; however, it may be erased or destroyed 30 days after the taping or recording. Any inspection of a video or tape recording is to be provided without charge on a video or tape player made available by the local agency.³⁰ The agency may impose its ordinary charge for copies.³¹

In addition, the public is specifically allowed to use audio or video tape recorders or still or motion picture cameras at a meeting to record the proceedings, absent a reasonable finding by the legislative body that noise, illumination, or obstruction of view caused by recorders or cameras would persistently disrupt the proceedings.³²

Similarly, a legislative body cannot prohibit or restrict the public broadcast of its open and public meetings without making a reasonable finding that the noise, illumination, or obstruction of view would persistently disrupt the proceedings.³³

■ THE PUBLIC'S PLACE ON THE AGENDA

Every agenda for a regular meeting must allow members of the public to speak on any item of interest, so long as the item is within the subject matter jurisdiction of the legislative body. Further, the public must be allowed to speak on a specific item of business before or during the legislative body's consideration of it.³⁴

- Q. Must the legislative body allow members of the public to show videos or make a power point presentation during the public comment part of the agenda, as long as the subject matter is relevant to the agency and is within the established time limit?
- A. *Probably, although the agency is under no obligation to provide equipment.*

Practice Tip:

Public speakers cannot be compelled to give their name or address as a condition of speaking. The clerk or presiding officer may request speakers to complete a speaker card or identify themselves for the record, but must respect a speaker's desire for anonymity.

Moreover, the legislative body cannot prohibit public criticism of policies, procedures, programs, or services of the agency or the acts or omissions of the legislative body itself. But, the Brown Act provides no immunity for defamatory statements.³⁵

- Q. May the presiding officer prohibit a member of the audience from publicly criticizing an agency employee by name during public comments?
- A. *No, as long as the criticism pertains to job performance.*
- Q. During the public comment period of a regular meeting of the legislative body, a resident urges the public to support and vote for a candidate vying for election to the body. May the presiding officer gavel the speaker out of order for engaging in political campaign speech?
- A. *There is no case law on this subject. Some would argue that campaign issues are outside the subject matter jurisdiction of the body within the meaning of Section 54954.3(a). Others take the view that the speech must be allowed under paragraph (c) of that section because it is relevant to the governing of the agency and an implicit criticism of the incumbents.*

The legislative body may adopt reasonable regulations, including time limits, on public comments. Such regulations should be enforced fairly and without regard to speakers' viewpoints. The legislative body has discretion to modify its regulations regarding time limits on public comment if necessary. For example, the time limit could be shortened to accommodate a lengthy agenda or lengthened to allow additional time for discussion on a complicated matter.³⁶

The public does not need to be given an opportunity to speak on an item that has already been considered by a committee made up exclusively of members of the legislative body at a public meeting, if all interested members of the public had the opportunity to speak on the item before or during its consideration, and if the item has not been substantially changed.³⁷

Notices and agendas for special meetings must also give members of the public the opportunity to speak before or during consideration of an item on the agenda but need not allow members of the public an opportunity to speak on other matters within the jurisdiction of the legislative body.³⁸

Endnotes

- 1 California Government Code section 54954.2(a)(1)
- 2 78 Ops.Cal.Atty.Gen. 327 (1995)
- 3 88 Ops.Cal.Atty.Gen. 218 (2005)
- 4 California Government Code section 54954.2(a)(1)
- 5 California Government Code section 54954.1
- 6 California Government Code section 54956
- 7 California Government Code section 54955
- 8 California Government Code section 54954.2(b)(3)
- 9 California Government Code section 54955.1
- 10 California Government Code section 54956.5
- 11 Education Code sections 35144, 35145 and 72129
- 12 *Carlson v. Paradise Unified School District* (1971) 18 Cal.App.3d 196
- 13 California Education Code section 35145.5
- 14 California Government Code section 54954.6
- 15 California Government Code section 54954.6(g)
- 16 See: Cal.Const.Art.XIIIC, XIIID and California Government Code section 54954.6(h)
- 17 California Government Code section 54954.2(b)
- 18 California Government Code section 54954.2(a)(2)
- 19 California Government Code section 54953.3
- 20 California Government Code section 54961(a); California Government Code section 11135(a)
- 21 California Government Code section 54952.2(c)(2)
- 22 California Government Code section 54953(b)
- 23 California Government Code section 54953(c)
- 24 46 Ops.Cal.Atty.Gen. 34 (1965)
- 25 California Government Code section 54957.9
- 26 California Government Code section 54957.5
- 27 California Government Code section 54957.5(d)
- 28 California Government Code section 54957.5(b)
- 29 California Government Code section 54957.5(c)
- 30 California Government Code section 54953.5(b)
- 31 California Government Code section 54957.5(d)
- 32 California Government Code section 54953.5(a)
- 33 California Government Code section 54953.6
- 34 California Government Code section 54954.3(a)
- 35 California Government Code section 54954.3(c)
- 36 California Government Code section 54954.3(b); *Chaffee v. San Francisco Public Library Com.* (2005) 134 Cal. App.4th 109; 75 Ops.Cal.Atty.Gen. 89 (1992)
- 37 California Government Code section 54954.3(a)
- 38 California Government Code section 54954.3(a)

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CHAPTER 5:

CLOSED SESSIONS



AGENDAS AND REPORTS

LITIGATION

REAL ESTATE NEGOTIATIONS

PUBLIC EMPLOYMENT

LABOR NEGOTIATIONS

LABOR NEGOTIATIONS—SCHOOL AND
COMMUNITY COLLEGE DISTRICTS

OTHER EDUCATION CODE EXCEPTIONS

GRAND JURY TESTIMONY

LICENSE APPLICANTS WITH CRIMINAL RECORDS

PUBLIC SECURITY

MULTIJURISDICTIONAL DRUG LAW
ENFORCEMENT AGENCY

HOSPITAL PEER REVIEW AND TRADE SECRETS

THE CONFIDENTIALITY OF CLOSED SESSION
DISCUSSIONS

CHAPTER 5:

CLOSED SESSIONS



The Brown Act begins with a strong statement in favor of open meetings; private discussions among a majority of a legislative body are prohibited, unless expressly authorized under the Brown Act. It is not enough that a subject is sensitive, embarrassing, or controversial. Without specific authority in the Brown Act for a closed session, a matter must be discussed in public. As an example, a board of police commissioners cannot generally meet in closed session, even though some matters are sensitive and the commission considers their disclosure contrary to the public interest.¹

Practice Tip:

Meetings are either open or closed. There is no "in between."

Meetings of a legislative body are either fully open or fully closed; there is nothing in between. Closed sessions may involve only the members of the legislative body and only agency counsel, management and support staff, and consultants necessary for consideration of the matter that is the subject of closed session. Individuals who do not have an official role in advising the legislative body on closed session subject matters must be excluded from closed session discussions.²

- Q. May the lawyer for someone suing the agency attend a closed session in order to explain to the legislative body why it should accept a settlement offer?
- A. No, attendance in closed sessions is reserved exclusively for the agency's advisors.

In general, the most common purpose of a closed session is to avoid revealing confidential information that may, in specified circumstances, prejudice the legal or negotiating position of the agency or compromise the privacy interests of employees. Closed sessions should be conducted keeping those narrow purposes in mind.

In this chapter, the grounds for convening a closed session are called “exceptions” because they are exceptions to the general rule that meetings must be conducted openly. In some circumstances, none of the closed session exceptions apply to an issue or information the legislative body wishes to discuss privately. In these cases, it is not proper to convene a closed session, even to protect confidential information. For example, the Brown Act does not authorize closed sessions for general contract negotiations.

■ AGENDAS AND REPORTS

Closed session items must be briefly described on the posted agenda and the description must state the specific statutory exemption. An item that appears on the open meeting portion of the agenda may not be taken into closed session until it has been properly agendized as a closed session or unless it is properly added as a closed session item by a two-thirds vote of the body after making the appropriate urgency findings.

