

RESOLUTION NO. LAFC 1243

**RESOLUTION OF THE
SACRAMENTO LOCAL AGENCY FORMATION COMMISSION
MAKING DETERMINATIONS FOR THE APPROVAL OF THE
INCORPORATION OF RANCHO CORDOVA, CALIFORNIA (12-97)**

WHEREAS, as used in this Resolution, the following terms shall mean:

"City of Rancho Cordova" or "City" is the general law city proposed in the Proposal with a proposed effective date of July 1, 2003;

"Commission" is the Sacramento County Local Agency Formation Commission;

"County" is the County of Sacramento;

"Executive Officer" is the Executive Officer of the Commission;

"Petition" is the original petition certified as a Sufficient Petition on October 27, 1999;

"Proposal" is the incorporation of the subject territory into a general law city as set forth in the Petition; and

"Subject Territory" is the area described in Exhibit A (legal description) and shown on Exhibit B (map), which are attached hereto and by this reference incorporated herein. [This territory is a modification of the originally proposed boundaries. In the event of any conflict between Exhibit A and Exhibit B, Exhibit A shall control];

WHEREAS, the Petition was submitted to the Commission pursuant to the Cortese-Knox-Local Government Reorganization Act, and all amendments thereto;

WHEREAS, on October 1, 1999, the Executive Officer submitted the Petition to the Registrar of Voters of the County for verification that sufficient registered voters within the applicable area signed the Petition, and the Registrar of Voters of the County found that the requisite number of valid signatures were affixed to the Petition, as required by law;

WHEREAS, the Executive Officer has examined the Petition and executed his Certificate of Sufficiency in accordance with law;

WHEREAS, at the times and in the substantial form and manner provided by law, the Executive Officer has given notice of public hearing(s) by this Commission upon the Proposal;

WHEREAS, numerous public hearings on the Petition and the Proposal were held by the Commission commencing in May 2001;

WHEREAS, the Executive Officer has reviewed all available information and prepared reports, including recommendations, and presented the findings, reports and related information to the Commission, which were then considered by the Commission; and

WHEREAS, at the public hearing(s) the Commission heard and received all oral and written protests, objections, all oral and written evidence, which was made, presented, or filed, and persons present were given an opportunity to hear and be heard with respect to any matter relating to these hearings.

NOW, THEREFORE, the SACRAMENTO LOCAL AGENCY FORMATION COMMISSION does hereby find, determine, resolve and order as follows:

1. The Commission has considered all relevant factors set forth in Government Code Section 56841 and all other relevant factors in reaching its conclusions regarding the Proposal including its findings set forth in Exhibit C attached hereto and incorporated herein.

2. Notice as required by law has been given.

3. The Subject Territory is inhabited.

4. In approving this proposal the Commission has considered the policies set forth in Government Code Section 56377. The incorporation of the City of Rancho Cordova does promote the planned, orderly, efficient development of the Subject Territory. Pursuant to Section 56720 (formerly Section 56375.1) of the Government Code, and based upon the entire record, the Commission finds that:

- a. Incorporation of the City of Rancho Cordova is consistent with the intent of the Cortese-Knox Local Government Reorganization Act; the policies of former Sections 56001, 56300, 56301, and 56377 of the Government Code; and the policies of this Commission.
- b. The spheres of influence of the local agencies affected by the Proposal have been reviewed by this Commission. This incorporation is consistent with those spheres of influence.
- c. The Commission has reviewed the Comprehensive Fiscal Analysis and all supplements prepared pursuant to former Section 56833.1 of the Government Code.
- d. The Commission has reviewed the Executive Officer's Report and Supplemental Information provided by the Executive Officer, and Recommendations prepared pursuant to Section 56665 (formerly Section 56833) of the Government Code, and the testimony presented at its public hearings.

- e. The proposed City is expected to receive revenues sufficient to provide public services and facilities and a reasonable reserve during the three fiscal years following incorporation.

5. In accordance with Section 56852.3 of the Government Code, the Commission hereby accepts the findings and recommendations of the Executive Officer's Report, the Supplemental Information, Recommendations, the Comprehensive Fiscal Analysis, and all supplements.

6. The Commission, through its Executive Officer, conducted an Initial Study of the Petition and the Proposal and has caused an Environmental Impact Report (EIR) on the proposed Rancho Cordova incorporation to be prepared. The Commission adopted Resolution No. 1240 on May 1, 2002, certifying the EIR on the Project. All identified mitigation measures are adopted herewith and included as conditions of project approval as set forth in this Resolution Making Determinations.

7. The Commission finds that revenues currently received by the County for services that, but for the operation of former Section 56845 of the Government Code, would accrue to the proposed city are not substantially equal to the direct and indirect expenditures currently made by the County for those services that will be assumed by the proposed city. The Commission has proposed Condition 9.p. to adequately mitigate the negative fiscal impact on the County General Fund through the sharing of tax revenues, including property tax revenues over a fixed period of time. The sharing of property tax revenues will be implemented in part by Condition 9.n.iv., imposed under Section 56842 of the Government Code. The Commission finds pursuant to former Section 56845(a) that the incorporation is not occurring for primarily financial reasons.

8. Pursuant to Government Code Section 57376, the City Council of the City of Rancho Cordova shall be subject to and shall adopt all County ordinances, including the resolution adopting the Sacramento County General Plan for the incorporated area, to remain in effect in accordance with law and subject to Government Code Section 65360.

9. Subject to the conditions set forth herein, the incorporation proposed by the Petition submitted, is hereby approved as follows:

- a. The Subject Territory is incorporated into a new general law city.
- b. The name of the proposed new city shall be "The City of Rancho Cordova."
- c. The boundaries of the City of Rancho Cordova shall be the Subject Territory as set forth in Exhibits A and B attached hereto and incorporated herein.
- d. The City of Rancho Cordova, in addition to providing those services required by law, shall insure provision of the following services: Animal Control and Regulation Services; Building and Building Inspection; Code

Enforcement; Police/Law Enforcement Services; Planning; Public Works; Site Development Services; Traffic and Safety Lighting Maintenance; Street, Road, and Landscape Maintenance; and Solid Waste Collection and Disposal. The City of Rancho Cordova should consider contracting with the County of Sacramento for all or some of the above services. The City of Rancho Cordova shall consider contracting with the Sacramento County Sheriff's Department for Police/Law Enforcement Services and, at a minimum, shall maintain such services at existing levels. The Sacramento Public Library Authority will continue to provide Library Services.

- e. Pursuant to Government Code Section 56426.5, the Commission hereby adopts a Sphere of Influence for the City of Rancho Cordova which boundaries are set forth in Exhibit D attached hereto and incorporated herein. It is anticipated that the Mather Air Force Base Redevelopment Project Area shall be considered for inclusion in the Rancho Cordova Sphere of Influence at such time as the Sphere of Influence is revised.

Prior to filing an application to amend the Sphere of Influence boundaries, the City of Rancho Cordova shall form and participate in a committee process with Sacramento County and any affected city or district, to discuss terms of the proposal. Results of the committee process including terms shall be submitted to the Commission with the proposal.

- f. The Commission finds that the application of Government Code Section 25210.90 to automatically detach Sacramento County Service Area No. 1 and an additional Sacramento County Service Area, formed prior to the effective date of incorporation of the City of Rancho Cordova for the provision of transportation services, from the City would deprive the City of services needed to ensure the health, safety or welfare of its residents. The Commission further finds that the continuation of the County Service Areas within the City would not affect the ability of the City of Rancho Cordova to provide any service. (Govt. Code Sections 25210.4; 25210.4(a); 56375(n), 56844(o).) The City of Rancho Cordova may continue participation within these county service areas after the first full year of incorporation only upon payment of charges and following execution of maintenance and operations agreements by and between the City of Rancho Cordova and the County of Sacramento.
- g. The Sacramento County Water Agency will continue to supply water and drainage planning, design, and maintenance for the City of Rancho Cordova through the Sacramento Water Agency SCWA Zones 11(a)(b), 12, 13, 40 and 41, and the City shall continue to receive other drainage service from the County's Stormwater Utility. The City shall continue to levy the Stormwater Utility Fee that is currently levied by the County. The County shall continue to collect the Stormwater Utility Fee levied

within the City as part of its consolidated utility billing service and retain the fees so collected to fund the cost of drainage services within the City.

- h. Pursuant to Government Code Section 57384, the County shall continue to provide to the incorporated area all services furnished to the area prior to incorporation, at the same level and in accordance with the budget for the County adopted prior to the effective date of incorporation, for the remainder of the fiscal year during which the incorporation becomes effective, or for a shorter period if the City of Rancho Cordova, acting through its City Council, requests discontinuation of a service or services. In accordance with Section 57384 of the Government Code, the Board of Supervisors has requested that the City reimburse the County for the costs of such services. During the initial year of incorporation (Fiscal Year 2003-04), the County shall invoice the City for a pre-payment of \$3.5 million towards the costs of these services, and the City shall pay such amount to the County no later than March 31, 2004. Furthermore, the cost of such services shall be reduced by the amount of the City's secured and unsecured ad valorem property taxes for fiscal year 2003/2004 if retained by the County and the amount of the City's first quarter (July 1, 2003 through September 30, 2003) sales tax revenue retained by the County in Fiscal Year 2003/2004. After such revenue offset, the City shall owe the County the net cost of such services. Accordingly, the new City shall repay the County, over a five-year period, the net cost of all services provided by the County, with the obligation commencing on July 1, 2004 and payments beginning on October 1, 2004 and ending October 1, 2009. Such reimbursement of costs are to be paid in equal quarterly installments of 1/20th of the principal amount owed plus simple interest calculated from July 1, 2004, using the interest rate equivalent to the rate of interest earned by the Sacramento County Treasury Pool.
- i. The City of Rancho Cordova shall petition the Sacramento Area Council of Governments ("SACOG") for inclusion in its Joint Powers Agreement as a member city and shall participate in SACOG's regional planning activities as a nonmember prior to membership.
- j. Any and all development agreements entered into between the County of Sacramento and any development project applicant, and any conditions of approval (including mitigation measures adopted pursuant to the California Environmental Quality Act) imposed by the County Board of Supervisors on any and all discretionary projects adopted and approved prior to the effective date of incorporation shall remain valid and enforceable between the applicant and the new City of Rancho Cordova, subject to Government Code Section 65865.3, subdivisions (a) and (b).
- k. With the exception of fees collected by the County of Sacramento prior to and after the incorporation under the Mather Field Public Facilities

Financing Plan Development Fee Program (Chapter 16.84 of the Sacramento County Code), the County of Sacramento shall transfer to the new City of Rancho Cordova impact fees collected prior to the incorporation solely within and intended for use in the territory of the new City, for facilities or services not yet rendered for underground utilities, roads, parks, housing and any other allowed use. The City shall be required to collect and expend these impact fees for the original purposes for which the County collected the impact fees. Existing transportation fee impact programs shall be continued at levels necessary to adequately fund approved road construction projects.

1. The portion of the area west of the Sacramento County Landfill outside the Urban Services Boundary shall remain an undeveloped buffer area for the benefit of the landfill unless a change in use is agreed to by Sacramento County.
- m. The provisional appropriations limit, as required by Article XIII B of the California Constitution, shall be \$34,250,000. A permanent appropriations limit will be set by the voters of the new City at the first municipal election, which will be held following the first full fiscal year of operation by the new City. (Government Code Section 56812(c) (formerly Section 56842.6).)
- n. Pursuant to Government Code Section 56842, the Commission makes the following findings:
 - i. The Commission has considered the total amount of revenue from all sources available to the proposed City of Rancho Cordova;
 - ii. The Commission has considered the fiscal impact of the transfer of property tax revenue on the County;
 - iii. In accordance with Government Code Section 56842, the amount of the base year property tax revenue subject to transfer is \$ 3,842,828. The amount of base year property taxes transferred shall be adjusted to the year in which it is made.
 - iv. The property tax revenue subject to transfer shall be allocated directly by the County as a means of implementing the tax sharing condition set forth in Condition 9.p. of this Resolution Making Determinations. The Commission further finds that there is no current separate fund for the purposes of Government Code Section 56842(c)(4).
- o. The City of Rancho Cordova shall be authorized and may continue to levy as general taxes of the City those general taxes presently levied by the

County of Sacramento as of November 1, 2002, including, but not limited to, the Utility User Tax and the Transient Occupancy Tax. The types, rates and method of collection of the general taxes to be so continued and imposed are as follows:

- i. A sales and use tax at the maximum rate of one percent (1%) of the retail sale or use of tangible personal property within the City of Rancho Cordova to be collected under contract with the State Board of Equalization and returned to the City of Rancho Cordova pursuant to local ordinance.
- ii. A real property transfer tax at the rate imposed by the County of Sacramento upon the sale of real property within the City of Rancho Cordova to be collected by the County of Sacramento and the pro-rata share returned to the City of Rancho Cordova pursuant to local ordinance.
- iii. The City shall impose a utility user tax identical to the tax imposed by the County of Sacramento as of November 1, 2002 at the rate of 2½% of the utility charge. The new City may modify, alter, or rescind this tax in its discretion so long as its financial obligations to the County under Condition 9.p. of this Resolution Making Determinations are satisfied.
- iv. The City shall impose a transient occupancy tax identical to the tax imposed by the County of Sacramento as of November 1, 2002 at the rate of 12% per room rate.
- v. The City shall impose all other general taxes similar to the general taxes presently imposed by the County of Sacramento at the same rate and in the same manner.
- vi. All other taxes generally authorized for incorporated cities, including, but not limited to:
 - a) Property Taxes
 - b) Sales Taxes
 - c) Real Property Transfer Taxes
 - d) Franchise Fees
- p. Pursuant to former Government Code Section 56845 as a means of mitigating the financial impacts of the incorporation upon the County of Sacramento's general fund, the City shall be required to share its property tax revenue in accordance with the terms hereinafter set forth:

