



February 8, 2010

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**CITY HALL**

1110 West Capitol Avenue  
West Sacramento, CA 95691

**City Council**

**City Manager**

**City Clerk**

**Information Technology**

(916) 617-4500

**Community Development**

**Planning/**

**Development Engineering**

(916) 617-4645

**Building**

(916) 617-4683

**Redevelopment**

(916) 617-4535

**Housing & Community**

**Investment**

(916) 617-4555

**Economic Development**

(916) 617-4880

**Public Works**

**Operations**

(916) 617-4850

**Engineering**

(916) 617-4645

**Flood Protection**

(916) 617-4645

**Finance**

**Administration**

(916) 617-4575

**Refuse & Recycling**

(916) 617-4590

**Utility Billing**

(916) 617-4589

**Human Resources**

(916) 617-4567

**Parks & Recreation**

(916) 617-4620

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**FIRE**

2040 Lake Washington Blvd.

West Sacramento, CA 95691

(916) 617-4600

Fax (916) 371-5017

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**POLICE**

550 Jefferson Boulevard

West Sacramento, CA 95605

(916) 617-4900

**Code Enforcement**

(916) 617-4925

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**PUBLIC WORKS**

**Operations**

1951 South River Road

West Sacramento, CA 95691

(916) 617-4850

Mr. Peter Rogoff, Administrator  
U.S. Department of Transportation  
Federal Transit Administration  
East Building  
1200 New Jersey Avenue, SE  
Washington, DC 20590

Mr. Leslie Rogers, Regional Administrator  
FTA Region IX  
201 Mission Street  
Suite 1650  
San Francisco, CA 94105-1839

RE: Downtown/Riverfront Streetcar  
Urban Circulator Grant Application

Dear Mr. Rogoff and Mr. Rogers:

The City of West Sacramento wholeheartedly supports this application and is prepared to undertake whatever tasks necessary to complete the Downtown/Riverfront streetcar line. We have already coordinated our development policies around streetcar. As detailed in the project management segment of the application, the city would have primary responsibility for managing design and construction; and as outlined in the budget section, the city will be the source of local funding.

The City Council has included streetcar-related activities as a high priority project in our annual strategic plan for each of the last four years, and again has directed staff to vigorously pursue implementation. Since 2006 we have provided leadership and dedicated considerable resources to completing the feasibility study, the preliminary engineering, the technical analyses, the financing plan, and the environmental impact report for the project.

We place such a high priority on the streetcar program because it's integral to the successful development of the city. A rail transit connection to downtown Sacramento has been part of our planning for the riverfront and West Capitol Avenue since light rail first started in the Sacramento region and the city incorporated in 1987. Every major planning and policy document since then has been shaped around it, with transit oriented, mixed use land uses focused around the corridor. Streetcar is integral to the goals and objectives of the city's

Mr. Peter Rogoff  
Mr. Leslie Rogers  
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General Plan, the Riverfront Master Plan, the Washington Specific Plan, the Bridge District Specific Plan, and the West Capitol Avenue plan. The principles stated in the Blueprint plan for the region have been fully adopted and implemented in West Sacramento. SACOG has recognized West Sacramento by giving the city an A grade in implementing the Blueprint plan and by awarding three Community Design program grants.

The City has successfully undertaken many large-scale projects and has appropriate staff to oversee this project. We have an excellent record of project delivery on state and federally funded projects; in the last few years, we have successfully completed many such projects, and are about to embark on a \$28 million dollar infrastructure construction program in the Bridge District. City management will use its in-house knowledge from professional engineers, project managers, financial experts and support staff to ensure this project is executed as described in the application and to the high level of quality expected of city projects.