The Brown Act supplies a series of fill-in-the-blank sample agenda descriptions for various types of authorized closed sessions, which provide a “safe harbor” from legal attacks. These sample agenda descriptions cover license and permit determinations, real property negotiations, existing or anticipated litigation, liability claims, threats to security, public employee appointments, evaluations and discipline, labor negotiations, multi-jurisdictional drug cases, hospital boards of directors, and medical quality assurance committees.³

If the legislative body intends to convene in closed session, it must include the section of the Brown Act authorizing the closed session in advance on the agenda and it must make a public announcement prior to the closed session discussion. In most cases, the announcement may simply be a reference to the agenda item.⁴

Following a closed session the legislative body must provide an oral or written report on certain actions taken and the vote of every elected member present. The timing and content of the report varies according to the reason for the closed session.⁵ The announcements may be made at the site of the closed session, so long as the public is allowed to be present to hear them.

If there is a standing or written request for documentation, any copies of contracts, settlement agreements, or other documents finally approved or adopted in closed session must be provided to the requestor(s) after the closed session, if final approval of such documents does not rest with any other party to the contract or settlement. If substantive amendments to a contract or settlement agreement approved by all parties requires retyping, such documents may be held until retyping is completed during normal business hours, but the substance of the changes must be summarized for any person inquiring about them.⁶

The Brown Act does not require minutes, including minutes of closed session. A confidential “minute book” may be kept to record actions taken at closed sessions.⁷ If one is kept, it must be made available to members of the legislative body, provided that the member asking to review minutes of a particular meeting was not disqualified from attending the meeting due to a conflict of interest.⁸ A court may order the disclosure of minute books for the court’s review if a lawsuit makes sufficient claims of an open meeting violation.

Practice Tip:

Some problems over closed sessions arise because secrecy itself breeds distrust. The Brown Act does not require closed sessions and legislative bodies may do well to resist the tendency to call a closed session simply because it may be permitted. A better practice is to go into closed session only when necessary.

Practice Tip:

Pay close attention to closed session agenda descriptions. Using the wrong label can lead to invalidation of an action taken in closed session.

■ LITIGATION

There is an attorney/client relationship, and legal counsel may use it for privileged written and verbal communications—outside of meetings—to members of the legislative body. But protection of the attorney/client privilege cannot by itself be the reason for a closed session.⁹

The Brown Act expressly authorizes closed sessions to discuss what is considered litigation. The rules that apply to holding a litigation closed session involve complex, technical definitions and procedures. The essential thing to know is that a closed session can be held by the body to confer with, or receive advice from, its legal counsel when open discussion would prejudice the position of the local agency in litigation in which the agency is a party.¹⁰ The litigation exception under the Brown Act is narrowly construed and does not permit activities beyond a legislative body's conferring with its own legal counsel. For example, it is not permissible to hold a closed session in which settlement negotiations take place between a legislative body and an adverse party or to hold a closed session for the purpose of participation in a mediation.¹¹

The California Attorney General believes that if the agency's attorney is not a participant, a litigation closed session cannot be held.¹² In any event, local agency officials should always consult the agency's attorney before placing this type of closed session on the agenda, in order to be certain that it is being done properly.

Litigation that may be discussed in closed session includes the following three types of matters:

Existing litigation

- Q.** May the legislative body agree to settle a lawsuit in a properly-noticed closed session, without placing the settlement agreement on an open session agenda for public approval?
- A.** *Yes, but the settlement agreement is a public document and must be disclosed on request. Furthermore, a settlement agreement cannot commit the agency to matters that are required to have public hearings.*

In general, the most common purpose of a closed session is to avoid revealing confidential information that may, in specified circumstances, prejudice the legal or negotiating position of the agency or compromise the privacy interests of employees. Closed sessions should be conducted keeping those narrow purposes in mind.

Grounds for convening a closed session in this chapter are called "exceptions" because they are exceptions to the general rule that meetings must be conducted openly. In some circumstances, none of the closed session exceptions apply to an issue or information the legislative body wishes to discuss privately. It is improper in these cases, to convene a closed session, even to protect confidential information. For example, the Brown Act does not authorize closed sessions for general contract negotiations.

Existing litigation includes any adjudicatory proceedings before a court, administrative body exercising its adjudicatory authority, hearing officer, or arbitrator. The clearest situation in which a closed session is authorized is when the local agency meets with its legal counsel to discuss a pending matter that has been filed in a court or with an administrative agency and names the local agency as a party. The legislative body may meet under these circumstances to receive updates on the case from attorneys, participate in developing strategy as the case develops, or to consider alternatives for resolution of the case. Generally, an agreement to settle litigation may be approved in closed session. However, an agreement to settle litigation that requires actions that are subject to public hearings cannot be approved in closed session.¹³

Threatened litigation against the local agency

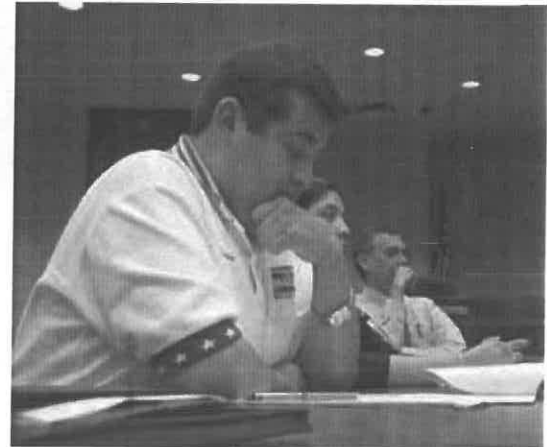
Closed sessions are authorized for legal counsel to inform the legislative body of specific facts and circumstances that suggest that the local agency has significant exposure to litigation. The Brown Act lists six separate categories of such facts and circumstances.¹⁴ The legislative body may also meet under this exception to determine whether a closed session is authorized based on information provided by legal counsel or staff.

Initiation of litigation by the local agency

A closed session may be held under the pending litigation exception when the legislative body seeks legal advice on whether to protect the agency's rights and interests by initiating litigation.

In certain cases, the circumstances and facts justifying the closed session must be publicly noticed on the agenda or announced at an open meeting. Before holding a closed session under the pending litigation exception, the legislative body must publicly state which of the three basic situations apply. It may do so simply by making a reference to the posted agenda.

Certain actions must be reported in open session at the same meeting following the closed session. Other actions, as where final approval rests with another party or the court, may be announced when they become final and upon inquiry of any person. Each agency attorney should be aware of and should make other disclosures that may be required in specific instances.



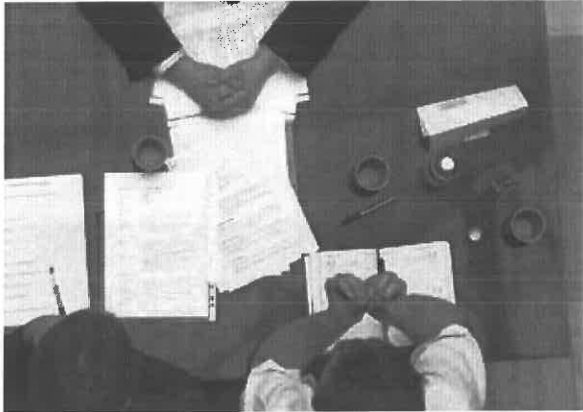
■ REAL ESTATE NEGOTIATIONS

A legislative body may meet in closed session with its negotiator to discuss the purchase, sale, exchange, or lease of real property by or for the local agency. A "lease" includes a lease renewal or renegotiation. The purpose is to grant authority to the legislative body's negotiator on price and terms of payment.¹⁵ Caution should be exercised to limit discussion to price and terms of payment without straying to other related issues such as site design, architecture, or other aspects of the project for which the transaction is contemplated.¹⁶

- Q.** May other terms of a real estate transaction, aside from price and terms of payment, be addressed in closed session?
- A.** *No. However, there are differing opinions over the scope of the phrase "price and terms of payment" in connection with real estate closed sessions. Many agency attorneys believe that any term that directly affects the economic value of the transaction falls within the ambit of "price and terms of payment." Others take a narrower, more literal view of the phrase.*

The agency's negotiator may be a member of the legislative body itself. Prior to the closed session, or on the agenda, the legislative body must identify its negotiator, the real property that the negotiations may concern and the names of the persons with whom its negotiator may negotiate.¹⁷

After real estate negotiations are concluded, the approval and substance of the agreement must be reported. If its own approval makes the agreement final, the body must report in open session at the public meeting during which the closed session is held. If final approval rests with another party, the local agency must report the approval as soon as informed of it. Once final, the substance of the agreement must be disclosed to anyone who inquires.