- i. If a majority of the electorate votes in the November 5, 2002, general election to continue in effect the County's 2.5% utility user tax and the increase in the County's transient occupancy tax from 10% to 12%, the City and the County shall share, beginning fiscal year 2003-04 and continuing through fiscal year 2033-2034, the City property tax revenue according to the percentages set forth in Option 1 of Exhibit E.
- ii. If a majority of the electorate votes in the November 5, 2002, general election to continue in effect the increase in the County's transient occupancy tax from 10% to 12% and fails to vote to continue in effect the County's 2.5% utility user tax, the City and the County shall share, beginning fiscal year 2003-04 and continuing through fiscal year 2027-28, the City property tax revenue according to the percentages set forth in Option 2 of Exhibit E.
- iii. If a majority of the electorate votes in the November 5, 2002, general election to continue in effect the County's 2.5% utility user tax and fails to vote to continue in effect the increase in the County's transient occupancy tax from 10% to 12%, the City and the County shall share, beginning fiscal year 2003-04 and continuing through fiscal year 2032-33, the City property tax revenue according to the percentages set forth in Option 3 of Exhibit E.
- iv. If a majority of the electorate in the November 5, 2002, general election fails to vote to continue in effect the County's 2.5% utility user tax and the increase in the County's transient occupancy tax from 10% to 12%, the City and the County shall share, beginning fiscal year 2003-04 and continuing through fiscal year 2027-28, the City property tax revenue according to the percentages set forth in Option 4 of Exhibit E.
- v. All costs and expenses associated with the collection, administration and interest-earning capabilities of the City property tax revenue shall be shared by the City and the County in accordance with the same percentages as the underlying property taxes. The County's share of the City property tax revenue shall be allocated by the County's Director of Finance directly to the County.
- vi. The City's property tax revenue shall not include any proportion of the percentage share of tax increment revenue from the project area which the City may be entitled to receive pursuant to Health and Safety Code Sections 33607.5(a)(2) or (b) nor any amount the City

may receive pursuant to Health and Safety Code Section 33670(a) nor any amount received pursuant to Condition 9.w.

- q. The tax sharing provisions set forth in Condition 9.p. above are premised on the statewide structure that governs local government finances and the obligation of newly incorporated cities to mitigate the negative fiscal impacts of their incorporation on counties that existed as of the date of adoption of this Resolution. The tax sharing obligations set forth in that condition shall be subject to modification upon any of the following occurrences:
- i. A statewide structural change in the services, which are required by the State to be provided by the County or the City;
 - ii. A statewide structural change in the manner in which the above mandated services are funded;
 - iii. The occurrence of any other event that significantly modifies how cities and/or counties generally receive, or the County specifically receives, funding;
 - iv. Any significant modification by the State of the manner in which newly incorporated cities are funded; or
 - v. If the revenue neutrality structure in the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (Government Code 56815) as it existed on July 1, 2002, is modified in a substantive, non-technical manner.
- r. If either party believes that one of the triggering factors set forth in Condition 9.q. above has occurred, it may serve a written "Notice of Reopener" on the other party requesting that the City's tax sharing obligation be modified. A copy of this written request shall be provided to the Commission, but the Commission shall not have any role with respect to the request. The Notice of Reopener shall specify the precise manner in which the requesting party is proposing that the City's tax sharing obligation be modified and must be submitted within one (1) year of the effective date of the relevant triggering factor. If the Notice of Reopener is not served within this one (1) year period, the parties waive any right to request a modification of the City's tax sharing obligation based on that particular triggering factor.
- i. The parties shall have sixty (60) days after service of the Notice of Reopener as a negotiation period in which to attempt to reach mutual agreement on an appropriate modification to the City's tax sharing obligation ("Negotiation Period"). If the parties are unable

to reach such a mutual agreement within this sixty (60) day Negotiation Period, the City and County shall comply with the dispute resolution procedures set forth below. In doing so, the parties shall conform to the timeline prescribed therein measured from the date of service of the Notice of Reopener.

- ii. If, upon the completion of the Negotiation Period, no modification to the City's tax sharing obligation is agreed upon by the City and the County, the City and the County shall mutually select a mediator, funded in equal portions by each party, to perform mediation for a period of not to exceed thirty (30) days ("Mediation Period"). If the City and the County cannot mutually select a mediator, each shall select a mediator of it's choosing. Those two mediators shall then select a neutral mediator, who shall be the mediator.
- iii. If, upon the completion of the Mediation Period, no mutually acceptable agreement has been reached by the City and the County, the parties shall mutually commence an action in the California Superior Court for the exclusive purpose of implementing the process of resolution of the dispute by general reference under Code of Civil Procedure section 638. This agreement by the parties shall constitute and be construed to be an agreement to reference under Code of Civil Procedure section 638. The parties shall select a referee under Code of Civil Procedure sections 638 and 640, funded in equal portions by the parties, to conduct a judicial reference with the City and the County for a period of not to exceed thirty (30) days. If the City and the County cannot mutually select a referee, each shall select a mediator of it's choosing. Those two mediators shall then select a referee, who shall be the referee.
- iv. The provisions of Code of Civil Procedure section 1283.05 are made expressly inapplicable to the Negotiation and Mediation periods and/or the reference proceedings conducted pursuant to this section. However, discovery shall be permitted for the reference proceeding only, but, pursuant to Code of Civil Procedure section 2021, discovery during the reference proceeding shall be subject to the following limitations:
 - a) Discovery shall be limited in time to the forty-five (45) days before the date of the commencement of the reference hearing;
 - b) Discovery shall be limited in scope to disclosure of information to be presented at the reference hearing; and

- c) Discovery shall be accomplished by the disclosure duties as contemplated by Federal Rule of Civil Procedure, Rule 26, which initial disclosure shall occur on the forty-fifth (45th) day before the date of commencement of the reference hearing, or on some other date mutually agreed upon by the parties.
- v. On the day that the reference proceeding commences and as a part of each party's case in chief, the City and the County shall each present to the referee its last and best offer with respect to the City's tax sharing obligation. The referee must make his or her decision within the confines of the two offers presented by the parties. The reference proceeding contemplated herein shall be conducted pursuant to Code of Civil Procedure section 638 et. seq. and the decision by the referee must be reported as set forth in Code of Civil Procedure section 643 and it must stand as the decision of the court as set forth in Code of Civil Procedure section 644. The only review of the referee's decision shall be to determine if the referee's decision is within the confines of the two offers presented by the parties. The referee is free to fashion his or her decision within the confines of the two offers presented by the parties. However, if the referee's decision does not stay within the confines of the two offers presented by the parties, the referee's decision shall be null and void and subject to judicial review. The parties expressly agree to preserve their appellate rights pursuant to Code of Civil Procedure section 645, as limited herein.
- vi. Proceedings under these dispute resolution procedures shall be concluded no more than one hundred and fifty (150) days after the service of the Notice of Reopener, unless one or more of the periods specified herein is extended by the mutual written agreement of the City and the County, but in no event may the proceedings under these dispute procedures be extended for a cumulative period of more than one (1) year after the service of the Notice of Reopener.
- s. The City's tax sharing obligation has been memorialized in the form of a Tax Sharing Agreement between the City and the County that is attached hereto and incorporated herein as Exhibit F. The Tax Sharing Agreement has been approved by the County Board of Supervisors and shall be submitted to the voters of the City for approval as part of the incorporation ballot measure. The Tax Sharing Agreement will become effective upon the effective date of the City's incorporation. The City's Mayor shall execute the Tax Sharing Agreement on behalf of the City immediately upon the City's incorporation becoming effective. The Tax Sharing

Agreement shall constitute a separate and distinct mechanism for the County to enforce the City's tax sharing obligation to the County. If for any reason the Tax Sharing Agreement is determined to be invalid or otherwise unenforceable in whole or in part, the City's tax sharing obligation set forth in Condition 9.p. above shall remain in full force and effect.

- t. Subject to the City of Rancho Cordova satisfying all prerequisites necessary to become a member entity of the Sacramento Transportation Authority, the Commission recommends that the City of Rancho Cordova petition to become a member of the Sacramento Transportation Authority and submit a proposal to the Sacramento Transportation Authority requesting that the County, the City of Sacramento, and other members of the Sacramento Transportation Authority act to allocate funds equitably and in a manner similar to other municipalities in Sacramento County.
- u. The City of Rancho Cordova and the County of Sacramento should consider joint maintenance agreements for roads, including lighting maintenance, which have common boundaries.
- v. The City of Rancho Cordova shall maintain existing public transit service, including applicable paratransit service required under the Americans with Disabilities Act. This shall be accomplished by the activation of the City of Rancho Cordova into the Sacramento Regional Transit District and activation of transit service within the City in accordance with the procedures set forth in section 102062.5 and section 102055 of the District's enabling legislation (Part 14 of Division 10 of the California Utilities Code). The City shall, within one hundred and eighty (180) days of incorporation, submit a request for annexation and activation to the Sacramento Regional Transit District.
- w. A portion of the Mather Air Force Base Redevelopment Project Area is within the City boundaries and the Commission finds that the redevelopment project is of regional significance and that the County of Sacramento is the regional governmental entity that will retain jurisdiction for the redevelopment project at this time.
 - i. A portion of the Mather Field Public Facilities Financing Plan Area is within the City boundaries. The Commission finds that the Mather Field Public Facilities Financing Plan is of regional significance and that the County of Sacramento is the regional governmental entity that should retain jurisdiction of existing fees collected under the Mather Field Public Facilities Financing Plan Development Fee Program (Chapter 16.84 of the Sacramento County Code). The County of Sacramento shall retain all existing fees collected under the Mather Field Public Facilities Financing Plan Development Fee Program prior to and after the incorporation. These fees are transportation mitigation financing

fees adopted pursuant to Government Code Section 66000 et. seq. The County shall retain sole control to levy and collect said fees and shall administer the fee program within the City of Rancho Cordova. The City shall not issue building permits or occupancy permits in that portion of the City located within the Mather Field Public Facilities Financing Plan Area without written notice from the County showing that the applicable fees have been paid to the County. The City of Rancho Cordova shall adopt an ordinance consistent with this condition within 180 days of incorporation.

- ii. The City of Rancho Cordova shall ensure that City actions are consistent with the Mather Air Force Base Redevelopment Project Area Plan adopted pursuant to state law (Health and Safety Code section 33492). In furtherance of said Plan, the County has executed certain purchases and sale agreements with the Redevelopment Agency of the County of Sacramento and the Redevelopment Agency of the County of Sacramento has executed certain Disposition and Development Agreements with property owners and the City shall be subject to said terms.
 - iii. The City of Rancho Cordova shall impose aviation easements where necessary consistent with the Mather Field Redevelopment Plan, Airport Master Plan and Development Plan.
 - iv. The City of Rancho Cordova shall ensure that the City actions are consistent with covenants, restrictions, conditions and other land use limitations and requirements that properties located within the former Mather Air Force Base are subject to under and associated with real property transactions (land use covenants, purchase agreements, deeds, leases, easements and other conveyance mechanisms) between the County of Sacramento and the United States Department of Air Force or other federal departments.
- x. It is the intent of Sacramento County and the Commission to the fullest extent permitted by law that the low and moderate income housing set aside funds (20% of total tax increments) accruing on account of tax increment funds allocated from real property located within the Mather Air Force Base Redevelopment Project Area shall be utilized within the boundaries of (1) the Mather Air Force Base Redevelopment Project Area; (2) the City of Rancho Cordova; or (3) the Cordova Community Plan boundaries adopted on or about December 1, 1975, as amended by the Board of Supervisors, provided the findings required by Health and Safety Code Section 33334.2 are made.
- i. Funds will be spent in conformance with adopted housing element plans of the County and City when approved.

- ii. Expenditure of funds will be subject to any pre-existing debt or agreements entered into by the Sacramento County Redevelopment Agency prior to incorporation.

- y. The City of Rancho Cordova shall enter into discussions with the County of Sacramento to determine if it is mutually beneficial to consider the transfer of authority and jurisdiction for the Sunrise Cordova Consolidated Reassessment District and the Bradshaw Road/US 50 Corridor Integrated Financing District pursuant to state law and established conditions of debt services. Unless and until a transfer is affected, the County shall continue to administer the Sunrise Cordova Consolidated Reassessment District and the Bradshaw Road/US 50 Corridor Integrated Financing District levies and their annual assessment on District properties within the incorporated territory consistent with the County's bond covenants.

- z. The City of Rancho Cordova shall enter into discussions with the County of Sacramento to determine the future administration of the Sunridge Public Facilities Financing Plan, the Villages of Zinfandel Public Facilities Financing Plan including the consideration of reestablishing these programs for ongoing development within the City of Rancho Cordova. These discussions may also include the disposition of development fee funds collected and unspent prior to the incorporation of the City of Rancho Cordova. If available, the County shall provide to the City of Rancho Cordova copies of the analysis, planning, environmental, and engineering studies prepared as part of the adoption of these development fee programs. In addition, all work related to the implementation of the improvements identified in the development impact fee programs will be made available to the City of Rancho Cordova. The County and City shall work together to determine the most effective way to implement these development impact fee programs. In addition, the discussions may establish the terms and conditions under which the County agrees to administer these programs and construct these infrastructure improvements located within the City of Rancho Cordova. Following incorporation, the City shall adopt and implement the development impact fee programs consistent with the previous practices of the County. Within two years from the date of incorporation, the County and City shall determine which funds, if any, shall be transferred to the City.