Capital funding for the project has been established through a combination of sources. The council has budgeted \$400,000 in the current capital program for planning and environmental review of the streetcar project. If selected for the Urban Circulator Grant, the city will budget an additional \$5 million for project construction in the 2010 update of the capital improvement plan. The council recently approved formation of a Community Financing District (CFD) in the Bridge District that will make \$10 million in bond money available in July of 2010; \$4 million of that will be dedicated to this project. In addition, projects in the Raley's Landing area have contractual obligations in Development Agreements to participate in a streetcar financing district upon its formation, and assessments are also anticipated in the Washington and Civic Center areas to complete the capital funding picture. The remaining \$1 million of the project budget will come from these sources. Supplemental funding for project contingencies could be derived, if necessary, from the CIP, from the Bridge District CFD, or from bonding a portion of the city's sales tax revenue.

In November 2008, voters in West Sacramento approved a ballot measure that calls for sales tax revenue to be used for streetcar operations and flood protection. The sales tax is already in place, but is currently used primarily for road projects. The redirection of the sales tax revenue will begin in April of 2013, which coincides with the planned start of operations. Annual revenue for streetcar operations is conservatively projected at \$1.25 million, or 89% of estimated operating costs.

Like many communities in California, we have been profoundly affected by the decline in housing and property values and by the State budget crisis. While our budget situation is challenging, we have fared better than many other local jurisdictions because of prudent planning and because of broad community agreement about the focus and direction and priorities for the city.

Mr. Peter Rogoff  
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The City has forged many successful public/private partnerships in the past and will continue to do so to ensure the success of the Downtown/Riverfront streetcar project and operation. As shown by the voters' approval of funding for streetcar operations, the City Council's strong direction in its Strategic Plans, management directives, and developer agreements, this streetcar project has support from all community sectors. We look forward to making this project a success, and ask that you approve the requested grant to start the Downtown/Riverfront streetcar.

Sincerely,

A handwritten signature in black ink, appearing to read 'Toby Ross', with a stylized flourish at the end.

Toby Ross  
City Manager

Attachments:

1. Council strategic plan
2. Links to land use planning documents: General Plan, Washington Specific Plan, West Capitol Avenue Strategy and Streetscape Master Plan, Bridge District Specific Plan, Riverfront Master Plan.
3. Resolution of Formation, Bridge District CFD 27, including list of eligible expenses
4. Link to 2009-2011 CIP
5. Raley's Landing Development Agreement clause containing contractual commitment to participation in streetcar financing
6. Council Resolution on sales tax measure

## **Links to City of West Sacramento Reference Documents:**

### City Council Strategic Plan:

[http://www.cityofwestsacramento.org/city/depts/cmo/strategic\\_plan.asp](http://www.cityofwestsacramento.org/city/depts/cmo/strategic_plan.asp)

### Land Use Plans:

#### General Plan Update

<http://www.mintierharnish.com/projects/westsac/index.html>

#### General Plan

<http://www.cityofwestsacramento.org/civica/filebank/blobdload.asp?BlobID=3615>

#### Bridge District Specific Plan

<http://www.cityofwestsacramento.org/civica/filebank/blobdload.asp?BlobID=3633>

#### Washington Specific Plan

<http://www.cityofwestsacramento.org/civica/filebank/blobdload.asp?BlobID=3639>

#### West Capitol Avenue Streetscape Master Plan

<http://www.cityofwestsacramento.org/documents/volumeonecomplete.pdf>

#### West Capitol Avenue Downtown Development Strategy

<http://www.cityofwestsacramento.org/civica/filebank/blobdload.asp?BlobID=2856>

#### Riverfront Master Plan

<http://www.sacramentoriverfront.org/pdf/sac-riverfront-mp-part1.pdf>

### Capital Improvement Budget:

#### City's Biannual Budget, including Capital Improvement Budget

<http://www.cityofwestsacramento.org/civica/filebank/blobdload.asp?BlobID=4826>

#### Staff Reports to City Council on Capital Improvement Budget Workshops

June 10, 2009: <http://www.cityofwestsacramento.org/civica/filebank/blobdload.asp?BlobID=4087>

July 8, 2009: <http://cityofwestsacramento.org/civica/filebank/blobdload.asp?BlobID=4319>