"Our population is exploding, and we have to think about new school sites," said Board Member Jefferson.

"Not only that," interjected Board Member Tanaka, "we need to get rid of a couple of our older facilities."

"Well, obviously the place to do that is in a closed session," said Board Member O'Reilly. "Otherwise we're going to set off land speculation. And if we even mention closing a school, parents are going to be in an uproar."

A closed session to discuss potential sites is not authorized by the Brown Act. The exception is limited to meeting with its negotiator over specific sites—which must be identified at an open and public meeting.

■ PUBLIC EMPLOYMENT

The Brown Act authorizes a closed session "to consider the appointment, employment, evaluation of performance, discipline, or dismissal of a public employee or to hear complaints or charges brought against the employee."¹⁸ The purpose of this exception—commonly referred to as the "personnel exception"—is to avoid undue publicity or embarrassment for an employee or applicant for employment and to allow full and candid discussion by the legislative body; thus, it is restricted to discussing individuals, not general personnel policies.¹⁹ The body must possess the power to appoint, evaluate, or dismiss the employee to hold a closed session under this exception.²⁰ That authority may be delegated to a subsidiary appointed body.²¹

An employee must be given at least 24 hours notice of any closed session convened to hear specific complaints or charges against him or her. This occurs when the legislative body is reviewing evidence, which could include live testimony, and adjudicating conflicting testimony offered as evidence. The employee has the right to have the specific complaints and charges discussed in a public session rather than closed session.²² If the employee is not given notice, any disciplinary action is null and void.²³

Practice Tip:

Discussions of who to appoint to an advisory body and whether or not to censure a fellow member of the legislative body must be held in the open.

- Q.** Must 24 hours notice be given to an employee whose negative performance evaluation is to be considered by the legislative body in closed session?
- A.** No, the notice is reserved for situations where the body is to hear complaints and charges from witnesses.

However, an employee is not entitled to notice and a hearing where the purpose of the closed session is to consider a performance evaluation. The Attorney General and the courts have determined that personnel performance evaluations do not constitute complaints and charges, which are more akin to accusations made against a person.²⁴

Correct labeling of the closed session on the agenda is critical. A closed session agenda that identified discussion of an employment contract was not sufficient to allow dismissal of an employee.²⁵ An incorrect agenda description can result in invalidation of an action and much embarrassment.

For purposes of the personnel exception, “employee” specifically includes an officer or an independent contractor who functions as an officer or an employee. Examples of the former include a city manager, district general manager or superintendent. An example of the latter is a legal counsel or engineer hired on contract to act as local agency attorney or chief engineer.

Elected officials, appointees to the governing body or subsidiary bodies, and independent contractors other than those discussed above are not employees for purposes of the personnel exception.²⁶ Action on individuals who are not “employees” must also be public—including discussing and voting on appointees to committees, or debating the merits of independent contractors, or considering a complaint against a member of the legislative body itself.

The personnel exception specifically prohibits discussion or action on proposed compensation in closed session, except for a disciplinary reduction in pay. Among other things, that means there can be no personnel closed sessions on a salary change (other than a disciplinary reduction) between any unrepresented individual and the legislative body. However, a legislative body may address the compensation of an unrepresented individual, such as a city manager, in a closed session as part of a labor negotiation (discussed later in this chapter), yet another example of the importance of using correct agenda descriptions.

Reclassification of a job must be public, but an employee’s ability to fill that job may be considered in closed session. Any closed session action to appoint, employ, dismiss, accept the resignation of, or otherwise affect the employment status of a public employee must be reported at the public meeting during which the closed session is held. That report must identify the title of the position, but not the names of all persons considered for an employment position.²⁷ However, a report on a dismissal or non-renewal of an employment contract must be deferred until administrative remedies, if any, are exhausted.²⁸

“I have some important news to announce,” said Mayor Garcia. “We’ve decided to terminate the contract of the city manager, effective immediately. The council has met in closed session and we’ve negotiated six months severance pay.”

“Unfortunately, that has some serious budget consequences, so we’ve had to delay phase two of the East Area Project.”

This may be an improper use of the personnel closed session if the council agenda described the item as the city manager’s evaluation. In addition, other than labor negotiations, any action on individual compensation must be taken in open session. Caution should be exercised to not discuss in closed session issues, such as budget impacts in this hypothetical, beyond the scope of the posted closed session notice.

Q. The school board is meeting in closed session to evaluate the superintendent and to consider giving her a pay raise. May the superintendent attend the closed session?

A. *The superintendent may attend the portion of the closed session devoted to her evaluation, but may not be present during discussion of her pay raise. Discussion of the superintendent’s compensation in closed session is limited to giving direction to the school board’s negotiator. Also, the clerk should be careful to notice the closed session on the agenda as both an evaluation and a labor negotiation.*

Practice Tip:

The personnel exception specifically prohibits discussion or action on proposed compensation in closed session except for a disciplinary reduction in pay.

■ LABOR NEGOTIATIONS

The Brown Act allows closed sessions for some aspects of labor negotiations. Different provisions (discussed below) apply to school and community college districts.

Practice Tip:

Prior to the closed session, the legislative body must hold an open and public session in which it identifies its designated representatives.

A legislative body may meet in closed session to instruct its bargaining representatives, which may be one or more of its members,²⁹ on employee salaries and fringe benefits for both union and non-union employees. For represented employees, it may also consider working conditions that by law require negotiation. These sessions may take place before or during negotiations with employee representatives. Prior to the closed session, the legislative body must hold an open and public session in which it identifies its designated representatives.

During its discussions with representatives on salaries and fringe benefits, the legislative body may also discuss available funds and funding priorities, but only to instruct its representative. The body may also meet in closed session with a conciliator who has intervened in negotiations.³⁰

The approval of an agreement concluding labor negotiations with represented employees must be reported after the agreement is final and has been accepted or ratified by the other party. The report must identify the item approved and the other party or parties to the negotiation.³¹ The labor sessions specifically cannot include final action on proposed compensation of one or more unrepresented employees. For purposes of this prohibition, an “employee” includes an officer or an independent contractor who functions as an officer or an employee. Independent contractors who do not serve in the capacity of an officer or employee are not covered by this closed session exception.

■ LABOR NEGOTIATIONS—SCHOOL AND COMMUNITY COLLEGE DISTRICTS

Employee relations for school districts and community college districts are governed by the Rodda Act, where different meeting and special notice provisions apply. The entire board, for example, may negotiate in closed sessions.

Four types of meetings are exempted from compliance with the Rodda Act:

- (1) A negotiating session with a recognized or certified employee organization;
- (2) A meeting of a mediator with either side;
- (3) A hearing or meeting held by a fact finder or arbitrator; and
- (4) A session between the board and its bargaining agent, or the board alone, to discuss its position regarding employee working conditions and instruct its agent.³²

Public participation under the Rodda Act also takes another form.³³ All initial proposals of both sides must be presented at public meetings and are public records. The public must be given reasonable time to inform itself and to express its views before the district may adopt its initial proposal. In addition, new topics of negotiations must be made public within 24 hours. Any votes on such a topic must be followed within 24 hours by public disclosure of the vote of each member.³⁴ The final vote must be in public.



■ OTHER EDUCATION CODE EXCEPTIONS

The Education Code governs student disciplinary meetings by boards of school districts and community college districts. District boards may hold a closed session to consider the suspension or discipline of a student, if a public hearing would reveal personal, disciplinary, or academic information about the student contrary to state and federal pupil privacy law. The student's parent or guardian may request an open meeting.³⁵

Community college districts may also hold closed sessions to discuss some student disciplinary matters, awarding of honorary degrees, or gifts from donors who prefer to remain anonymous.³⁶ Kindergarten through 12th grade districts may also meet in closed session to review the contents of the statewide assessment instrument.³⁷

■ GRAND JURY TESTIMONY

A legislative body, including its members as individuals, may testify in private before a grand jury, either individually or as a group.³⁸ Attendance by the entire legislative body before a grand jury would not constitute a closed session meeting under the Brown Act, since the body would not be meeting to make decisions or reach a consensus on issues within the body's subject matter jurisdiction.