10. The City of Rancho Cordova shall become a co-permittee under the terms of the existing Countywide National Pollution Discharge Elimination System Permit as soon as practicable after incorporation.

11. The Mather Roadway Transit & Development Fee shall be continued and shall be administered by the County of Sacramento. The County of Sacramento shall retain sole control of the demolition credits contained in the Base Conversion Demolition Account established for the former Mather Air Force Base under the Roadway and Transit Development Fees Program (Chapter 16.87 of the Sacramento County Code). County shall manage the credits and have the

sole discretion to allocate the credits to new construction with the City or County portions of the former Mather Air Force Base. The City of Rancho Cordova shall adopt the necessary ordinances to effectuate this condition within 180 days of incorporation.

12. Subject to the limitations of Government Code Section 57202, the effective date of incorporation is to be July 1, 2003.

13. The new City shall have a Council-City Manager form of government.

14. The governing body of the proposed new city shall be a five-member City Council. The first City Council shall be elected at-large from throughout the area to be incorporated. Terms of office for the members of the City Council shall be in accordance with law. Future city council members shall be elected at large or as determined by the City Council consistent with state law.

15. Subject to the limitations of Government Code Section 56724 (formerly Section 56852.5), the election of the first City Council and the incorporation election will be held at the next regularly scheduled election date which is November 5, 2002. Costs for the election of the first City Council election shall be borne by the City.

16. Upon and after the effective date of this incorporation, the City Manager, City Clerk, and City Treasurer shall be appointed by the City Council in accordance with Government Code Section 56723 (formerly Section 56702).

17. The boundaries of the proposed City shall be as set forth in Exhibits A and B attached hereto and incorporated herein.

18. The question of incorporation, including all terms and conditions, shall be one question on the ballot.

19. The election on the incorporation of the City of Rancho Cordova (hereinafter "election") shall be held within the Subject Territory and shall be called and held on the next regular election date occurring at least eighty-eight (88) days after the date upon which the Board of Supervisors of the County, as the Conducting Authority, adopts a resolution calling the election. The next regular election date is November 5, 2002.

20. Pursuant to Government Code Section 57385, all roads and highways or portions of road(s) and highway(s), which had been accepted into the County-road system pursuant to Section 941 of the Streets & Highways Code, shall become City streets on the effective date of the incorporation.

21. The County Board of Supervisors shall be the Conducting Authority and shall initiate proceedings for the incorporation of the City of Rancho Cordova in compliance with Government Code Section 57000 *et seq.*

22. Pursuant to Government Code Section 56375(f), the Commission finds that there are 23,966 registered voters residing within the Subject Territory.

23. The Commission has reviewed the boundaries of the Subject Territory for definiteness and certainty and has determined that the same are definite and certain.

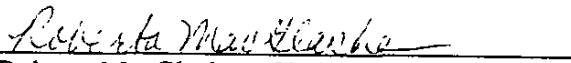
24. The Commission makes the additional findings and imposes the additional conditions set forth in Exhibit C attached hereto and incorporated herein.

BE IT FURTHER RESOLVED by the Sacramento Local Agency Formation Commission that the Sacramento County Board of Supervisors is directed to initiate appropriate proceedings in compliance with this resolution and state law and that the Executive Officer of this Commission is authorized and directed to:

- a. Mail a certified copy of this Resolution to the chief petitioners;
- b. Mail a certified copy of this Resolution to the affected governmental agencies whose boundaries are affected by the Resolution;
- c. File a certified copy of this Resolution with the Clerk of the Board of Supervisors of the County; and
- d. Request the County Surveyor to prepare the official legal description of the Subject Territory to be filed with the Clerk of the Commission.

On a motion by Commissioner Porter, seconded by Commissioner Tooker, the foregoing Resolution was passed and adopted by the SACRAMENTO LOCAL AGENCY FORMATION COMMISSION, State of California, this 22 day of May, 2002, by the following vote to-wit:

AYES: E. Mulberg, W. Porter, C. Tooker, R. Dickinson, L. Hammond, R. MacGlashan.
NOES: None
ABSTAIN: None
ABSENT: I. Collin, M. Johnson.


Roberta MacGlashan, Chair
SACRAMENTO LOCAL AGENCY FORMATION
COMMISSION

ATTEST:

A handwritten signature in cursive script, reading "Marilyn Ann Flemmer". The signature is written in black ink and is positioned above a horizontal line.

Marilyn Ann Flemmer
Commission Clerk

EXHIBIT A

LEGAL DESCRIPTION OF SUBJECT TERRITORY

To Be Included

EXHIBIT 'A'
LEGAL DESCRIPTION FOR PROPOSED INCORPORATION
OF THE CITY OF RANCHO CORDOVA, CALIFORNIA

All those portions of T. 8N., R. 6E. and R. 7E., M.D.B.& M., and all those portions of T. 9N., R. 6E. and R. 7E., M.D.B. & M. and a portion of Rancho Rio De Los Americanos situate in the County of Sacramento, State of California more particularly described as follows:

Beginning at the northwest corner of that certain Parcel Map entitled 'BEING A PORTION OF TRACT 3 AS SHOWN ON "PARTITION OF MAP OF LANDS OF ESTATE OF GEO N. KEY DECEASED" 2 B.M. 28' filed in the office of the Recorder of said County and State in Book 132 of Parcel Maps at Page 20; thence from said Point of beginning along the westerly line of said Parcel Map South 00°57'21" East 3,869.85 feet to the southwest corner of said Parcel Map; thence along the South line of said Parcel Map North 89°05'40" East 466.94 feet; thence South 00°24'30" East 1,520.00 feet to an angle point on the westerly line of Parcel 4 as shown on that certain Parcel Map entitled "PORTION OF RECORD OF SURVEY RECORDED IN 12 R.S. 27" filed in the office of the Recorder of said County and State in Book 29 of Parcel Maps at Page 28; thence along the westerly and northerly boundary line of said Parcel Map the following three (3) courses: 1) North 89°36'00" East 451.50 feet; 2) North 18°48'30" East 1,609.61 feet; and 3) North 89°36'00" East 1,277.31 feet to the northeast corner of said Parcel Map and being the northeast corner of that certain 'AEROJET-GENERAL CORP. 319.5 ACRES' parcel as shown on that certain Record of Survey entitled 'PROPERTY OF AEROJET GENERAL CORPORATION' filed in the office of the Recorder of said County and State in Book 12 of Surveys, Page 27; thence along the northerly and easterly line of said Record of Survey the following two (2) courses: 1) North 89°36'00" East 2,353.15 feet; and 2) South 29°08'30" West 638.25 feet to a point on the East line of Section 3, T. 8N., R. 7E., M.D.M.; thence along said East line of Section 3 South 00°17'30" East 4,458.00 feet to the southeast corner of said Section 3; thence along the East line of Section 10, T. 8N., R. 7E., M.D.M., as shown on that certain Record of Survey entitled "BEING A PORTION OF THE S.E. ¼ SECTION 10, T. 8N. , R. 7E., M.D.M." filed in the office of the Recorder of said County and State in Book 37 of Surveys at Page 27, South 00°16'38" East 5,258.48 feet to the southeast corner of said Section 10; thence along the East line of Section 15, T. 8N., R. 7E., M.D.M., South 00°08'45" East 5,258.48 feet to the southeast corner of said Section 15 as shown on that certain Record of Survey entitled 'PORTIONS OF SECTIONS 15 & 22, T. 8N., R. 7E., M.D.B.&M.' filed in the office of the Recorder, County of Sacramento, State of California in Book 19 of Surveys at Page 11; thence along the easterly and southeasterly line of said Record of Survey the following two (2) courses: 1) South 00°08'45" East 2,010.34 feet; and 2) South 41°01'00" West 3,744.15 feet; thence along the centerline of Grant Line Road, a County Road as shown on said Record of Survey, South 41°01'00" West 2,725.12 feet to the intersection of said Centerline with the centerline of Middle Jackson Road (a.k.a. Kiefer Road) as shown on said Record of Survey; thence continuing along said Centerline of Grant Line Road, South 41°01'00" West 9,272 feet, more or less, to the intersection of said Centerline of Grant Line Road with the intersection of the centerline of Jackson Highway, a State Highway; thence along the centerline of said Jackson Highway North 77°03'31" West 5,644 feet more or less to a point on the West line of Section 32 T. 8N., R. 7E., M.D.M.; thence along the West line of Sections 32 and 29 as

shown on that certain Parcel Map entitled "SOUTH ½ OF SECTION 29, T. 8N., R. 7E., M.D.M." filed in the office of the Recorder of said County and State Book 146 of Parcel Maps, Page 15, North 01°01'38" West 7,195.30 feet to the northwest corner of said Section 29; thence along the West line of Section 20, T. 8N., R. 7E., M.D.M. as shown on that certain Record of Survey entitled 'SECTION 20, PORTION OF SECTION 17 & PORTION OF FRACTIONAL SECTION 8, T 8N., R. 7E., M.D.M. filed in the office of the Recorder of said County and State in Book 40 of Surveys, at Page 44, North 00°37'15" West 5,292.24 feet to the northwest corner of said Section 20; thence along the West line of Section 17, T. 8N. R. 7E., M.D.M. the following two (2) courses: 1) North 00°33'05" West 2,631.92 feet; and 2) North 00°56'25" West 2,329.17 feet to the southeast corner of that certain Parcel of land described in that certain Grant Deed recorded in the office of the Recorder, County of Sacramento, State of California in Book 921118 Official Records, Page 343; thence along the South line of said Parcel the following two (2) courses: 1) South 89°03'34" West 100.00 feet; and 2) North 89°52'31" West 84.15 feet; thence westerly to an angle point on the westerly line of the Tract 3 of U.S.B.R. Folsom South Canal; thence along said Westerly line the following five (5) courses: 1) North 46°35'00" West 1,713.00 feet; 2) along the arc of a curve to the left having a radius of 780.00 feet, said Arc being subtended by a chord bearing North 62°29'00" West 427.56 feet; 3) North 78°24'00" West 603.00 feet; 4) along the arc of a curve to the right having a radius of 520.00 feet, said Arc being subtended by a chord bearing North 39°02'31" 639.53 feet; and 5) North 00°19'00" East 96.50 feet; thence along the southerly boundary of Rancho Rio De Los Americanos North 89°43'00" West 117.1 feet; thence North 07°19'00" West 565.99 feet to the most southerly corner of Tract 1 of U.S.B.R. Folsom South Canal (Book 700126 Official Records, Page 240); thence along the westerly line of said Tract 1 North 30°09'00" West 2,923.4 feet to the southeast corner of Parcel 7 as said Parcel is shown and so designated on that certain Parcel Map of the "COOK CAPITAL CENTER (BEING THAT RECORD OF SURVEY 39 R.S. 8 AND PARCEL 'A', 33 P.M. 49" filed in the office of the Recorder, County of Sacramento, State of California in Book 84 of Parcel Maps, Page 16; thence along the southerly boundary of said Parcel 7 the following eight (8) courses: 1) South 87°53'21" West 2,817.68 feet; 2) North 36°52'02" West 620.82 feet; 3) South 53°16'20" West 877.55 feet; 4) South 88°06'18" West 1,353.50 feet; 5) South 85°31'31" West 1,645.19 feet; 6) North 37°11'05" West 133.50; 7) South 46°22'21" West 173.82 feet; and 8) South 85°29'23" West 77.98 feet; thence South 10°08'21" East 92.24 feet to a point on the centerline of Mather Boulevard, a County Road; thence along said Centerline the following five (5) courses: 1) South 71°55'56" West 57.40 feet; 2) along the arc of a curve to the right having a radius of 400.00 feet, said Arc being subtended by a chord bearing North 85°55'53" West 301.45 feet; 3) North 63°47'44" West 219.68 feet; 4) along the arc of a curve to the left having a radius of 300.00 feet said Arc being subtended by a chord bearing North 79°01'23" West 157.59 feet; and 5) South 85°44'59" West 617.02 feet to the intersection of said Centerline of Mather Boulevard, a County Road, with the centerline of Feymoyer Street, a County Road, as shown on that certain Record of Survey entitled, "A PORTION OF TRACT WM. E. BRYAN 2,129.33 AC. OF RANCHO RIO DE LOS AMERICANOS, 1 B.M. 2, A PORTION OF THE GEORGE HANLON NO. 1 TRACT, 17 B.M. 28, AND A PORTION OF SECTION 19, T. 8N., R. 7E., M.D.M." filed in said Recorder's office in Book 58 of Surveys, Page 15; thence along said Centerline of Feymoyer Street as shown on said Survey, South 04°31'31" East 489.28 feet; thence along the centerline of Macready Avenue, a County Road, as shown on said Survey, South 85°29'57" West 1,112.31 feet; thence along the centerline of Bullard Street, as shown