### Streetcar MOU & FEIR:

#### Staff Report to City Council on Approval of Streetcar MOU and FEIR Certification

<http://civica/civica/filebank/blobdload.asp?BlobID=4056>

## EXHIBIT B

Bridge District  
Community Facilities District No. 27  
City of West Sacramento, California

### LIST OF AUTHORIZED FACILITIES

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#### **Categories of Authorized Facilities**

Authorized facilities are divided into three categories:

- Regional Facilities are authorized facilities eligible for funding from the Regional One Time Special Tax.
- Bridge District Facilities are facilities eligible for funding from the Annual Special Tax, Bridge District One Time Special Tax, and the Public Agency Acquisition One Time Special Tax.
- Other Expenses of the Community Facilities District (CFD).

#### **Regional Facilities**

Authorized Regional Facilities include eligible facilities under the following City of West Sacramento Development Impact Fee programs, as amended:

- Child Care Impact Fee.
- City Hall Facilities Development Fee.
- Corporation Yard Facilities Development Fee.
- Fire Facilities Development Fee.
- Police Facilities Development Fee.
- Water Impact Fees (Connection Fees).
- Sewer Impact Fees (Connection Fees)—Citywide.

## **Bridge District Facilities**

### **Roadway Improvements**

Authorized facilities include roadway -related improvements necessary to meet the needs of development within the Bridge District as identified in the Bridge District Specific Plan:

Eligible roadway improvements include, but are not be limited to: purchase of right of way; roadway design; project management; bridge crossings; clearing and grubbing; grading and paving; joint trenches and underground utilities; curbs, gutters and sidewalks; medians; street lights and signalization; bus turnouts; signs and striping; erosion control; median and parkway landscaping; entry features and monuments; and other improvements related thereto.

### **Transit Improvements**

Authorized facilities include any and all transit improvements, facilities and equipment necessary to meet the needs of development within the Bridge District.

Authorized facilities for the streetcar systems include the following equipment and improvements: purchase of right of way; streetcars; streetcar tracks; streetcar loading/unloading platforms; streetcar electrical and mechanical equipment; all other equipment and facilities necessary for the construction of the streetcar system or similar type of transit system. Authorized facilities for streetcar can include any of the above listed improvements should they be part of a streetcar, trolley, light rail, or other type of transit system.

Authorized facilities for bus transit include the following equipment and improvements: right of way acquisition; buses; bus shelters; signage; and all other required equipment, facilities and improvements.

Additional authorized facilities for transit include facilities identified in a transit management plan for development within the Bridge District.

### **Water System Improvements**

Authorized facilities include any and all water facilities designed to meet the needs of development within the Bridge District. These facilities include, but may not be limited to: purchase of right of way, water storage tanks, pump stations, water distribution facilities including waterlines and appurtenances, gate valves, pressure reducing stations, flow meters, fire hydrants, and other improvements related thereto.

### **Drainage System Improvements**

Authorized facilities include any and all drainage and storm drain improvements designed to meet the needs of development within Bridge District. These facilities include, but may not be limited to: purchase of right of way; pipelines and

appurtenances, temporary drainage facilities, detention/retention basins; water quality basins; drainage pretreatment facilities; pump stations; and other improvements related thereto.

### **Wastewater System Improvements**

Authorized facilities include any and all wastewater facilities designed to meet the needs of development within the Bridge District. These facilities include, but may not be limited to: purchase of right of way; pipelines and appurtenances; manholes; tie-ins to existing interceptor and collection lines; and other improvements related thereto.

### **Park Improvements**

Authorized facilities include any and all improvements to parks and parkland acquisition designed to meet the needs of development located within the Bridge District. Park Improvements include Neighborhood Park Improvements, Distributed Neighborhood Recreational Elements, and Civic Corridors as defined and identified in the Bridge District Specific Plan, as amended.