■ LICENSE APPLICANTS WITH CRIMINAL RECORDS

A closed session is permitted when an applicant, who has a criminal record, applies for a license or license renewal and the legislative body wishes to discuss whether the applicant is sufficiently rehabilitated to receive the license. If the body decides to deny the license, the applicant may withdraw the application. If the applicant does not withdraw, the body must deny the license in public, immediately or at its next meeting. No information from the closed session can be revealed without consent of the applicant, unless the applicant takes action to challenge the denial.³⁹

■ PUBLIC SECURITY

Legislative bodies may meet in closed session to discuss matters posing a threat to the security of public buildings, essential public services, including water, sewer, gas, or electric service, or to the public's right of access to public services or facilities over which the legislative body has jurisdiction. Closed session meetings for these purposes must be held with designated security or law enforcement officials including the Attorney General, district attorney, agency attorney, sheriff or chief of police, or their deputies or agency security consultant or security operations manager.⁴⁰ Action taken in closed session with respect to such public security issues is not reportable action.

■ MULTIJURISDICTIONAL DRUG LAW ENFORCEMENT AGENCY

A joint powers agency formed to provide drug law enforcement services to multiple jurisdictions may hold closed sessions to discuss case records of an on-going criminal investigation, to hear testimony from persons involved in the investigation, and to discuss courses of action in particular cases.⁴¹

The exception applies to the legislative body of the joint powers agency and to any body advisory to it. The purpose is to prevent impairment of investigations, to protect witnesses and informants, and to permit discussion of effective courses of action.⁴²

Practice Tip:

Attendance by the entire legislative body before a grand jury would not constitute a closed session meeting under the Brown Act.

■ HOSPITAL PEER REVIEW AND TRADE SECRETS

Two specific kinds of closed sessions are allowed for district hospitals and municipal hospitals, under other provisions of law.⁴³

1. A meeting to hear reports of hospital medical audit or quality assurance committees, or for related deliberations. However, an applicant or medical staff member whose staff privileges are the direct subject of a hearing may request a public hearing.
2. A meeting to discuss “reports involving trade secrets”—provided no action is taken.

A “trade secret” is defined as information which is not generally known to the public or competitors and which: (1) “derives independent economic value, actual or potential” by virtue of its restricted knowledge; (2) is necessary to initiate a new hospital service or program or facility; and (3) would, if prematurely disclosed, create a substantial probability of depriving the hospital of a substantial economic benefit.

The provision prohibits use of closed sessions to discuss transitions in ownership or management, or the district’s dissolution.⁴⁴

■ THE CONFIDENTIALITY OF CLOSED SESSION DISCUSSIONS

It is not uncommon for agency officials to complain that confidential information is being leaked from closed sessions. The Brown Act prohibits the disclosure of confidential information acquired in a closed session by any person present and offers various remedies to address willful breaches of confidentiality.⁴⁵

It is incumbent upon all those attending lawful closed sessions to protect the confidentiality of those discussions. One court has held that members of a legislative body cannot be compelled to divulge the content of closed session discussions through the discovery process.⁴⁶ Only the legislative body acting as a body may agree to divulge confidential closed session information; regarding attorney/client privileged communications, the entire body is the holder of the privilege and only the entire body can decide to waive the privilege.⁴⁷

Before adoption of the Brown Act provision specifically prohibiting disclosure of closed session communications, agency attorneys and the Attorney General long believed that officials have a fiduciary duty to protect the confidentiality of closed session discussions. The Attorney General issued an opinion that it is “improper” for officials to disclose information received during a closed session regarding pending litigation,⁴⁸ though the Attorney General has also concluded that a local agency may not go so far as to adopt an ordinance criminalizing public disclosure of closed session discussions.⁴⁹ In any event, the Brown Act now prescribes remedies for breaches of confidentiality. These include injunctive relief, disciplinary action against an employee, and referral of a member of the legislative body to the grand jury.⁵⁰

The duty of maintaining confidentiality, of course, must give way to the obligation to disclose improper matters or discussions that may come up in closed sessions. In recognition of this public policy, the Brown Act exempts from its prohibition against disclosure of closed session communications disclosure of closed session information to the district attorney or the grand jury due to a perceived violation of law, expressions of opinion concerning the propriety or legality of actions taken in closed session, including disclosure of the nature and extent of the illegal action, and disclosing information that is not confidential.⁵¹

Practice Tip:

There is a strong interest in protecting the confidentiality of proper and lawful closed sessions.

The interplay between these possible sanctions and an official's first amendment rights is complex and beyond the scope of this guide. Suffice it to say that this is a matter of great sensitivity and controversy.

"I want the press to know that I voted in closed session against filing the eminent domain action," said Council Member Chang.

"Don't settle too soon," reveals Council Member Watson to the property owner, over coffee.

"The city's offer coming your way is not our bottom line."

The first comment to the press is appropriate—the Brown Act requires that certain final votes taken in closed session be reported publicly.⁵² The second comment to the property owner is not—disclosure of confidential information acquired in closed session is expressly prohibited and harmful to the agency.

Endnotes

- 1 61 Ops.Cal.Atty.Gen. 220 (1978)
- 2 82 Ops.Cal.Atty.Gen. 29 (1999)
- 3 California Government Code section 54954.5
- 4 California Government Code sections 54956.9 and 54957.7
- 5 California Government Code section 54957.1(a)
- 6 California Government Code section 54957.1(b)
- 7 California Government Code section 54957.2
- 8 *Hamilton v. Town of Los Gatos* (1989) 213 Cal.App.3d 1050; 2 Cal.Code Regs. section 18702.1(c)
- 9 *Roberts v. City of Palmdale* (1993) 5 Cal.4th 363
- 10 California Government Code section 54956.9; *Shapiro v. Board of Directors of Center City Development Corp.* (2005) 134 Cal.App.4th 170 (agency must be a party to the litigation).
- 11 *Page v. Miracosta Community College District* (2009) 180 Cal.App.4th 471
- 12 "The Brown Act," California Attorney General (2003), p. 40
- 13 *Trancas Property Owners Association v. City of Malibu* (2006) 138 Cal.App.4th 172
- 14 Government Code section 54956.9(b)
- 15 California Government Code section 54956.8
- 16 *Shapiro v. San Diego City Council* (2002) 96 Cal.App.4th 172; see also ___ Ops.Cal.Atty.Gen. ___ (May 21, 2010) (2010 WL 2150433) (concluding it is impermissible for a redevelopment agency to meet in closed session to discuss the terms of a rehabilitation loan to a business that was leasing property from the agency when the terms and conditions of the lease itself were not also a matter of discussion.)
- 17 California Government Code section 54956.8
- 18 California Government Code section 54957(b)
- 19 63 Ops.Cal.Atty.Gen. 215 (1980); but see: *Duvall v. Board of Trustees* (2000) 93 Cal.App.4th 902 (board may discuss personnel evaluation criteria, process and other preliminary matters in closed session).
- 20 *Gillespie v. San Francisco Public Library Commission* (1998) 67 Cal.App.4th 1165; 85 Ops.Cal.Atty.Gen. 77 (2002)
- 21 *Gillespie v. San Francisco Public Library Commission* (1998) 67 Cal.App.4th 1165; 80 Ops.Cal.Atty.Gen. 308 (1997). Interviews of candidates to fill a vacant staff position conducted by a temporary committee appointed by the governing body may be done in closed session.
- 22 *Morrison v. Housing Authority of the City of Los Angeles* (2003) 107 Cal.App.4th 860
- 23 California Government Code section 54957
- 24 78 Ops.Cal.Atty.Gen. 218 (1995); *Bell v. Vista Unified School District* (2000) 82 Cal.App.4th 672; *Furtado v. Sierra Community College* (1998) 68 Cal.App.4th 876; *Fischer v. Los Angeles Unified School District* (1999) 70 Cal.App.4th 87
- 25 *Moreno v. City of King* (2005) 127 Cal.App.4th 17
- 26 California Government Code section 54957
- 27 *Gillespie v. San Francisco Public Library Commission* (1998) 67 Cal.App.4th 1165
- 28 California Government Code section 54957.1(a)(5)