on said Survey North 04°23'13" West 226.87 feet to a point on the centerline of Norden Avenue, a County Road, as shown on said Survey; thence along said Centerline, the following four (4) courses: 1) South 85°30'33" West 339.45 feet; 2) South 85°30'46" West 338.12 feet; 3) South 85°30'02" West 275.97 and 4) 85°30'17" West 678.14 feet to a point on the centerline of Debellevue Street, a County Road, as shown on said Survey; thence along said Centerline of Debellevue Street, North 04°27'21" West 276.09 feet to a point on the centerline of Mather Boulevard, a County Road, as shown on said Survey; thence westerly along said Centerline of Mather Boulevard the following four (4) courses: 1) along the arc of a curve to the right having a radius of 2,000.00 feet, said Arc being subtended by a chord bearing North 87°57'17" West 455.50 feet; 2) along the arc of a curve to the left having a radius of 2,000.00 feet, said Arc being subtended by a chord bearing North 87°56'51" West 455.92 feet; 3) South 85°29'42" West 308.85 feet; and 4) along the arc of a curve to the left having a radius of 1,500.00 feet, said Arc being subtended by a chord bearing South 81°59'06" West 183.89 feet to the intersection with the centerline of Lemay Street, a County Road; thence along said Centerline the following two (2) courses: 1) North 04°27'17" West 197.25 feet; and 2) along the arc of a curve to the right having a radius of 280.00 feet, said Arc being subtended by a chord bearing North 27°27'46" East 296.29 feet to a point on the centerline of Peter A. McCuen Boulevard, a County Road; thence southwesterly along the southwesterly prolongation of said Centerline of Peter A. McCuen Boulevard to the intersection with the centerline of Old Placerville Road, a County Road, as shown on that certain Parcel Map of "MATHER BUSINESS PARK" filed in the office of the Recorder, County of Sacramento, State of California in Book 70 of Parcel Maps, Page 28; thence southwesterly along said Centerline of Old Placerville Road the following three (3) courses: 1) South 56°25'09" West 1,931.42 feet; 2) along the arc of a curve to the left having a radius of 2,000.00 feet, said Arc being subtended by a chord bearing South 52°01'29" West 313.50 feet; and 3) South 47°31'46" West 795.58 feet to the intersection of said Centerline of Old Placerville Road with the intersection of Routier Road, a County Road, thence continuing along said Centerline of Old Placerville Road the following two (2) courses: 1) South 47°31'46" West 73.39 feet; and 2) along the arc of a curve to the right having a radius of 2,000.00 feet, said Arc being subtended by a chord bearing South 57°38'23" West 702.17 feet; thence continuing along said Centerline of Old Placerville Road, South 67°45'00" West 463.80 feet to the intersection of said Centerline with the centerline of Astral Drive, a County Road; thence continuing along said Centerline of Old Placerville Road, along the southerly line of that certain Plat of Cordova Palms filed in the office of the Recorder of said County and State in Book 105 of Maps, Map No. 10, South 67°45'00" West 1,438.50 feet to the southwest corner of said Map; thence continuing along said Centerline of Old Placerville Road, South 67°45'00" West 573.32 feet; thence continuing along said Centerline of Old Placerville Road South 84°23'55" West 2,517.22 feet to the intersection with the Centerline of Bradshaw Road, a County Road; thence along said Centerline the following three (3) courses: 1) North 00°35'01" West 496.34 feet; 2) along the arc of a curve to the right having a radius of 2,000.00 feet, said Arc being subtended by a chord bearing North 02°26'11" East 210.73 feet; and 3) along the arc of a curve to the left having a radius of 2,000.00 feet said Arc being subtended by a chord bearing North 03°33'09" East 132.87 feet; thence continuing northerly along said Centerline of Bradshaw Road to the intersection of said Centerline with the centerline of Folsom Boulevard, a County Road; thence

northeasterly along Road; thence northeasterly along said Centerline of Folsom Boulevard to a point which bears South 32°35'40" East 40.00 feet from the southeast corner Parcel One as said Parcel is shown on that certain Parcel Map entitled "PORTION OF ROUTIER 82-46/100A AND OF BOYD 157-85/100A – RANCHO RÍO DE LOS AMERICANOS" filed in the office of the Recorder, County of Sacramento, State of California in Book 16 of Parcel Maps, Page 5; thence North 32°35'40" West 40.00 feet to the southeast corner of said Parcel One; thence along the easterly line of said Parcel One the following eight (8) courses: 1) North 22°20'25" West 83.35 feet; 2) North 00°28'00" 68.00 feet; 3) along the arc of a curve to the right having a radius of 103.00 feet, said Arc being subtended by a chord bearing North 20°47'29" East 71.56 feet to a point of reverse curvature; 4) along the arc of a curve to the left having a radius of 60.67 feet, said Arc being subtended by a chord bearing North 20°47'39" East 42.15 feet; 5) North 00°28'00" East 397.98 feet; 6) South 89°09'30" West 140.00 feet; 7) North 60°51'46" West 47.00 feet; and 8) North 22°47'47" West 62.00 feet to a point on the North line of said Parcel One; thence North 39°22'08" West 115.63 feet to a point on the westerly line of Parcel Two as shown on said Parcel Map filed in the office of the Recorder, County of Sacramento, State of California in Book 16 of Parcel Maps at Page 5; thence along the westerly of said Parcel Two the following seven (7) courses: 1) North 50°00'00" East 164.75 feet; 2) North 42°30'00" East 252.00 feet; 3) North 05°45'00" East 482.00 feet; 4) North 19°27'00" West 217.00 feet; 5) North 22°27'00" East 267.00 feet; 6) North 12°58'00" East 413.00 feet; and 7) North 13°06'00" East 542.80 feet to the most northerly corner of Parcel 2 as said Parcel is shown on said Parcel Map; thence South 54°52'42" West to a point on the centerline of the American River; thence upstream along the meanders of said Centerline of the American River to the southwest corner of Parcel 1 as said Parcel is shown on that certain Record of Survey entitled "SOUTHSIDE AMERICAN RIVER PARKWAY" filed in the office of the Recorder, County of Sacramento, State of California in Book 23 of Surveys at Page 1; thence along the westerly line of said Record of Survey the following thirty six (36) courses: 1) North 15°20'53" West 55.47 feet; 2) North 08°20'43" West 523.00 feet; 3) North 19°59'43" West 231.00 feet; 4) North 36°18'53" West 228.00 feet; 5) North 44°59'43" West 574.42 feet; 6) North 58°35'43" West 378.33 feet; 7) North 31°49'38" West 511.38 feet; 8) North 07°48'23" East 438.06 feet; 9) North 13°14'14" East 504.40 feet; 10) North 28°57'44" East 653.71 feet; 11) North 29°49'24" East 371.41 feet; 12) North 36°41'24" East 349.33 feet; 13) North 46°51'26" East 421.59 feet; 14) North 56°59'29" East 200.16 feet; 15) North 34°23'49" East 318.21 feet; 16) North 50°49'45" East 612.38 feet; 17) North 58°40'07" East 801.94 feet; 18) South 73°21'43" East 503.63 feet; 19) South 63°17'47" East 926.57 feet; 20) North 64°55'57" East 721.52 feet; 21) North 36°16'50" East 842.10 feet; 22) North 43°04'11" East 399.70 feet; 23) North 49°01'50" East 520.00 feet; 24) North 79°57'00" East 324.92 feet; 25) North 88°18'32" East 301.08 feet; 26) North 61°10'02" East 107.97 feet; 27) North 52°42'20" East 840.78 feet; 28) North 30°31'50 East 750.00 feet; 29) North 38°17'26" East 386.86 feet; 30) North 23°22'48" East 1,118.87 feet; 31) North 22°30'52" East 417.85 feet; 32) North 37°57'16" West 697.53 feet; 33) North 32°02'39" West 627.63 feet; 34) North 00°51'06 East 493.12 feet; 35) North 16°18'50" East 652.30 feet; and 36) North 22°29'51" East 826.77 feet; thence North 22°29'51" East 664.04 feet; thence North 47°24'51" East 965.25 feet; thence North 54°17'51" East 407.22 feet; thence South 44°30'00" East 155.40 feet to an angle point on the westerly line of Parcel No. 6 as said Parcel is shown on said Record of Survey (Book 23 of Surveys, Page 1); thence along the westerly line of

said Record of Survey the following nineteen (19) courses: 1) North 54°46'52" East 965.70 feet; 2) North 47°26'32" East 597.34 feet; 3) North 57°57'31" East 348.09 feet; 4) North 85°16'51" East 1,044.28 feet; 5) South 63°19'09" East 609.40 feet; 6) South 31°46'37" East 282.33 feet; 7) South 05°18'09" West 335.44 feet; 8) South 37°11'36" West 531.01 feet; 9) South 19°51'18" West 612.41 feet; 10) South 06°16'21" East 832.92 feet; 11) South 33°11'44" East 642.92 feet; 12) South 52°24'52" East 624.66 feet; 13) South 81°35'00" East 395.30 feet; 14) North 59°10'45" East 456.44 feet; 15) North 36°55'58" East 1,017.09 feet; 16) North 34°29'30" East 500.00 feet; 17) North 36°07'42" East 275.96 feet; 18) North 45°17'47" East 1,502.62 feet; and 19) North 43°27'38" East 2,970.33 feet; to the most northerly corner of Parcel No. 8 as said Parcel is shown on said Record of Survey; thence along the easterly line of Parcel No. 8 and Parcel No. 9 of said Record of Survey, South 25°03'40" East 1,053.67 feet; thence North 64°56'20" East 50.00 feet to a point on the centerline of Sunrise Boulevard, a County Road as shown on that certain Plat of 'GOLD RIVER UNIT NO. 16 A' filed in the office of Recorder, County of Sacramento, State of California in Book 186 of Maps, Map No. 6; thence southeasterly along said Centerline to the beginning of an arc of a curve to the right having a radius of 1,999.01 feet as shown on said Map, said Arc being subtended by a chord bearing South 04°00'00" East 1,206.50 feet; thence continuing along said Centerline South 13°33'51" East 1,787.86 feet to the intersection with the centerline of Coloma Road, a County Road; thence along said Centerline of Coloma Road as shown on that certain Record of Survey entitled 'A PORTION OF SUBDIVISIONS "THOMAS COX 615 43/100 A. AND HENRY S. MELLER, 176A.", RANCHO RIO DE LOS AMERICANOS BEING ALSO A PORTION OF PARCEL 'L', BOOK 22 ROS PAGE 16' filed in the office of the Recorder of said County and State in Book 39 of Surveys at Page 32, North 79°45'44" East 446.87 feet to the centerline of Citrus Road, a County Road; thence along said Centerline of Citrus Road South 11°49'10" West 2,733 feet more or less to a point on the centerline of California State Highway 50; thence along said Centerline South 63°00'00" West 1,960 feet more or less to a point on the centerline of Sunrise Boulevard, a County Road; thence southeasterly along said Centerline of Sunrise Boulevard to the intersection of said Centerline with the centerline of Trade Center Drive, a County Road as shown on that certain Parcel Map entitled "PARCEL 7 OF 47 P.M. 28, AND A PORTION OF LOTS 3 & 4 BLOCK 3 OF NATOMAS CONSOLIDATED OF CALIFORNIA SUBDIVISIONS NO. 2, 14 B.M. 20" filed in the office of the Recorder of said County and State in Book 138 of Parcel Maps, Page 15; thence continuing along said Centerline of Sunrise Boulevard the following two (2) courses: 1) South 32°08'30" East 168.54 feet; and 2) along the arc of a curve to the right having a radius of 3,000.00 feet, said Arc being subtended by a chord bearing South 19°58'18" East 1,257.12 feet; thence continuing along said Centerline of Sunrise Boulevard as shown on that certain Parcel Map entitled "LOT 5 AND PORTION OF LOT 4 OF BLOCK 3, LOTS 1 AND 3 AND PORTION LOTS 2, 4 AND 5 OF BLOCK 7, NATOMAS CONSOLIDATED OF CALIFORNIA SUBDIVISION NO. 2 RECORDED IN 14 B.M. 20 AND A PORTION OF PROJ. SEC. 36, T. 9N., R. 6E., M.D.M." filed in the office of the Recorder of said County and State in Book 50 of Parcel Maps at Page 26 the following two (2) courses: 1) along the arc of a curve to the right having a radius of 3,000.00 feet, said Arc being subtended by a chord bearing South 04°38'59" East 342.75 feet; and 2) South 01°22'30" East 3,285.21 feet to the intersection of said Centerline with the centerline of White Rock Road, a County Road; thence continuing along said Centerline of Sunrise Boulevard as shown on that certain Parcel Map of "SUNRISE PARK" filed in the office of the Recorder of said County and