### **Riverfront Improvements**

Authorized facilities include all land acquisition and improvements to Riverwalk Promenade and Plaza located within the Bridge District. Authorized Riverfront Improvements include: purchase of Promenade right of way, purchase of Plaza and Pavilion land; interim pathways; interim Main Street Plaza patio construction; Main Street Plaza improvements, restrooms, flood engineering, flood improvements, rip rap and levee toe improvements; Promenade flat work, landscaping, monuments, signage and interpretive features; Promenade equipment and furnishings; lookout piers; park amenities (including tot lots, bocce ball, picnic tables, etc), floating piers and gangways, and/or other features as identified as part of the design of the Riverfront Improvements.

### **Other Public Improvements Serving the Bridge District**

Authorized facilities include reimbursements to the City or Bridge District third party landowners for costs incurred in constructing the CFD 27 authorized facilities serving the needs of the Bridge District.

Authorized facilities include reimbursements to the State of California or Bridge District third party landowners of Proposition 1C – Housing and Emergency Shelter Trust Fund Act of 2006 grant funds (spent on authorized CFD 27 facilities) that must be repaid because the required housing units were not constructed.

Authorized facilities include reimbursement to the West Sacramento Redevelopment Agency for tax increment revenues generated outside of the Bridge District but used for Authorized Facilities benefitting the Bridge District.

Authorized facilities include relocation of the rail lines within the Bridge District.

## **Other Expenses of the CFD**

In addition to the above facilities, other incidental expenses as authorized by the Mello-Roos Community Facilities Act of 1982, including, but not limited to, the cost of planning and designing the facilities (including the cost of environmental evaluation and environmental remediation); engineering and surveying; construction staking; utility relocation and demolition costs incidental to the construction of the public facilities; costs of project/construction management; costs (including the costs of legal services) associated with the creation of the Mello-Roos CFD; issuance of bonds; determination of the amount of taxes, collection of taxes; payment of taxes; or costs otherwise incurred in order to carry out the authorized purposes of the CFD; reimbursements to other areas for infrastructure facilities serving the Bridge District; and any other expenses incidental to the formation and implementation of the CFD and to the construction, completion, inspection and acquisition of the authorized facilities.

Table 4  
West Sacramento Bridge District Cash Flow  
Sources and Uses of Funds

CFD Annual Tax: \$0.50 per Building Square Foot  
AV for Property Tax Increment: \$325,000 per Owned Unit; \$175,000 per Rental Unit