- 29 California Government Code section 54957.6
- 30 57 Ops.Cal.Atty.Gen. 209 (1974)
- 31 California Government Code section 54957.1(a)(6)
- 32 California Government Code section 3549.1
- 33 California Government Code section 3540
- 34 California Government Code section 3547
- 35 California Education Code section 48918, but see *Rim of the World Unified School District v. Superior Court* (2003) 104 Cal.App.4th 1393 (Section 48918 preempted by the Federal Family Educational Right and Privacy Act in regard to expulsion proceedings.)
- 36 California Education Code section 72122
- 37 California Education Code section 60617
- 38 California Government Code section 54953.1
- 39 California Government Code section 54956.7
- 40 California Government Code section 54957
- 41 *McKee v. Los Angeles Interagency Metropolitan Police Apprehension Crime Task Force* (2005) 134 Cal.App.4th 354
- 42 California Government Code section 54957.8
- 43 California Government Code section 54962
- 44 California Health and Safety Code section 32106
- 45 Government Code section 54963
- 46 *Kleitman v. Superior Court* (1999) 74 Cal.App.4th 324, 327; see also: California Government Code section 54963
- 47 *Roberts v. City of Palmdale* (1993) 5 Cal.4th 363
- 48 80 Ops.Cal.Atty.Gen. 231 (1997)
- 49 76 Ops.Cal.Atty.Gen. 289 (1993)
- 50 California Government Code section 54963
- 51 California Government Code section 54963
- 52 California Government Code section 54957.1

Updates to this publication responding to changes in the Brown Act or new court interpretations are available at www.cacities.org/opengovernment. A current version of the Brown Act may be found at www.leginfo.ca.gov.

CHAPTER 6:

REMEDIES



INVALIDATION

CIVIL ACTION TO PREVENT
FUTURE VIOLATIONS

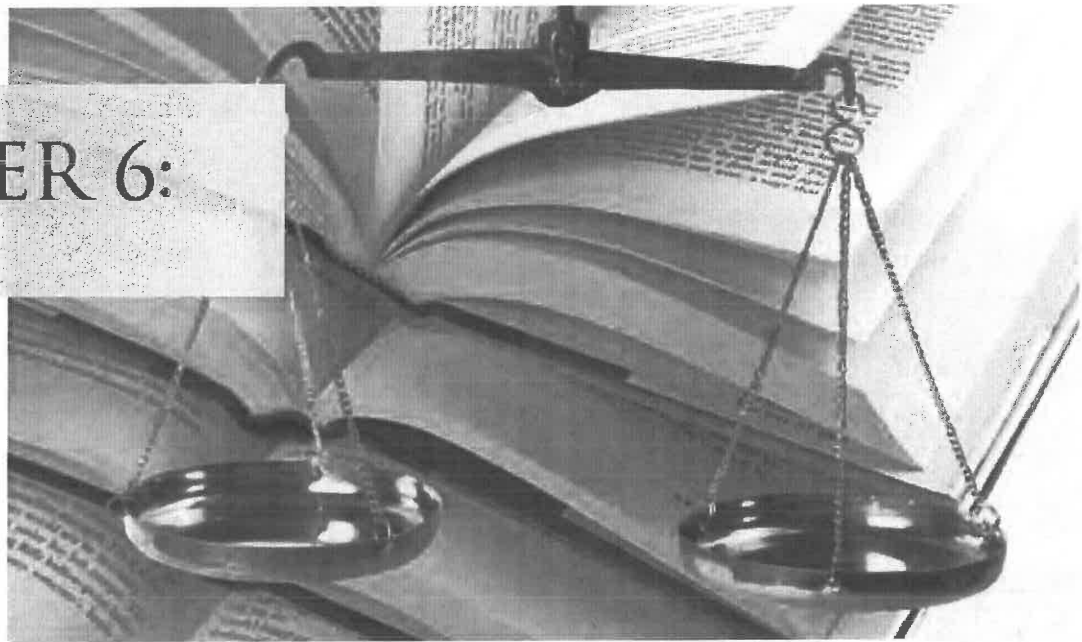
COSTS AND ATTORNEY'S FEES

CRIMINAL COMPLAINTS

VOLUNTARY RESOLUTION

CHAPTER 6:

REMEDIES



Certain violations of the Brown Act are designated as misdemeanors, although by far the most commonly used enforcement provisions are those that authorize civil actions to invalidate specified actions taken in violation of the Brown Act and to stop or prevent future violations. Still, despite all the safeguards and remedies to enforce them, it is ultimately impossible for the public to monitor every aspect of public officials' interactions. Compliance ultimately results from regular training and a good measure of self-regulation on the part of public officials. This chapter discusses the remedies available to the public when that self-regulation is ineffective.

■ INVALIDATION

Any interested person, including the district attorney, may seek to invalidate certain actions of a legislative body on the ground that they violate the Brown Act.¹ Violations of the Brown Act, however, cannot be invalidated if they involve the following types of actions:

- Those taken in substantial compliance with the law;
- Those involving the sale or issuance of notes, bonds or other indebtedness, or any related contracts or agreements;
- Those creating a contractual obligation, including a contract awarded by competitive bid for other than compensation for professional services, upon which a party has in good faith relied to its detriment;
- Those connected with the collection of any tax; or
- Those in which the complaining party had actual notice at least 72 hours prior to the meeting at which the action is taken.

Before filing a court action seeking invalidation, a person who believes that a violation has occurred must send a written "cure or correct" demand to the legislative body. This demand must clearly describe the challenged action, the nature of the claimed violation, and the "cure" sought. This demand must be sent within 90 days of the alleged violation or 30 days if the action was taken in open session but in violation of Section 54954.2, which requires (subject to specific exceptions) that only properly agendaized items are acted on by the governing body during a meeting.² The legislative body then has up to 30 days to cure and correct its action. If it does not act, any lawsuit must be filed within the next 15 days.

The purpose of this requirement is to offer the body an opportunity to consider whether a violation has occurred and to weigh its options before litigation is filed. The Brown Act does not specify how to cure or correct a violation; the best method is to rescind the action being complained of and to start over.

Although just about anyone has standing to bring an action for invalidation,³ the challenger must show prejudice as a result of the alleged violation.⁴ An action to invalidate fails to state a cause of action against the agency if the body deliberated but did not take an action.⁵

■ CIVIL ACTION TO PREVENT FUTURE VIOLATIONS

The district attorney or any interested person can file a civil action asking the court to:

- Stop or prevent violations or threatened violations of the Brown Act by members of the legislative body of a local agency;
- Determine the applicability of the Brown Act to actions or threatened future action of the legislative body;
- Determine whether any rule or action by the legislative body to penalize or otherwise discourage the expression of one or more of its members is valid under state or federal law; or
- Compel the legislative body to tape record its closed sessions.

It is not necessary for a challenger to prove a past pattern or practice of violations by the local agency in order to obtain injunctive relief. A court may presume when issuing an injunction that a single violation will continue in the future where the public agency refuses to admit to the alleged violation or to renounce or curtail the practice.⁶ Note, however, that a court may not compel elected officials to disclose their recollections of what transpired in a closed session.⁷

Upon finding a violation of the Brown Act pertaining to closed sessions, a court may compel the legislative body to tape record its future closed sessions. In a subsequent lawsuit to enforce the Brown Act alleging a violation occurring in closed session, a court may upon motion of the plaintiff review the tapes if there is good cause to think the Brown Act has been violated, and make public the relevant portion of the closed session recording.

■ COSTS AND ATTORNEY'S FEES

Someone who successfully invalidates an action taken in violation of the Brown Act or who successfully enforces one of the Brown Act's civil remedies may seek court costs and reasonable attorney's fees. Courts have held that attorney's fees must be awarded to a successful plaintiff unless special circumstances exist that would make a fee award against the public agency unjust.⁸ When evaluating how to respond to assertions that the Brown Act has been violated, elected officials and their lawyers should assume that attorneys fees will be awarded against the agency if a violation of the Act is proven.

An attorney fee award may only be directed against the local agency and not the individual members of the legislative body. If the local agency prevails, it may be awarded court costs and attorney's fees if the court finds the lawsuit was clearly frivolous and lacking in merit.⁹

■ CRIMINAL COMPLAINTS

A violation of the Brown Act by a member of the legislative body who acts with the improper intent described below is punishable as a misdemeanor.¹⁰

A criminal violation has two components. The first is that there must be an overt act—a member of a legislative body must attend a meeting at which action is taken in violation of the Brown Act.¹¹

"Action taken" is not only an actual vote, but also a collective decision, commitment or promise by a

Practice Tip:

A lawsuit to invalidate must be preceded by a demand to cure and correct the challenged action in order to give the legislative body an opportunity to consider its options.