State in Book 80 of Parcel Maps at Page 6 South $01^{\circ}56'36''$ East 1,174.76 feet to the intersection of Sanders Drive, A County Road as shown on said Parcel Map; thence along said Centerline the following five (5) courses: 1) North $88^{\circ}03'24''$ East 135.00 feet; 2) along the arc of a curve to the right, said Arc being subtended by a chord bearing South $86^{\circ}46'47''$ East 180.00 feet to a point of reverse curvature; 3) thence along the arc of a curve to the left having a radius of 1,500.00 feet, said Arc being subtended by a chord bearing South $85^{\circ}26'29''$ East 200.14 feet; 4) South $89^{\circ}16'00''$ East 341.41 feet; and 5) along the arc of a curve to the right having a radius of 1,500.00 feet said Arc being subtended by a chord bearing South $86^{\circ}33'57''$ East 141.37 feet; thence along the centerline of Gold Valley Drive, a County Road as shown on said Parcel Map the following four (4) courses: 1) along the arc of a curve to the left having a radius of 1,500.00 feet, said Arc being subtended by a chord bearing North $00^{\circ}30'59''$ West 347.51 feet; 2) North $07^{\circ}10'06''$ West 723.51 feet; 3) along the arc of a curve to the right having a radius of 520.00 feet, said Arc being subtended by a chord bearing North $03^{\circ}15'05''$ West 71.04 feet; and 4) North $00^{\circ}39'55''$ East 61.18 feet to a point on the centerline of White Rock Road, a County Road; thence along said Centerline as shown on said Parcel Map the following three (3) courses: 1) South $89^{\circ}20'05''$ East 113.80 feet; 2) North $76^{\circ}21'25''$ East 639.51 feet; and 3) North $80^{\circ}14'25''$ East 782.13 feet to the intersection of said Centerline with the southerly prolongation of the west line of Parcel 4 as said Parcel is shown on that certain Parcel Map entitled "PORTIONS OF PROJECTED SECTIONS 15, 16, 21, 22 & 31, T. 9N., R. 7E., M.D.M. IN RANCHO RIO DE LOS AMERICANOS" filed in the office of the Recorder of said County and State in Book 87 of Parcel Maps, Page 8; thence North $07^{\circ}04'40''$ West 447.80 feet to the northwest corner of said Parcel 4 and being an angle point on the westerly line of Area 1 as shown on that certain Record of Survey entitled "BEING PROJECTED SECTIONS 22, 23, 28, 29 AND PORTIONS OF PROJECTED SECTIONS 11, 12, 13, 14, 15, 16, 19, 20, 21, 24, 25, 26, 27, 30, 31, 32, 33 AND 34, T. 9N., R. 7E., M.D.M. IN RANCHO RIO DE LOS AMERICANOS TOGETHER WITH PORTIONS OF SECTIONS 13, 24, AND 25 T. 9N., R. 7E., M.D.M." filed in the office the Recorder of said County and State in Book 62 of Surveys, Page 4; thence along the westerly and northerly line of said Area 1 the following seventeen (17) courses: 1) North $07^{\circ}04'23''$ West 171.94 feet; 2) North $07^{\circ}05'02''$ West 627.11 feet; 3) North $07^{\circ}03'44''$ West 1,002.93 feet; 4) North $07^{\circ}01'54''$ West 1,032.09 feet; 5) along the arc of a curve concave easterly and having a radius of 5,040.00 feet; thence northeasterly along said Curve through a central angle of $17^{\circ}50'00''$ an arc distance of 1,568.70 feet; 6) North $10^{\circ}45'17''$ East 800.30 feet; 7) along the arc of a curve concave southeasterly and having a radius of 840.00 feet; thence northeasterly along said Curve through a central angle of $12^{\circ}28'00''$ an arc distance of 182.77 feet; 8) North $23^{\circ}13'17''$ East 508.60 feet; 9) along the arc of a curve concave southerly and having a radius of 140.00 feet; thence northeasterly along said Curve through a central angle of $64^{\circ}47'05''$ an arc distance of 158.30 feet; 10) North $88^{\circ}00'17''$ East 194.60 feet; 11) North $85^{\circ}08'17''$ East 200.20 feet; 12) North $88^{\circ}00'17''$ East 149.30 feet; 13) along the arc of a curve concave northerly and having a radius of 450.00 feet; thence northeasterly along said Curve through a central angle of $63^{\circ}44'00''$, an arc distance of 500.56 feet; 14) North $24^{\circ}16'17''$ East 1,147.90 feet; 15) along the arc of a curve concave southeasterly and having a radius of 2,850.00 feet; thence northeasterly along said Curve through a central angle of $18^{\circ}50'00''$ an arc distance of 907.79 feet; 16) North $42^{\circ}31'17''$ East 665.80 feet; and 17) along the arc of a curve concave southeasterly and having a radius of 3,050.00 feet; thence northeasterly along said Curve through

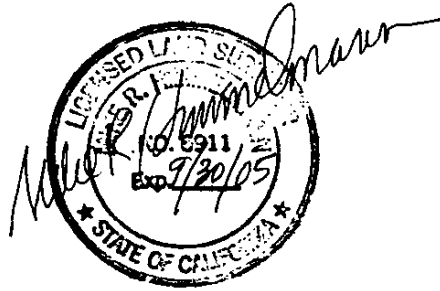
central angle of $16^{\circ}42'00''$, an arc length of 888.00 feet; thence along the westerly and northerly line of Area 'B' as shown on said Record of Survey (Book 62 of Surveys, Page 4) the following five (5) courses: 1) North $30^{\circ}46'43''$ West 25.00 feet; 2) along the arc of a curve concave southerly and having a radius of 3,075.00 feet; thence easterly along said Curve through a central angle of $14^{\circ}30'00''$ an arc distance of 778.20 feet; 3) North $73^{\circ}43'17''$ East 669.20 feet; 4) along the arc of a curve concave northwesterly and having a radius of 3,125.00 feet; thence northeasterly along said Curve through a central angle of $16^{\circ}53'00''$ an arc length of 920.84 feet; and 5) North $56^{\circ}50'17''$ East 1,001.80 feet; thence along the westerly line of Area 'T' shown on said Record of Survey (Book 62 of Surveys at Page 10) South $26^{\circ}00'47''$ East 1,126.40 feet; thence South $09^{\circ}18'18''$ East 2,138.66 feet to an angle point on said Westerly line of Area 'T'; thence along said Westerly line of Area 'T' the following eleven (11) courses: 1) South $02^{\circ}16'21''$ East 503.45 feet; 2) South $88^{\circ}02'55''$ West 698.14 feet; 3) South $01^{\circ}52'09''$ West 2,198.89 feet; 4) South $88^{\circ}06'18''$ West 532.84 feet; 5) South $02^{\circ}06'55''$ East 534.84 feet; 6) North $88^{\circ}00'50''$ East 482.80 feet; 7) South $00^{\circ}01'15''$ East 989.85 feet; 8) South $73^{\circ}05'34''$ West 602.37 feet; 9) North $87^{\circ}49'41''$ West 1,094.06 feet; 10) South $62^{\circ}25'28''$ West 1,487.32 feet; and 11) South $06^{\circ}07'27''$ East 2,020.65 feet; thence along the south line of Area 'A' as shown on said Parcel Map South $78^{\circ}34'13''$ West 808.76 feet to the most westerly corner of that certain Parcel Map entitled 'A PORTION OF "RECORD OF SURVEY" PORTION OF RANCHO RIO DE LOS AMERICANOS' filed in the office of the Recorder, County of Sacramento, State of California in Book 57 of Parcel Map, Page 13; thence along the centerline of White Rock Road, a County Road as shown on said Parcel Map the following seven (7) courses: 1) along the arc of a curve to the right having a radius of 1,500.00 feet said Arc being subtended by a chord bearing North $86^{\circ}31'37''$ East 313.85 feet; 2) South $87^{\circ}28'04''$ East 389.84 feet; 3) along the arc of a curve to the left having a radius of 3,000.00 feet, said Arc being subtended by a chord bearing North $88^{\circ}22'18''$ East 435.31 feet; 4) North $84^{\circ}12'40''$ East 1,297.46 feet; 5) along the arc of a curve to the right having a radius of 5,000.00 feet, said Arc being subtended by a chord bearing North $86^{\circ}31'35''$ East 404.01 feet; 6) North $88^{\circ}50'31''$ East 2,409.35 feet; and 7) along the arc of a curve to the left having a radius of 3,000.00 feet said Arc being subtended by a chord bearing North $88^{\circ}15'36''$ East 60.91 feet; thence South $00^{\circ}57'22''$ East 40.54 feet to an angle point on the north line of Parcel 15 as said Parcel is shown on that certain Parcel Map entitled "A PORTION OF RECORD OF SURVEYS 12 R.S. 30 AND 18 R.S. 4 AND ALSO BEING A PORTION OF RANCHO RIO DE LOS AMERICANOS" filed in the office of the Recorder of said County and State in Book 47 of Parcel Maps, Page 13; thence along said North line North $87^{\circ}02'11''$ East 6897.60 feet to the point of beginning.

TOGETHER WITH Areas 2, 3, 4, 5, 7, 'G' and 'F' as said Areas are shown on that certain Record of Survey entitled 'BEING PROJECTED SECTIONS 22, 23, 28, 29 AND PORTIONS OF PROJECTED SECTIONS 11, 12, 13, 14, 15, 16, 19, 20, 21, 24, 25, 26, 27, 30, 31, 32, 33, AND 34, T. 9N., R. 7E., M.D.M. IN RANCHO RIO DE LOS AMERICANOS TOGETHER WITH PORTIONS OF SECTIONS 13, 24, AND 25 T. 9N., R. 7E., M.D.M.' filed in the office of the Recorder of said County and State in Book 62 of Surveys, Page 4.

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Murray Smith & Associates
Engineering, Inc.

May 24, 2002
02-016



APPROVED
SACRAMENTO LOCAL AGENCY
FORMATION COMMISSION

MAY 22 2002

Marilyn Ann Hemmer
Commission Clerk

EXHIBIT B

MAP OF SUBJECT TERRITORY

To Be Included

Merrilee Ann Shuman
Commission Clerk

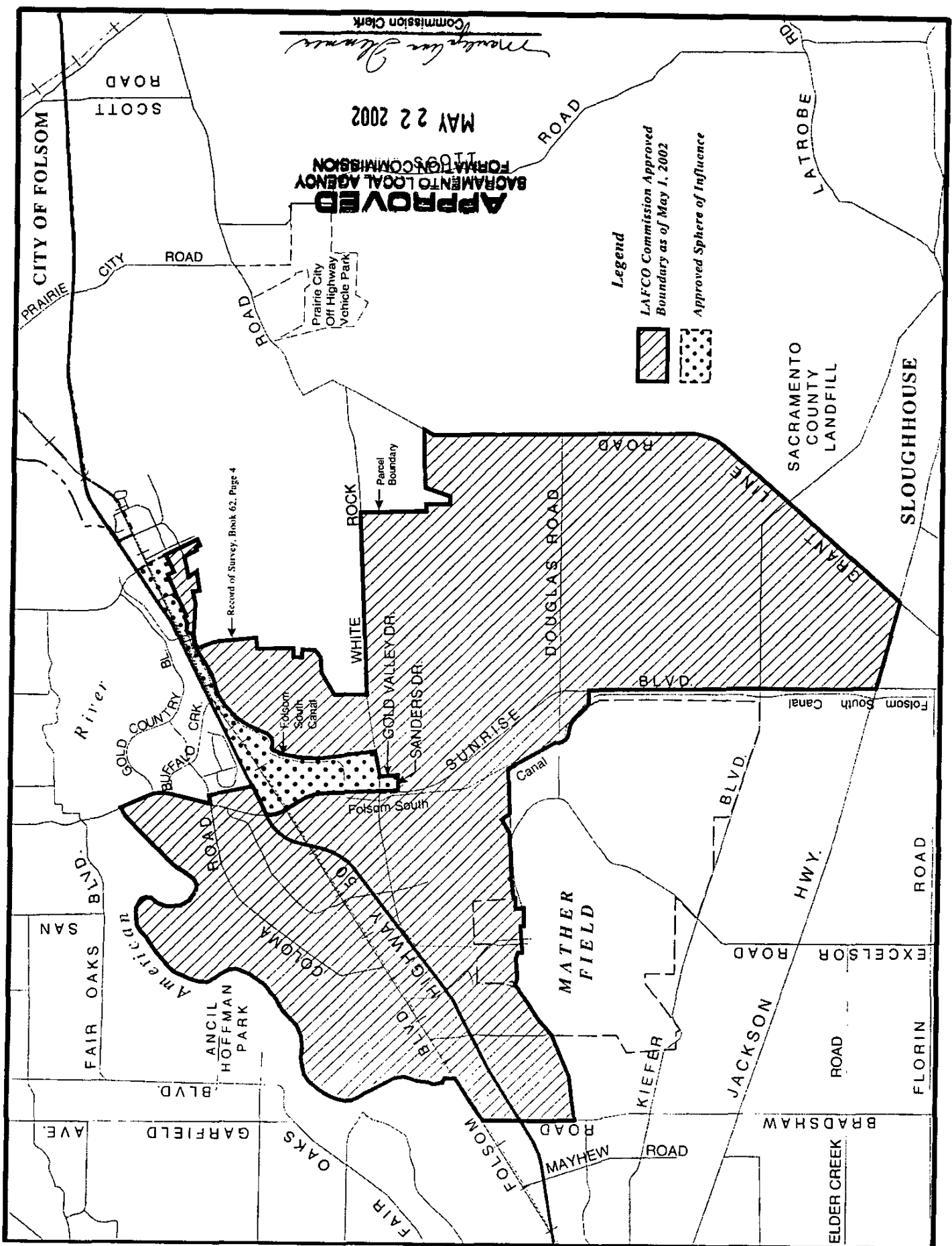
MAY 22 2002

APPROVED
SACRAMENTO LOCAL AGENCY
FORMATION COMMISSION

Legend

LAFCO Commission Approved
Boundary as of May 1, 2002

Approved Sphere of Influence



Record of Survey, Book 62, Page 4

Prairie City
Off Highway
Vehicle Park

Parcel
Boundary

Folsom South

MATHER
FIELD

ANCIL
HOFFMAN
PARK

SACRAMENTO
COUNTY
LANDFILL

SLOUGHHOUSE

CITY OF FOLSOM

FAIR OAKS
SAN

GARFIELD
AVE.