Practice Tip:

Attorney's fees will likely be awarded if a violation of the Brown Act is proven.

Practice Tip:

Training and exercising good judgment can help avoid Brown Act conflicts. If an arguably meritorious procedural challenge is raised, it may be more prudent to voluntarily re-notice and reconsider the action subject to the challenge.

majority of the legislative body to make a positive or negative decision.¹² If the meeting involves mere deliberation without the taking of action, there can be no misdemeanor penalty.

A violation occurs for a tentative as well as final decision.¹³ In fact, criminal liability is triggered by a member's participation in a meeting in violation of the Brown Act—not whether that member has voted with the majority or minority, or has voted at all.

The second component of a criminal violation is that action is taken with the intent of a member “to deprive the public of information to which the member knows or has reason to know the public is entitled” by the Brown Act.¹⁴

As with other misdemeanors, the filing of a complaint is up to the district attorney. Although criminal prosecutions of the Brown Act are uncommon, district attorneys in some counties aggressively monitor public agencies' adherence to the requirements of the law.

■ VOLUNTARY RESOLUTION

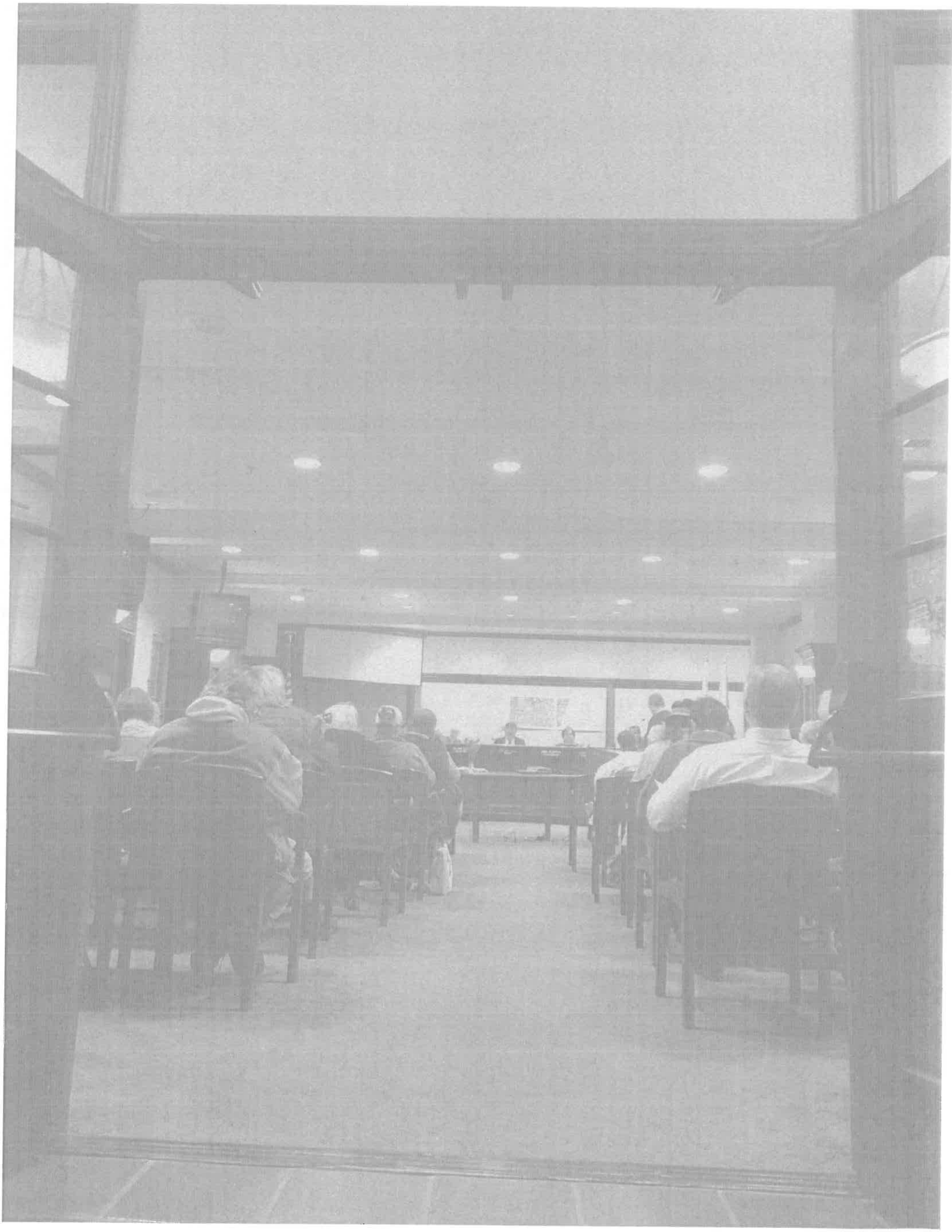
Arguments over Brown Act issues often become emotional on all sides. Newspapers trumpet relatively minor violations, unhappy residents fume over an action, and legislative bodies clam up about information better discussed in public. Hard lines are drawn and rational discussion breaks down. The district attorney or even the grand jury occasionally becomes involved. Publicity surrounding alleged violations of the Brown Act can result in a loss of confidence by constituents in the legislative body. There are times when it may be preferable to consider re-noticing and rehearing, rather than litigating, an item of significant public interest, particularly when there is any doubt about whether the open meeting requirements were satisfied.

At bottom, agencies that regularly train their officials and pay close attention to the requirements of the Brown Act will have little reason to worry about enforcement.

Endnotes

- 1 California Government Code section 54960.1. Invalidation is limited to actions that violate the following sections of the Brown Act: section 54953 (the basic open meeting provision); sections 54954.2 and 54954.5 (notice and agenda requirements for regular meetings and closed sessions); 54954.6 (tax hearings); and 54956 (special meetings). Violations of sections not listed above cannot give rise to invalidation actions, but are subject to the other remedies listed in section 5490.1.
- 2 California Government Code section 54960.1 (b) and (c)(1)
- 3 *McKee v. Orange Unified School District* (2003) 110 Cal.App.4th 1310
- 4 *Cohan v. City of Thousand Oaks* (1994) 30 Cal.App.4th 547, 556, 571
- 5 *Boyle v. City of Redondo Beach* (1999) 70 Cal.App.4th 1109, 1117-18
- 6 *California Alliance for Utility Safety and Education (CAUSE) v. City of San Diego* (1997) 56 Cal.App.4th 1024; *Common Cause v. Stirling* (1983) 147 Cal.App.3d 518, 524. *Accord Shapiro v. San Diego City Council* (2002) 96 Cal. App. 4th 904, 916 & fn.6
- 7 *Kleitman v. Superior Court* (1999) 74 Cal.App.4th 324, 334-36
- 8 *Los Angeles Times Communications, LLC v. Los Angeles County Board of Supervisors* (2003) 112 Cal.App.4th 1313, 1324-27 and cases cited therein.
- 9 California Government Code section 54960.5
- 10 California Government Code section 54959. A misdemeanor is punishable by a fine of up to \$1,000 or up to six months in county jail, or both. California Penal Code section 19. Employees of the agency who participate in violations of the Brown Act cannot be punished criminally under section 54959. However, at least one district attorney instituted criminal action against employees based on the theory that they criminally conspired with the members of the legislative body to commit a crime under section 54949.
- 11 California Government Code section 54959
- 12 California Government Code section 54952.6
- 13 61 Ops.Cal.Atty.Gen.283 (1978)
- 14 California Government Code section 54959

Updates to this publication responding to changes in the Brown Act or new court interpretations are available at www.cacities.org/opengovernment. A current version of the Brown Act may be found at www.leginfo.ca.gov.





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OPEN & PUBLIC IV:
A Guide to the Ralph M. Brown Act
(2nd Edition, July 2010)

September 2013 Supplement

This supplement to *OPEN & PUBLIC IV: A Guide to the Ralph M. Brown Act* discusses changes to the law that have taken effect since the publication of the second edition of the guide in 2010. The supplement covers both statutory changes and appellate decisions that affect the Brown Act. For ease of reference, these updates direct the reader to the chapter, subheading and page of the guide's main text. Our objective is to provide the most complete and current resource to assist local agencies in complying with Brown Act requirements. This supplement is to be used in conjunction with the original publication.

This supplement is made available thanks to the hard work and dedication of the Brown Act Committee of the City Attorneys' Department and League Staff:

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OPEN & PUBLIC IV:
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September 2013 Supplement

CHAPTER 3: MEETINGS

■ **LOCATION OF MEETINGS**

Page 20 – Add new endnote to the 4th bullet point:

___ 94 Ops.Cal.Atty.Gen. 15 (2011) (water district may hold its board meetings at the principal office of the district even if it is located outside the jurisdiction of the district)

CHAPTER 4: AGENDAS, NOTICES, AND PUBLIC PARTICIPATION

■ **AGENDAS FOR REGULAR MEETINGS**

Page 24 – Replace the second paragraph with the following:

The agenda must be posted at least 72 hours before the regular meeting in a location “freely accessible to members of the public.” [Gov. Code § 54954.2(a)(1).] The courts have not definitively interpreted the “freely accessible” requirement. The California Attorney General has interpreted this provision to require posting in a location accessible to the public 24 hours a day during the 72-hour period, but any of the 72 hours may fall on a weekend. [78 Ops.Cal.Atty.Gen. 327 (1995).] This provision may be satisfied by posting on a touch screen electronic kiosk accessible without charge to the public 24 hours a day during the 72-hour period. [88 Ops.Cal.Atty.Gen. 218 (2005).] While posting an agenda on an agency’s Internet Web site will not, by itself, satisfy the “freely accessible” requirement since there is no universal access to the internet, an agency has a supplemental obligation to post the agenda on its Web site if: (1) the local agency has a Web site, and (2) the legislative body whose meeting is the subject of the agenda is either (a) a governing body, or (b) has members that are compensated, with one or more members that are also members of a governing body. [Gov. Code §§ 54954.2(a)(1) and 54954.2(d).]

Q. May the meeting of a governing body go forward if its agenda was either inadvertently not posted on the city’s Web site or if the Web site was not operational during part or all of the 72-hour period preceding the meeting?

A. The Brown Act does not address this question nor is there any case law on the subject. Public agency attorney opinions vary. Hence, should this situation arise, seek a legal opinion from your agency attorney.

The agenda must state the meeting time and place and must contain “a brief general description of each item of business to be transacted or discussed at the meeting, including items to be discussed in closed session.” [Gov. Code, § 54954.2(a)(1).] Special care should be taken to describe on the agenda each distinct action to be taken by the legislative body, and avoid overbroad descriptions of a “project” if the “project” is actually a set of distinct actions that must each be separately listed on the agenda. [San Joaquin Raptor Rescue v. County of Merced (2013) 216 Cal.App.4th 1167 (legislative body’s approval of CEQA action (mitigated negative declaration) without specifically listing it on the agenda violates Brown Act, even if the agenda generally describes the development project that is the subject of the CEQA analysis.)]

■ NOTICE REQUIREMENTS FOR SPECIAL MEETINGS

Page 25 –Replace the second to the last sentence in the second paragraph, to read:

The special meeting notice must also be posted at least 24 hours prior to the special meeting using the same methods as posting an agenda for a regular meeting: (1) at a site that is freely accessible to the public, and (2) on the agency’s Web site if: (1) the local agency has a Web site, and (2) the legislative body whose meeting is the subject of the agenda is either (a) a governing body, or (b) has members that are compensated, with one or more members that are also members of a governing body. [Gov. Code §§ 54956(a) and (c).]

Page 26 – Add the following new heading and paragraphs after “Notice Requirements for Emergency Meetings” to read:

■ NOTICE OF COMPENSATION FOR SIMULTANEOUS OR SERIAL MEETINGS

A legislative body that has convened a meeting and whose membership constitutes a quorum of another legislative body, may convene a simultaneous or serial meeting of the other legislative body only after a clerk or member of the convened legislative body verbally announces (1) the amount of compensation or stipend, if any, that each member will be entitled to receive as a result of convening the meeting of the other legislative body, and (2) that the compensation or stipend is provided as a result of convening the meeting of that body. [California Government Code section 54952.3]

No verbal disclosure of the amount of the compensation is required if the entire amount of such compensation is prescribed by statute and no additional compensation has been authorized by the local agency. Further, no disclosure is required with respect to reimbursements for actual and necessary expenses incurred in the performance of the member’s official duties, such as for travel, meals, and lodging.

■ NOTICE REQUIREMENTS FOR TAX OR ASSESSMENT MEETINGS AND HEARINGS

Page 26 – Replace the first paragraph with the following:

The Brown Act prescribes specific procedures for adoption by a city, county, special district, or joint powers authority of any new or increased tax or assessment imposed on businesses. [California Government Code Section 54954.6] Though written broadly, these Brown Act provisions do not apply to new or increased *real property taxes or assessments* as those are governed by the California Constitution, Cal. Const. Art. XIII C or XIII D, enacted by Proposition 218. At least one public meeting must be held to allow public testimony on the tax or assessment. In addition, there must also be at least 45 days' notice of a public hearing at which the legislative body proposes to enact or increase the tax or assessment. Notice of the public meeting and public hearing must be provided at the same time and in the same document. The public notice relating to general taxes must be provided by newspaper publication. The public notice relating to new or increased business assessments must be provided through a mailing to all business owners proposed to be subject to the new or increased assessment. The agency may recover the reasonable costs of the public meetings, hearings, and notice.

■ THE RIGHT TO ATTEND AND OBSERVE MEETINGS

Page 28 – Add a new paragraph immediately before the Q & A box to read:

All actions taken by the legislative body in open session and the vote of each member thereon must be disclosed to the public at the time the action is taken. [Gov. Code §54953(c)(2)]

Page 28 – Replace the last paragraph with:

The legislative body may remove persons from a meeting who willfully interrupt proceedings. [California Government Code section 54957.9] Ejection is justified only when audience members actually disrupt the proceedings. [*Norse v. City of Santa Cruz* (9th Cir. 2010) 629 F.3d 966 (silent and momentary Nazi salute directed towards mayor is not a disruption); *Acosta v. City of Costa Mesa* (9th Cir. 2013) 718 F.3d 800 (city council may not prohibit “insolent” remarks by members of the public absent actual disruption)] If order cannot be restored after ejecting disruptive persons, the meeting room may be cleared. Members of the news media who have not participated in the disturbance must be allowed to continue to attend the meeting. The legislative body may establish a procedure to re-admit an individual or individuals not responsible for the disturbance. [California Government Code section 54957.9]

CHAPTER 5: CLOSED SESSIONS

■ REAL ESTATE NEGOTIATIONS

Page 37-- Replace the final two sentences on page 37 to read:

If final approval rests with another party, the local agency must report the approval and the substance of the agreement upon inquiry by any person as soon as the agency is informed of it.

■ PUBLIC SECURITY

Page 41-- Replace the paragraph in this section in its entirety with:

Legislative bodies may meet in closed session to discuss matters posing a threat to the security of public buildings, essential public services, including water, sewer, gas, or electric service, or to the public's right of access to public services or facilities over which the legislative body has jurisdiction. Closed session meetings for these purposes must be held with designated security or law enforcement officials including the Governor, Attorney General, district attorney, agency attorney, sheriff or chief of police, or their deputies or agency security consultant or security operations manager.⁴⁰ Action taken in closed session with respect to such public security issues is not a reportable action.

Page 43 – Replace endnote 14 with:

14 California Government Code section 54956.9 (e).

Page 43 – Replace endnote 16 with:

Shapiro v. San Diego City Council (2002) 96 Cal.App.4th 172; see also 93 Ops.Cal.Atty.Gen. 51 (2010) (redevelopment agency may not convene a closed session to discuss rehabilitation loan for property already subleased to loan recipient, even if the loan incorporates some of the sublease terms and includes an operating covenant governing the property); 94 Ops.Cal.Atty.Gen. 82 (2011) (real estate closed session may address form, manner and timing of consideration and other items that cannot be disclosed without revealing price and terms).