FAIR
OAKS

FOLSOM
ROAD

MAYHEW
ROAD

KIEFER
ROAD

JACKSON
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BRADSHAW
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ELDER CREEK
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EXCELSIOR
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BLVD

BLVD

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ROAD

LATROBE
RD

SCOTT
ROAD

CITY
ROAD

PRAIRIE
CITY

River

GOLD COUNTRY
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BUFFALO
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EXHIBIT C

ADDITIONAL FINDINGS AND CONDITIONS REGARDING INCORPORATION

Based upon the record of these LAFCo proceedings on the proposed incorporation of Rancho Cordova, the Commission finds and determines as follows:

Findings

1. The Commission finds that the proposal is consistent with the intent of the Cortese-Knox Local Government Reorganization Act.
2. The Commission finds that the proposal is consistent with the Policies, Standards, and Procedures of the Sacramento County Local Agency Formation Commission.
3. The Commission finds that the proposal is revenue neutral pursuant to its Policies, Standards and Procedures.
4. The Commission finds that the incorporation does not result in the conversion of prime agricultural land or open space use to other uses inconsistent with state law and the incorporation leads to the planned, orderly and efficient development of the area. Although some portions of the proposed boundaries are currently undeveloped, this property is within the urban service area of the County and since 1993, the property has been targeted for urban development. Although the urbanization of this property will result in a loss of open space and agricultural land, based upon evidence in the record this loss is meant to reduce demand for urbanization on other more environmentally sensitive prime agricultural land in the County.
5. The Commission finds that the proposal complies with the general policies and standards applicable to all changes of organization or reorganization.
6. The Commission finds that the applicants have demonstrated a significant unmet need for services or a need for improved services within the territory for which the incorporation is proposed. In determining whether an unmet need for services or improved services exists, the Commission has considered:
 - a. Current levels of service in the area to be incorporated;
 - b. Existing and projected growth rate and density patterns in the area to be incorporated; and
 - c. The Sphere of Influence Plans for the jurisdictions currently providing services to the area.

The Commission bases this finding on the Record which includes but is not limited to:

- 1) The incorporation petition which sets forth the following factors of importance to the Rancho Cordova Community:
 - i. The project may enhance the character and identity of Rancho Cordova by establishing the community as a city;
 - ii. The project will increase local control over and accountability for decisions affecting Rancho Cordova by having an elected city council made up of Rancho Cordova residents serve as the community's primary local government representatives;
 - iii. The project will ensure that the comprehensive planning, zoning and other regulatory land use decisions affecting Rancho Cordova and its quality of life are made in Rancho Cordova;
 - iv. The project will capture, for local use, additional revenues generated in Rancho Cordova that are now distributed countywide as demonstrated in the Comprehensive Fiscal Analysis;
 - v. The project will increase the allocation of federal and state revenue to Rancho Cordova to support local services and programs;
 - vi. The project will increase local responsibility for determining services, service levels and capital improvements in Rancho Cordova;
 - vii. The project may improve and enhance where possible the level of services available to Rancho Cordova; and
 - viii. The project may promote more citizen participation in local civic affairs of Rancho Cordova.
- 2) The County General Plan which provides for urbanization of the territory.
- 3) The Cordova Community Plan and the Sphere of Influence for the Rancho Cordova Community adopted by LAFCo.

- 4) The Comprehensive Fiscal Analysis and all supplements which find adequate City revenues including surpluses in later years to provide for discretionary projects and improved services.

7. The Commission finds that the incorporation will result in an entity with the capability to provide the most efficient forms of urban services to the affected population.

8. The Commission finds that the incorporation does not have significant adverse social and economic impacts upon any particular communities or groups in the incorporating area or affected unincorporated area.

9. The Commission finds that the proposed City is expected to receive revenues sufficient to provide public services and facilities and a reasonable reserve during the three fiscal years following incorporation.

10. The Commission finds that the proposed City has the required ability to provide the services, which are the subject of the application, and has the sufficiency of revenues for those services following incorporation.

11. The Commission finds that there is a timely availability of water supply adequate for the City's current needs and projected needs. This finding is based upon the following facts and conditions:

Existing development within the proposed incorporation boundaries has an existing and adequate water supply. Existing customers are currently being served. However contamination of wells within the proposed City boundaries has occurred and may or may not continue to occur due to the migration of the contamination plume. Undeveloped areas within the incorporation boundaries overlay a portion of the contaminated aquifer. Most of the undeveloped area is within the service boundaries of Zones 40 and 41 of the Sacramento County Water Agency. Southern California Water Company, Cal Am and the City of Folsom also have water service areas within the new City boundaries. Existing Water purveyors have an obligation, as a matter of state law, to assure that the needs of existing users are met, including, if necessary, the provision of replacement water in the event that existing wells or other water sources are unavailable due to contamination or any other reason before new development is served. The Sacramento County Water Agency has also entered into an agreement with other water purveyors in the region, commonly known as the "Water Forum Agreement", which sets advisory cooperative limitations on the amount of ground and surface water which can be used in the area. Such limitations are designed to assure that the water resources in the area are operated consistent with their safe yield limits as set forth under the Water Forum Agreement.

12. To ensure timely availability of water, the Commission imposes the following conditions:

- a. The needs of existing water users shall be met prior to the provision of water for new development, including, if necessary, the provision of replacement water in the event that existing water sources are unavailable to such existing users due to contamination or any other reason.
- b. Pursuant to Sacramento County General Plan Policies, and pursuant to provisions of state law, and this Resolution, no development can take place within the proposed boundaries of the City unless a reliable water supply has been secured and financing mechanisms for said reliable water supply are in place. The City of Rancho Cordova shall adopt policies consistent with the following county policies:
 - (“Policy CO-20): In new development areas, as identified in Figure III-1 of the Land Use Element, entitlements for urban development shall not be granted until a Master Plan for water supply has been adopted by the Board of Supervisors and all agreements and financing for supplemental water supplies are in place. The land use planning process may proceed, and specific plans and rezoning may be approved.
 - (Policy CO-22) Development entitlements shall not be granted in areas where no groundwater exists and water purveyors have reached their capacity to deliver treated water unless all necessary agreements and financing to obtain additional water supply are secured.
 - (Policy CO-23) Subdivisions and Parcel Maps shall be required to demonstrate adequate quantity and quality of groundwater prior to approval of residential lots in areas of the County where supply and quality are doubtful.
 - (Policy CO-25) Should the Board of Supervisors determine that there is a significant adverse effect on groundwater, including effects on quality, no building permits for urban commercial and residential uses shall be issued.
 - (Policy CO-39) Development project approvals shall include a finding that all feasible and cost effective options for conservation and water reuse are incorporated into project design. Wastewater reuse options shall be reviewed and agreed upon by the area water purveyor when the reclaimed water is to be used within the water purveyor’s boundaries.”

- c. The Sacramento County Water Agency has adopted a Master Plan for Zone 40, and is in the process of updating said Master Plan. This Master Plan identifies the long-term conjunctive water program designed to serve both ground and surface water to the city and areas beyond the city and the timetable by which said conjunctive use program is expected to be implemented. The City of Rancho Cordova shall adopt policies consistent with said Master Plan.
- d. New development shall not occur until a reliable water supply is secured and all agreements and financing for said water supply are in place.
- e. The City of Rancho Cordova shall become a signatory to the Water Forum Agreement and a participant in all successor efforts to said Agreement.

13. The Commission finds that the proposal will assist the City achieve its fair share of the regional housing needs as determined by SACOG. This finding is based upon the determination that the area contains adequate affordable housing and will be eligible for housing funds pursuant to Condition 9.w. of this Resolution.

14. To ensure that the new City of Rancho Cordova meets its regional fair share-housing obligation the Commission imposes the following conditions:

- a. The new City of Rancho Cordova shall meet with the County of Sacramento within six (6) months of incorporation and consistent with SACOG policies and state law determine the redistribution of the regional fair share housing needs allocation plan and schedule.
- b. The City of Rancho Cordova shall continue to assess and collect the Housing Trust Fund fee consistent with the existing Housing Trust Fund fee imposed by the County of Sacramento on non-residential development. The City of Rancho Cordova shall adopt the necessary ordinances and resolutions to effectuate this condition within 180 days of incorporation.

15. The Commission has reviewed information and comments from landowners and business owners as well as the general public in making these findings.

16. The Commission also finds the incorporation consistent with the regional growth goals and policies established by SACOG.

17. Development of the Sunrise-Douglas Area and the Aerojet Area will contribute to air quality degradation and transportation congestion. In order to effectively provide services upon urbanization of the area, the Commission imposes the following conditions:

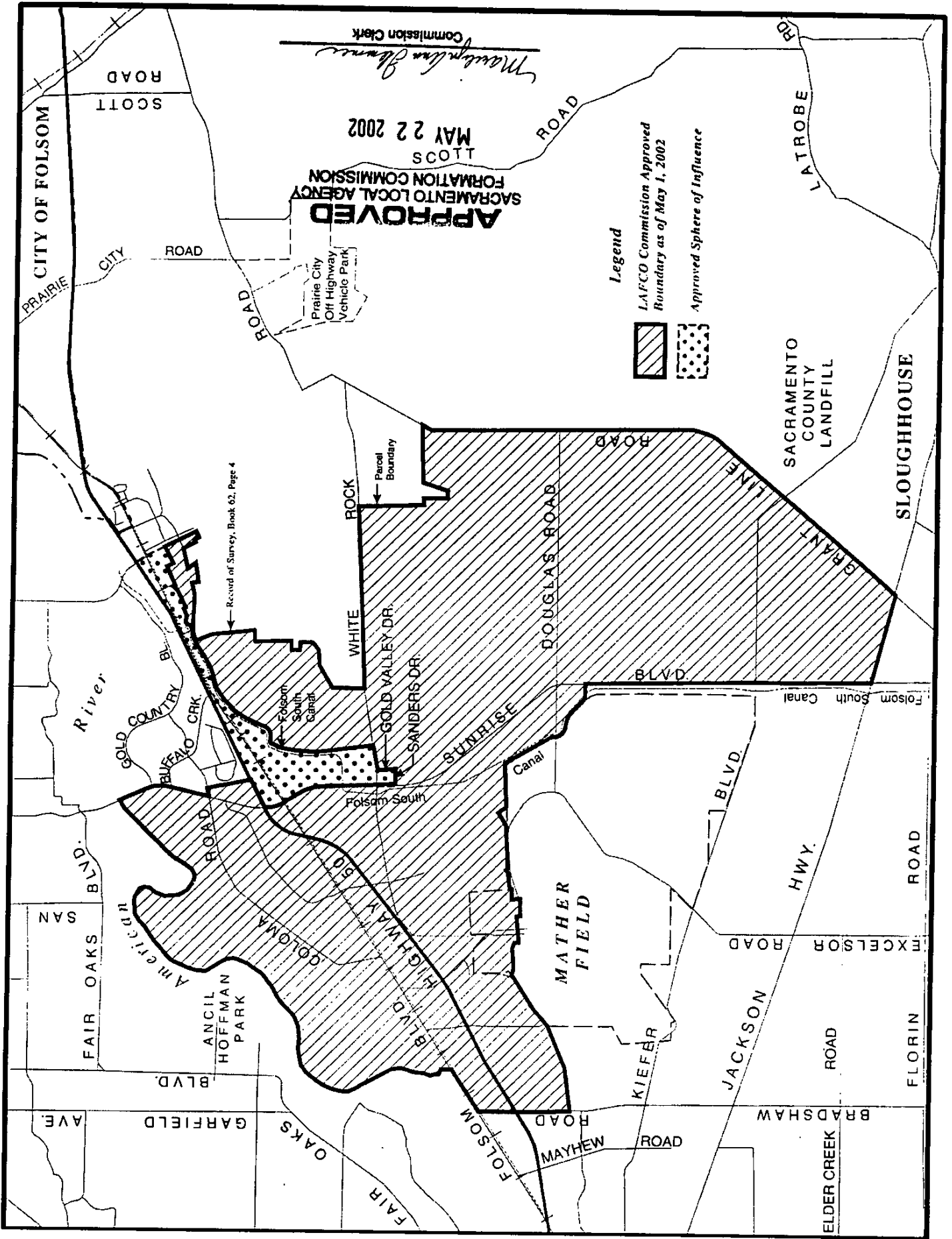
- a. Pedestrian access shall be provided on all streets.

- b. A portion of traffic impact fees shall be allocated to multi-modal transportation as required by state law.
- c. Consideration shall be given to increased open space.

18. The City of Rancho Cordova shall continue to enforce all transit impact fees and shall adopt the necessary ordinances to accomplish same within one (1) year of incorporation.

EXHIBIT D

SPHERE OF INFLUENCE BOUNDARIES



APPROVED
 SACRAMENTO LOCAL AGENCY
 FORMATION COMMISSION
 MAY 22 2002

Mackaylin Brown
 Commission Clerk

Legend
 LAFCO Commission Approved
 Boundary as of May 1, 2002
 Approved Sphere of Influence



Record of Survey, Book 02, Page 4

Parcel Boundary

Prairie City
 Off Highway
 Vehicle Park

MATHER
 FIELD

SACRAMENTO
 COUNTY
 LANDFILL

SLOUGHHOUSE

CITY OF FOLSOM

FAIR OAKS
 BLVD.

AMERICAN
 BLVD.

COLONY
 BLVD.

HIGHWAY
 99

FOLSOM
 BLVD.

GRANT
 LINE
 ROAD

DUNGLAS
 ROAD

SUNSHISE
 BLVD.

SANDERS
 DR.

GOLD VALLEY
 DR.

WHITE
 ROCK

SCOTT
 ROAD

PRAIRIE
 CITY
 ROAD

GOLD COUNTRY
 BLVD.

BUFFALO
 CRK.

RIVER

ANCIL
 HOFFMAN
 PARK

GARFIELD
 AVE.

FAIR
 OAKS

MAYHEW
 ROAD

KIEFER
 ROAD

JACKSON
 HWY.