CHAPTER 6: REMEDIES

Page 47 – Add the following new bullet after the bullet title “Invalidation”:

■ APPLICABILITY TO PAST ACTIONS

Any interested person, including the district attorney, may file a civil action to determine whether past actions of a legislative body occurring on or after January 1, 2013 constitute violations of the Brown Act and are subject to a mandamus, injunction, or declaratory relief action. [Government Code Section 54960.2(a); Senate Bill No. 1003, Section 4 (2011-2012 Session)] Before filing an action, the interested person must, within nine months of the alleged violation of the Brown Act, submit a “cease and desist” letter to the legislative body, clearly describing the past action and the nature of the alleged violation.[Government Code Sections 54960.2(a)(1), (2)] The legislative body has 30 days after receipt of the letter to provide an unconditional commitment to cease and desist from the past action.[Government Code Section 54960.2(b)] If the body fails to take any action within the 30-day period or takes an action other than an unconditional commitment, a lawsuit may be filed within 60 days. [Government Code Section 54960.2(a)(4)]

The legislative body's unconditional commitment must be approved at a regular or special meeting as a separate item of business and not on the consent calendar. [Government Code Section 54960.2(c)(2)] The unconditional commitment must be substantially in the form set forth in the Brown Act. [Government Code Section 54960.2(c)(1)] No legal action may thereafter be commenced regarding the past action. [Government Code Section 54960.2(c)(3)] However, an action of the legislative body in violation of its unconditional commitment constitutes an independent violation of the Brown Act and a legal action consequently may be commenced without following the procedural requirements for challenging past actions. [Government Code Section 54960.2(d)]

The legislative body may rescind its prior unconditional commitment by a majority vote of its membership at a regular meeting as a separate item of business not on the consent calendar. At least 30 days' written notice of the intended rescission must be given to each person to whom the unconditional commitment was made and to the district attorney. Upon rescission, any interested person may commence a legal action regarding the past actions without following the procedural requirements for challenging past actions. [Government Code Section 54960.2(e)]



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The Brown Act and the Perils of Electronic Communication

BY KARA UEDA



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About Legal Notes

This column is provided as general information and not as legal advice. The law is constantly evolving, and attorneys can and do disagree about what the law requires. Local agencies interested in determining how the law applies in a particular situation should consult their local agency attorneys.

Local public officials are often frequent and zealous users of technology and social media. Given the rapid speed with which people can now send e-mails and text messages and post comments online, a casual e-mail conversation between two city council members or an offhand comment on a newspaper website may quickly and inadvertently turn into a "meeting" under the Brown Act.

About the Brown Act

Most members of legislative bodies (including city councils, commissions, boards and committees) soon learn upon taking office that a quorum of their membership may not meet to discuss official business unless the meeting complies with the Brown Act. Often referred to as California's open meeting law, the Brown Act provides that members of a legislative body may hold a meeting when a majority of them — at the same time and place — "hear, discuss, deliberate or take action on" an item within their subject matter jurisdiction.¹

To hold a lawful meeting under the Brown Act, a local agency must, among other things, provide public notice about the meeting for a certain time period and ensure that the public can access the meeting. Thus, if a city council (for example) has five members, three of the five may not meet at a restaurant to discuss city business unless the city has posted public notice about the meeting and otherwise complies with the Brown Act.



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The Brown Act does not prohibit individual members of a legislative body from separately providing their own comments and opinions about a matter. A commissioner may write a newspaper editorial about an item the commission approved, and a city council member may give a speech or tweet about local projects under way in the city. Nor does the Brown Act prohibit “one-way” communications where, for example, a city manager transmits a communication to the entire council by e-mail.² The “passive receipt” of a document by public officials is different from a commission’s or city council’s collective action or discussion.

E-Mail Exchanges May Constitute Serial Meetings

Similarly, the Brown Act prohibits public officials from doing in successive steps what they cannot do in one step. More specifically, the Brown Act provides that a majority of a legislative body may not use any series of communications, either directly or through intermediaries, to discuss, deliberate or take action on any item of business that is within the legislative body’s subject matter jurisdiction.³ Serial meetings typically occur by either a “hub and spoke” or a “daisy chain” meeting.

Hub and Spoke Meetings

A hub and spoke meeting occurs when one person acts as the center and communicates with members of the legislative body. For example, Council Member Newman cannot call Council Member Oliver to discuss an item of city business and then call Council Member Peoples to discuss his conversation with council member Oliver. In this meeting Council Member Newman was the hub, and the other two council members were the spokes. Hub and spoke meetings may also occur by e-mail if the individual members e-mail each other instead of calling.

Daisy Chain Meetings

A serial meeting may also occur if Council Member Newman calls Council Member Oliver to discuss an item of city business, and then Council Member Oliver calls Council Member Peoples to discuss the same thing. This type of communication is also called a daisy chain meeting. This type of meeting is particularly likely to occur by e-mail due to the ease of forwarding e-mails.

Serial Meetings in Cyberspace

The Internet provides numerous opportunities for local officials to post their thoughts and opinions about city issues. Local bloggers report on city news and sometimes provide a running commentary of council and commission meetings as they happen. And most newspapers have websites where members of the public can — and frequently do — comment on the articles. When these entries or articles are especially timely or controversial, they practically invite comments by interested residents and local officials.

As of this writing, no court has specifically ruled on the intersection of comments posted on the Internet and the Brown Act’s requirements. However, the same serial meeting rules that apply to e-mail may likely apply to other online conduct such as commenting about online news stories.

The potential danger with the online world is the speed with which a simple comment on a blog, a Facebook status update, a photo or newspaper article may rapidly become a discussion about city business by a quorum of the legislative body. For example, a local blogger may post an entry about an upcoming planning commission agenda item. Proponents and opponents both weigh in on the blog comments. A planning commissioner reads the entry and also posts a comment about the item. A second planning commissioner also decides to post a comment, and then a third planning commissioner responds to the first two commissioners. Thus, a discussion among the three of them ensues electronically on the Internet.

Did the planning commissioners violate the Brown Act? At first glance, it may seem that the

planning commissioners did not violate the Brown Act if the blog is available for any member of the public to read. The planning commissioners may believe that basic open government principles were followed because they were not trying to have a secret meeting to discuss official business, and anyone could read their electronic conversation. But the planning commissioners also did not have their electronic conversation pursuant to a noticed meeting under the Brown Act.⁴ Instead, they used a series of communications to discuss and deliberate on an item within their subject matter jurisdiction.

The sheer openness of a conversation is not the critical factor under the Brown Act. For example, the three commissioners could have instead met in one of their living rooms and livestreamed their conversation on the Internet as it was occurring. That video would also be public and available for everyone to see and possibly to comment on as it was happening. This in-person living room conversation about city business, though, would not comply with the Brown Act.

In addition, an issue may raise particular legal and practical sensitivities where any type of comment may not be wise. For example, if a local agency will consider a matter where a person is owed certain due process rights or if an agency is involved in pending litigation, local officials should first contact their city attorney for advice on whether they should be making *any* type of comment, regardless of the forum or medium. These considerations are separate and apart from Brown Act issues.

Conclusion

While the use of new technology offers important advantages in keeping individuals up to date and informed, the speed with which messages may be sent and comments posted can have drawbacks if public officials inadvertently find themselves in the midst of an e-mail conversation or conversation thread with other members of their commission or city council. The law may eventually catch up to the current technology, but until it does public officials should continue to abide by the general Brown Act principles regardless of whether the communication is in person or online.

An In-Depth Guide to the Brown Act

The League publishes a guide to the Brown Act for the non-lawyer, which is updated periodically. *Open & Public IV: A Guide to the Ralph M. Brown Act* is available free online at www.cacities.org/opengovernment.

Additional Related Resources

For related information, read these *Western City* articles.

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U.S. Supreme Court Rules That City Review of Employee Text Messages Was Reasonable

Taking the Bite Out of Blogs: Ethics in Cyberspace

Footnotes:

¹ Gov't Code § 54952.2(a).

² See *Roberts v. City of Palmdale*, 5 Cal. 4th 363 (1993).

³ Gov't Code § 54952.2(b)(1).

⁴ See also 84 Ops. Cal. Atty. Gen. 30 (2001) (opinion of the attorney general that the Brown Act does not allow a quorum of a legislative body to discuss agency business over e-mail even if those e-mails are made

publicly available and posted to the agency's website).

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