BRADSHAW
 ROAD

ELDER CREEK
 ROAD

FLORIN
 ROAD

EXCELSOR
 ROAD

Folsom South Canal

Canal

Parcel Boundary

Prairie City
 Off Highway
 Vehicle Park

SACRAMENTO
 COUNTY
 LANDFILL

SLOUGHHOUSE

CITY OF FOLSOM

FAIR OAKS
 BLVD.

AMERICAN
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 ROAD

Folsom South Canal

Canal

Parcel Boundary

Prairie City
 Off Highway
 Vehicle Park

SACRAMENTO
 COUNTY
 LANDFILL

SLOUGHHOUSE

CITY OF FOLSOM

EXHIBIT E

TAX SHARING ALTERNATIVES

Figure 1
 Rancho Cordova Incorporation Comprehensive Fiscal Analysis
 Fiscal Mitigation Agreement Summary

May 1
 LAFCo Approved
 Boundary

Number of Years	Fiscal Year Ending	Property Tax Allocation Percentages											
		OPTION 1		OPTION 2		OPTION 3		OPTION 4		OPTION 3		OPTION 4	
		Retained by County	Retained by City	Retained by County	Retained by City	Retained by County	Retained by City	Retained by County	Retained by City	Retained by County	Retained by City	Retained by County	Retained by City
1	2004	97.50%	2.50%	97.50%	2.50%	97.50%	2.50%	97.50%	2.50%	97.50%	2.50%	97.50%	2.50%
2	2005	95.00%	5.00%	95.00%	5.00%	95.00%	5.00%	95.00%	5.00%	95.00%	5.00%	95.00%	5.00%
3	2006	95.00%	5.00%	95.00%	5.00%	95.00%	5.00%	95.00%	5.00%	95.00%	5.00%	95.00%	5.00%
4	2007	92.50%	7.50%	92.50%	7.50%	92.50%	7.50%	92.50%	7.50%	92.50%	7.50%	92.50%	7.50%
5	2008	90.00%	10.00%	90.00%	10.00%	90.00%	10.00%	90.00%	10.00%	90.00%	10.00%	90.00%	10.00%
6	2009	87.50%	12.50%	87.50%	12.50%	87.50%	12.50%	87.50%	12.50%	87.50%	12.50%	87.50%	12.50%
7	2010	87.50%	12.50%	87.50%	12.50%	87.50%	12.50%	87.50%	12.50%	87.50%	12.50%	87.50%	12.50%
8	2011	85.00%	15.00%	85.00%	15.00%	85.00%	15.00%	85.00%	15.00%	85.00%	15.00%	85.00%	15.00%
9	2012	82.50%	17.50%	82.50%	17.50%	82.50%	17.50%	82.50%	17.50%	82.50%	17.50%	82.50%	17.50%
10	2013	82.50%	17.50%	82.50%	17.50%	82.50%	17.50%	82.50%	17.50%	82.50%	17.50%	82.50%	17.50%
11	2014	80.00%	20.00%	80.00%	20.00%	80.00%	20.00%	80.00%	20.00%	80.00%	20.00%	80.00%	20.00%
12	2015	80.00%	20.00%	80.00%	20.00%	80.00%	20.00%	80.00%	20.00%	80.00%	20.00%	80.00%	20.00%
13	2016	77.50%	22.50%	77.50%	22.50%	77.50%	22.50%	77.50%	22.50%	77.50%	22.50%	77.50%	22.50%
14	2017	77.50%	22.50%	77.50%	22.50%	77.50%	22.50%	77.50%	22.50%	77.50%	22.50%	77.50%	22.50%
15	2018	75.00%	25.00%	75.00%	25.00%	75.00%	25.00%	75.00%	25.00%	75.00%	25.00%	75.00%	25.00%
16	2019	75.00%	25.00%	75.00%	25.00%	75.00%	25.00%	75.00%	25.00%	75.00%	25.00%	75.00%	25.00%
17	2020	72.50%	27.50%	72.50%	27.50%	72.50%	27.50%	72.50%	27.50%	72.50%	27.50%	72.50%	27.50%
18	2021	72.50%	27.50%	72.50%	27.50%	72.50%	27.50%	72.50%	27.50%	72.50%	27.50%	72.50%	27.50%
19	2022	70.00%	30.00%	70.00%	30.00%	70.00%	30.00%	70.00%	30.00%	70.00%	30.00%	70.00%	30.00%
20	2023	70.00%	30.00%	70.00%	30.00%	70.00%	30.00%	70.00%	30.00%	70.00%	30.00%	70.00%	30.00%
21	2024	67.50%	32.50%	67.50%	32.50%	67.50%	32.50%	67.50%	32.50%	67.50%	32.50%	67.50%	32.50%
22	2025	67.50%	32.50%	67.50%	32.50%	67.50%	32.50%	67.50%	32.50%	67.50%	32.50%	67.50%	32.50%
23	2026	65.00%	35.00%	65.00%	35.00%	65.00%	35.00%	65.00%	35.00%	65.00%	35.00%	65.00%	35.00%
24	2027	65.00%	35.00%	65.00%	35.00%	65.00%	35.00%	65.00%	35.00%	65.00%	35.00%	65.00%	35.00%
25	2028	62.50%	37.50%	62.50%	37.50%	62.50%	37.50%	62.50%	37.50%	62.50%	37.50%	62.50%	37.50%
26	2029	62.50%	37.50%	62.50%	37.50%	62.50%	37.50%	62.50%	37.50%	62.50%	37.50%	62.50%	37.50%
27	2030	62.50%	37.50%	62.50%	37.50%	62.50%	37.50%	62.50%	37.50%	62.50%	37.50%	62.50%	37.50%
28	2031	60.00%	40.00%	60.00%	40.00%	60.00%	40.00%	60.00%	40.00%	60.00%	40.00%	60.00%	40.00%
29	2032	60.00%	40.00%	60.00%	40.00%	60.00%	40.00%	60.00%	40.00%	60.00%	40.00%	60.00%	40.00%
30	2033	57.50%	42.50%	57.50%	42.50%	57.50%	42.50%	57.50%	42.50%	57.50%	42.50%	57.50%	42.50%
31	2034	38.80%	61.20%	38.80%	61.20%	38.80%	61.20%	38.80%	61.20%	38.80%	61.20%	38.80%	61.20%
32	2035	-	-	-	-	-	-	-	-	-	-	-	-
33	2036	-	-	-	-	-	-	-	-	-	-	-	-
34	2037	-	-	-	-	-	-	-	-	-	-	-	-
35	2038	-	-	-	-	-	-	-	-	-	-	-	-
36	2039	-	-	-	-	-	-	-	-	-	-	-	-
37	2040	-	-	-	-	-	-	-	-	-	-	-	-

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Source: EPS

Prepared by EPS

EXHIBIT F

TAX SHARING AGREEMENT

(reso 1243 RC Approval)

**TAX SHARING AGREEMENT BETWEEN THE COUNTY OF SACRAMENTO AND THE
CITY OF RANCHO CORDOVA**

This Tax Sharing Agreement ("Agreement") is made and entered into between the County of Sacramento ("County"), a political subdivision of the State of California, acting through its Board of Supervisors, and the City of Rancho Cordova ("City"), a municipal corporation, acting through its electorate.

RECITALS

A. A Petition for the proposed incorporation of the City has been submitted and approved by the Sacramento Local Agency Formation Commission ("LAFCO") pursuant to the Cortese-Knox Local Reorganization Act of 1985. Government Code §56845 prohibits LAFCO from approving a proposed incorporation unless it finds that the revenue currently received by the County which, but for the operation of Government Code §56845, would accrue to the City is substantially equal to the expenditures currently made by the County for the services that will be assumed by the City. Notwithstanding this prohibition, Government Code §56845 authorizes LAFCO to approve a proposed incorporation if it determines that the negative fiscal impacts of the proposed incorporation on the County have been mitigated by tax sharing agreements, lump-sums payments, payments over a fixed period of time, or any other terms and conditions pursuant to Government Code §56844.

B. The County is currently responsible for providing both municipal and County-wide services within the area proposed for incorporation. These County-wide services include, but are not limited to, the operation of County jail facilities, the funding of court facilities and a portion of court operations, probation services, health and welfare services, the District Attorney's office and indigent criminal defense services. The tax revenue

currently received by the County from within the area proposed for incorporation is used to fund both County-wide services and those municipal services furnished by the County within that area. While the incorporation of the City will relieve the County of the responsibility for providing municipal services to City residents, the County will continue to be responsible for County-wide services within the boundaries of the City.

C. LAFCO has determined after analyzing the relevant fiscal information that the revenue currently received by the County which, but for the operation of Government Code §56845, would accrue to the City is not substantially equal to the expenditures currently made by the County for the services that will be assumed by the City. As a means of mitigating the negative financial impact of the proposed incorporation on the County's general fund, LAFCO has conditioned the proposed incorporation on the sharing of City property tax revenue for the periods set forth in Exhibit "A" which is attached hereto and incorporated herein.

D. The City's sharing of its tax revenue as prescribed herein is necessary to insure that the County has the funding available after the effective date of the City's incorporation to maintain County-wide services at current levels without adversely affecting municipal services in the remaining portion of the unincorporated area. In the absence of such tax sharing, the City would receive a revenue windfall by having the benefit of all current County revenue without any concomitant responsibility for the funding of County-wide services. The resulting revenue windfall would allow the City to provide a higher level of municipal services to its residents, while the County would be forced to reduce either County-wide services or municipal services within the remaining unincorporated area, or a combination thereof. In either event, the enhanced services enjoyed by City residents

would occur at the expense of County-wide service recipients or unincorporated area residents who would suffer a reduction in such services.

F. The County has not opposed LAFCO's approval of the proposed incorporation subject to LAFCO's imposition of appropriate conditions to mitigate the adverse fiscal impact that the incorporation would otherwise have on the County. LAFCO has done so in the form of the previously referenced tax sharing condition. In order to provide the County with additional legal assurance that the City will comply with its obligation to share its tax revenue as required by the terms and conditions of the City's incorporation, this requirement has also been separately memorialized in the form of this Agreement which is specifically authorized by Government Code §56845. While the County has negotiated the terms and conditions of this Agreement with the incorporation proponents, the incorporation proponents have no authority to bind the City. In recognition of this absence of authority on the part of the incorporation proponents, this Agreement is being submitted to the electorate for approval as a part of the incorporation ballot measure.

G. This Agreement is entered into by the parties in recognition of the various uncertainties relating to the application of Government Code §56845 in the context of individual incorporation proposals. The proponents of the City's incorporation have objected generally to any revenue neutrality payments, and specifically to any concept of sharing a fixed percentage of the City's revenue or having the any payment obligation extend beyond a period of twenty-five (25) years. The County, on the other hand, has taken the position that the annual revenue payment obligation should continue indefinitely and should reflect the percentage of revenue currently collected from within the boundaries of the proposed City that is used to provide municipal services within the City. This

Agreement represents a compromise between those competing positions and is intended to resolve all issues between the City and the County with respect to the application of the requirements of Government Code §56845 to the incorporation of the City. In specific reliance on this Agreement, the County has elected not to challenge LAFCO's approval of the incorporation proposal, or the sufficiency of the environmental documentation certified by LAFCO in connection with such approval, or to seek to fully mitigate the fiscal impact of the City's incorporation in the form of a larger share of the City's tax revenue for an indefinite period of time.

NOW, THEREFORE, in consideration of the mutual promises hereinafter set forth, the City and the County agree as follows:

1. **Incorporation of Recitals.** The foregoing recitals are hereby incorporated by reference.

2. **Sharing of Property Tax Revenue.**

a) The City and the County shall share the City's portion of all secured and unsecured ad valorem property taxes levied and collected pursuant to state law within the City's corporate limits ("City property tax revenue") as follows:

i) If a majority of the electorate votes in the November 5, 2002, general election to continue in effect the County's 2.5% utility user tax and the increase in the County's transient occupancy tax from 10% to 12%, the City and the County shall share, beginning fiscal year 2003-04 and continuing through fiscal year 2033-2034, the City property tax revenue according to the percentages set forth in Option 1 of Exhibit A.

ii) If a majority of the electorate votes in the November 5, 2002, general election to continue in effect the increase in the County's transient occupancy tax from 10% to 12% and fails to vote to continue in effect the County's 2.5% utility user tax, the City and the County shall share, beginning fiscal year 2003-04 and continuing through fiscal year 2027-28, the City property tax revenue according to the percentages set forth in Option 2 of Exhibit A.

iii) If a majority of the electorate votes in the November 5, 2002, general election to continue in effect the County's 2.5% utility user tax and fails to vote to continue in effect the increase in the County's transient occupancy tax from 10% to 12%, the City and the County shall share, beginning fiscal year 2003-04 and continuing through fiscal year 2032-33, the City property tax revenue according to the percentages set forth in Option 3 of Exhibit A.

iv) If a majority of the electorate in the November 5, 2002, general election fails to vote to continue in effect the County's 2.5% utility user tax and the increase in the County's transient occupancy tax from 10% to 12%, the City and the County shall share, beginning fiscal year 2003-04 and continuing through fiscal year 2027-28, the City property tax revenue according to the percentages set forth in Option 4 of Exhibit A.

b) All costs and expenses associated with the collection, administration and interest-earning capabilities of the City property tax revenue shall be shared by the City and the County in accordance with the same percentages as the underlying property taxes. The County's share of the City property tax revenue shall be allocated by the County's Director of Finance directly to the County.

3. **Redevelopment Projects.** The City's property tax revenue shall not include any proportion of the percentage share of tax increment revenue from the project area which the City may be entitled to receive pursuant to Health and Safety Code Section 33607.5(a)(2) or any amount the City may receive pursuant to Health and Safety Code Section 33670(a).

4. **Modification of Tax Sharing Provisions.** The tax sharing provisions set forth in this Agreement are premised on the existing statewide structure that governs local government finances and the obligation of newly incorporated cities to mitigate the negative fiscal impacts of their incorporation on counties. The tax sharing obligations set forth in this Agreement shall be subject to modification upon any of the following occurrences:

a) A statewide structural change in the services that are required by the State to be provided by the County or the City;

b) A statewide structural change in the manner in which the above mandated services are funded;

c) The occurrence of any other event that significantly modifies how cities and/or counties generally receive, or the County specifically receives, funding;

d) Any significant modification by the State of the manner in which newly incorporated cities are funded; or

e) If the revenue neutrality structure in the Cortese-Knox Local Government Reorganization Act of 1985 (Health & Safety Code §§56000, *et seq.*) as it existed on May 1, 2002, is modified.

5. Procedure For Modifying Tax Sharing Provisions.

a) If either party believes that one of the triggering factors set forth in Section 4 above has occurred, it may serve a written Notice of Reopener on the other party requesting that the City's tax sharing obligation be modified. A copy of this written request shall be provided to LAFCO, but LAFCO shall not have any role with respect to the request. The Notice of Reopener shall specify the precise manner in which the requesting party is proposing that the City's tax sharing obligation be modified and must be submitted within one (1) year of the effective date of the relevant triggering factor. If the Notice of Reopener is not served within this one (1) year period, the parties waive any right to request a modification of the City's tax sharing obligation based on that particular triggering factor.

b) The parties shall have sixty (60) days after service of the Notice of Reopener as a Negotiation Period in which to attempt to reach mutual agreement on an appropriate modification to the City's tax sharing obligation. If the parties are unable to reach such a mutual agreement within this sixty (60) day Negotiation Period, the City and County shall comply with the dispute resolution procedures set forth below. In doing so, the parties shall conform to the timeline prescribed therein measured from the date of service of the Notice of Reopener.

c) If, upon the completion of the Negotiation Period, no modification to the City's tax sharing obligation is agreed upon by the City and the County, the City and the County shall mutually select a mediator, funded in equal portions by each party, to perform mediation for a period of not to exceed thirty (30) days. If the City and the County cannot

mutually select a mediator, each shall select a mediator of its choosing. Those two mediators shall then select a neutral mediator, who shall be the mediator.

d) If, upon the completion of the Mediation Period, no mutually acceptable agreement has been reached by the City and the County, the parties shall mutually commence an action in the California Superior Court for the exclusive purpose of implementing the process of resolution of the dispute by general reference under Code of Civil Procedure §638. This agreement by the parties shall constitute and be construed to be an agreement to reference under Code of Civil Procedure §638. The parties shall select a referee under Code of Civil Procedure §§638 and 640, funded in equal portions by the parties, to conduct a judicial reference with the City and the County for a period of not to exceed 30 days. If the City and the County cannot mutually select a referee, each shall select a mediator of its choosing. Those two mediators shall then select a referee, who shall be the referee.

e) The provisions of Code of Civil Procedure Section 1283.05 are made expressly inapplicable to the Negotiation and Mediation Periods and/or the reference proceedings conducted pursuant to this section. However, discovery shall be permitted for the reference proceeding only, but, pursuant to Code of Civil Procedure §2021, discovery during the reference proceeding shall be subject to the following limitations:

- i) Discovery shall be limited in time to the 45 days before the date of the commencement of the reference hearing;
- ii) Discovery shall be limited in scope to disclosure of information to be presented at the reference hearing; and

iii) Discovery shall be accomplished by the disclosure duties as contemplated by Federal Rule of Civil Procedure, Rule 26, which initial disclosure shall occur on the 45th day before the date of commencement of the reference hearing, or on some other date mutually agreed upon by the parties.

f) On the day that the reference proceeding hearing commences and as a part of each parties' case in chief, the City and the County shall each present to the referee its last and best offer with respect to the City's tax sharing obligation. The referee must make his or her decision within the confines of the two offers presented by the parties. The reference proceeding contemplated herein shall be conducted pursuant to CCP §§638 *et seq.* and the decision by the referee must be reported as set forth in CCP §643 and it must stand as the decision of the court as set forth in CCP §644. The only review of the referee's decision shall be to determine if the referee's decision is within the confines of the two offers presented by the parties. The referee is free to fashion his or her decision within the confines of the two offers presented by the parties. However, if the referee's decision does not stay within the confines of the two offers presented by the parties, the referee's decision shall be null and void and subject to judicial review. The parties expressly agree to preserve their appellate rights pursuant to CCP §645, as limited herein.

g) Proceedings under these dispute resolution procedures shall be concluded no more than 150 days after the service of the Notice of Reopener, unless one or more of the periods specified herein is extended by the mutual written agreement of the City and the County, but in no event may the proceedings under these dispute resolution procedures be extended for a cumulative period of more than one (1) year after the service of the Notice of Reopener.

6. **Annexations.** Any taxes generated by land or other property added to the City, by virtue of any annexation or other change of organization governed by the procedures set forth in Government Code Section 56000 *et seq.*, or any successor statute, shall not be subject to this Agreement.

7. **Invalidity of Agreement.** The City's tax sharing obligation is set forth both in this Agreement and in the terms and conditions of the City's incorporation adopted by LAFCO. If this Agreement is invalidated or otherwise rendered unenforceable in whole or in part, such invalidity or unenforceability shall not in any manner affect the validity or enforceability of the terms and conditions imposed by LAFCO in connection with its approval of the City's incorporation proposal. The City shall continue to be subject to the tax sharing requirements imposed by LAFCO as part of the terms and conditions of the City's incorporation; however, under no circumstances shall this Tax Sharing Agreement be construed to be a different or separate obligation from that set forth in the LAFCO conditions found in Sacramento LAFCO Resolution _____.

8. **Term.** Subject to the approval of the Board of Supervisors and the approval of electorate of the City as part of the incorporation proposal, this Agreement shall become effective upon the effective date of the City's incorporation and shall remain in effect until all obligations hereunder have been satisfied. This Agreement shall be executed on behalf of the City by its Mayor immediately upon the City's incorporation becoming effective.

9. **Amendments.** This Agreement may be modified or amended, or any of its provisions waived, only by a subsequent written agreement executed by each of the parties hereto. The Board of Supervisors shall have the authority to approve amendments

to this Agreement on behalf of County. The City Council shall have the authority to approve amendments on behalf of the City.

10. Entire Agreement. This Agreement together with the revenue neutrality conditions found in Sacramento LAFCO Resolution _____, constitutes the sole, final, complete, exclusive and integrated expression and statement of the terms and conditions of this Agreement among the parties hereto concerning the subject matter addressed herein, and supersedes all prior negotiations, representations or agreements, oral or written, that may be related to the subject matter of this Agreement.

11. Notices. Any notice, demand, request, consent, or approval that either party hereto may, or is required to, give the other shall be in writing and shall be deemed to have been received three (3) days after being deposited in the United States mail, first class postage prepaid and addressed to the County Executive, if directed at the County, or to the City Manager, if directed to the City. Either party hereto shall have the right to serve any notice by personal delivery, and change the address at which it will receive such communications by giving fifteen (15) days advance notice to the other party.

Dated: _____

COUNTY OF SACRAMENTO, a political
subdivision of the State of California

By _____
Chairperson, Board of Supervisors

CITY OF RANCHO CORDOVA,
a municipal corporation

Dated: _____

By _____
Mayor, City of Rancho Cordova

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Figure 1
Rancho Cordova Incorporation Comprehensive Fiscal Analysis
Fiscal Mitigation Agreement Summary

May 1
LAFCo Approved
Boundary

Number of Years	Fiscal Year Ending	Property Tax Allocation Percentages											
		OPTION 1		OPTION 2		OPTION 3		OPTION 4		OPTION 3		OPTION 4	
		Retained by County	Retained by City	Retained by County	Retained by City	Retained by County	Retained by City	Retained by County	Retained by City	Retained by County	Retained by City	Retained by County	Retained by City
1	2004	97.50%	2.50%	97.50%	2.50%	97.50%	2.50%	97.50%	2.50%	97.50%	2.50%	97.50%	2.50%
2	2005	95.00%	5.00%	95.00%	5.00%	95.00%	5.00%	95.00%	5.00%	95.00%	5.00%	95.00%	5.00%
3	2006	95.00%	5.00%	95.00%	5.00%	95.00%	5.00%	95.00%	5.00%	95.00%	5.00%	95.00%	5.00%
4	2007	92.50%	7.50%	92.50%	7.50%	92.50%	7.50%	92.50%	7.50%	92.50%	7.50%	92.50%	7.50%
5	2008	90.00%	10.00%	90.00%	10.00%	90.00%	10.00%	90.00%	10.00%	90.00%	10.00%	90.00%	10.00%
6	2009	87.50%	12.50%	87.50%	12.50%	87.50%	12.50%	87.50%	12.50%	87.50%	12.50%	87.50%	12.50%
7	2010	87.50%	12.50%	87.50%	12.50%	87.50%	12.50%	87.50%	12.50%	87.50%	12.50%	87.50%	12.50%
8	2011	85.00%	15.00%	85.00%	15.00%	85.00%	15.00%	85.00%	15.00%	85.00%	15.00%	85.00%	15.00%
9	2012	82.50%	17.50%	82.50%	17.50%	82.50%	17.50%	82.50%	17.50%	82.50%	17.50%	82.50%	17.50%
10	2013	82.50%	17.50%	82.50%	17.50%	82.50%	17.50%	82.50%	17.50%	82.50%	17.50%	82.50%	17.50%
11	2014	80.00%	20.00%	80.00%	20.00%	80.00%	20.00%	80.00%	20.00%	80.00%	20.00%	80.00%	20.00%
12	2015	80.00%	20.00%	80.00%	20.00%	80.00%	20.00%	80.00%	20.00%	80.00%	20.00%	80.00%	20.00%
13	2016	77.50%	22.50%	77.50%	22.50%	77.50%	22.50%	77.50%	22.50%	77.50%	22.50%	77.50%	22.50%
14	2017	77.50%	22.50%	77.50%	22.50%	77.50%	22.50%	77.50%	22.50%	77.50%	22.50%	77.50%	22.50%
15	2018	75.00%	25.00%	75.00%	25.00%	75.00%	25.00%	75.00%	25.00%	75.00%	25.00%	75.00%	25.00%
16	2019	75.00%	25.00%	75.00%	25.00%	75.00%	25.00%	75.00%	25.00%	75.00%	25.00%	75.00%	25.00%
17	2020	72.50%	27.50%	72.50%	27.50%	72.50%	27.50%	72.50%	27.50%	72.50%	27.50%	72.50%	27.50%
18	2021	72.50%	27.50%	72.50%	27.50%	72.50%	27.50%	72.50%	27.50%	72.50%	27.50%	72.50%	27.50%
19	2022	70.00%	30.00%	70.00%	30.00%	70.00%	30.00%	70.00%	30.00%	70.00%	30.00%	70.00%	30.00%
20	2023	70.00%	30.00%	70.00%	30.00%	70.00%	30.00%	70.00%	30.00%	70.00%	30.00%	70.00%	30.00%
21	2024	67.50%	32.50%	67.50%	32.50%	67.50%	32.50%	67.50%	32.50%	67.50%	32.50%	67.50%	32.50%
22	2025	67.50%	32.50%	67.50%	32.50%	67.50%	32.50%	67.50%	32.50%	67.50%	32.50%	67.50%	32.50%
23	2026	65.00%	35.00%	65.00%	35.00%	65.00%	35.00%	65.00%	35.00%	65.00%	35.00%	65.00%	35.00%
24	2027	65.00%	35.00%	65.00%	35.00%	65.00%	35.00%	65.00%	35.00%	65.00%	35.00%	65.00%	35.00%
25	2028	62.50%	37.50%	62.50%	37.50%	62.50%	37.50%	62.50%	37.50%	62.50%	37.50%	62.50%	37.50%
26	2029	62.50%	37.50%	62.50%	37.50%	62.50%	37.50%	62.50%	37.50%	62.50%	37.50%	62.50%	37.50%
27	2030	62.50%	37.50%	62.50%	37.50%	62.50%	37.50%	62.50%	37.50%	62.50%	37.50%	62.50%	37.50%
28	2031	60.00%	40.00%	60.00%	40.00%	60.00%	40.00%	60.00%	40.00%	60.00%	40.00%	60.00%	40.00%
29	2032	60.00%	40.00%	60.00%	40.00%	60.00%	40.00%	60.00%	40.00%	60.00%	40.00%	60.00%	40.00%
30	2033	57.50%	42.50%	57.50%	42.50%	57.50%	42.50%	57.50%	42.50%	57.50%	42.50%	57.50%	42.50%
31	2034	38.80%	61.20%	38.80%	61.20%	38.80%	61.20%	38.80%	61.20%	38.80%	61.20%	38.80%	61.20%
32	2035	-	-	-	-	-	-	-	-	-	-	-	-
33	2036	-	-	-	-	-	-	-	-	-	-	-	-
34	2037	-	-	-	-	-	-	-	-	-	-	-	-
35	2038	-	-	-	-	-	-	-	-	-	-	-	-
36	2039	-	-	-	-	-	-	-	-	-	-	-	-
37	2040	-	-	-	-	-	-	-	-	-	-	-	-

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Source: EPS

Prepared by EPS