PRELIMINARY ESTIMATES

Item	Up to 6 Million Building Square Feet										Over 6 Mil. Bldg Sq. Ft. [4]			
	Total [1]	Prop 1c [2]	Prop 50	Other Grants	Outside Tax Increment	Property Tax Increment P-A-Y-G [3]	Outside Regional Impact Fees	Tier 1 and Tier 2 One-time Special Tax	CFD No. 23 and CFD No. 27 Bonds	CFD No. 27 P-A-Y-G [3]		Street Car Assessments (Non-Bridge)	Transit Grants	Bonds and P-A-Y-G
<b>Total Revenue Available</b>	\$248,395,271	\$22,828,311	\$1,727,741	\$32,914,166	\$25,104,010	\$53,400,000	\$16,587,807	\$3,182,039	\$22,286,570	\$40,788,251	\$3,665,653	\$1,400,000	\$2,900,000	\$19,960,722
<b>Less Costs</b>														
<b>Backbone</b>														
Drainage	\$6,666,400	\$2,839,850	\$0	\$0	\$0	\$0	\$0	\$0	\$5,826,550	\$0	\$0	\$0	\$0	\$0
Sewer	\$5,160,000	\$1,725,600	\$0	\$0	\$0	\$0	\$0	\$0	\$3,434,400	\$0	\$0	\$0	\$0	\$0
Water	\$6,757,000	\$460,400	\$0	\$0	\$0	\$0	\$0	\$0	\$6,296,600	\$0	\$0	\$0	\$0	\$0
Joint Trench	\$1,510,000	\$202,000	\$0	\$0	\$0	\$0	\$0	\$0	\$1,308,000	\$0	\$0	\$0	\$0	\$0
Roadways - Regional	\$36,727,000	\$15,394,961	\$0	\$0	\$2,682,039	\$1,167,000	\$6,995,193	\$0	\$11,414,500	\$0	\$0	\$0	\$0	\$0
Roadways - Bridge Dist.	\$11,570,000	\$165,500	\$0	\$0	\$0	\$0	\$0	\$0	\$11,404,500	\$0	\$0	\$0	\$0	\$0
Roadways - Other	\$3,986,200	\$0	\$0	\$0	\$3,986,200	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Transit	\$15,000,000	\$140,000	\$0	\$0	\$0	\$0	\$0	\$0	\$10,560,000	\$0	\$1,400,000	\$2,900,000	\$0	\$0
Neighborhood Parks	\$9,599,816	\$0	\$0	\$0	\$552,816	\$1,500,000	\$0	\$0	\$1,000,000	\$0	\$0	\$0	\$0	\$5,622,500
Dist. NH Park Elements	\$7,134,600	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$6,134,600
Riverfront Backbone	\$20,281,520	\$0	\$1,727,741	\$2,197,788	\$4,042,259	\$0	\$0	\$0	\$2,829,520	\$5,818,559	\$3,665,653	\$0	\$0	\$0
Pre-Development [5]	\$5,822,735	\$650,000	\$0	\$0	\$3,522,735	\$0	\$0	\$0	\$0	\$0	\$1,650,000	\$0	\$0	\$0
Cemex Relocation [6]	\$18,000,000	\$0	\$0	\$0	\$13,000,000	\$0	\$0	\$0	\$0	\$5,000,000	\$0	\$0	\$0	\$0
<b>Subtotal</b>	\$150,215,271	\$21,568,311	\$1,727,741	\$2,197,788	\$25,104,010	\$11,987,807	\$0	\$3,182,039	\$22,286,570	\$40,788,251	\$3,665,653	\$1,400,000	\$2,900,000	\$11,757,100
<b>Supplemental</b>														
Parking Garages	\$59,260,000	\$1,260,000	\$0	\$0	\$0	\$41,412,193	\$16,587,807	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Riverfront Supplemental	\$38,920,000	\$0	\$0	\$30,716,378	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$8,203,622
<b>Subtotal</b>	\$98,180,000	\$1,260,000	\$0	\$30,716,378	\$0	\$41,412,193	\$16,587,807	\$0	\$0	\$0	\$0	\$0	\$0	\$8,203,622
<b>Total Costs</b>	\$248,395,271	\$22,828,311	\$1,727,741	\$32,914,166	\$25,104,010	\$53,400,000	\$16,587,807	\$3,182,039	\$22,286,570	\$40,788,251	\$3,665,653	\$1,400,000	\$2,900,000	\$19,960,722
<i>Percent of Total</i>	100%	9%	1%	13%	10%	21%	7%	1%	9%	16%	1%	1%	1%	8%

[1] Total includes all amounts for 6 million bldg sq. ft. and the projected CFD bond proceeds and P-A-Y-G revenue, and associated park and Riverfront supplemental costs for development over 6 million sq. ft. Other revenues and costs for development over 6 million bldg. sq. ft. are excluded.

[2] The maximum Prop 1c grant is \$23,081,360.

[3] P-A-Y-G: Pay as you go. Excess tax revenue not required for debt service payments.

[4] There also may be possible additional project generated tax increment. The amount of additional tax increment depends on the value of development and the pace of development related to termination of the redevelopment area.

[5] Pre-development costs funded by the owners include approximately \$150,000 for current consultant contracts and \$1.5 million for the Triangle Specific Plan.

[6] Includes Weyerhaeuser Purchase.

**Table 8**  
**Summary of Regional Development Impact Fees**

<b>Citywide Fee Program</b>	<b>Mechanism for Bridge Development Payment</b>	<b>Special Fund/Use</b>
Water	CFD 27 Regional One-time Special Tax (Tiers 1 and 2)	Water Fund (debt service on the treatment plant)
Fire Facilities	CFD 27 Regional One-time Special Tax (Tiers 1 and 2)	Fire Facilities Fund (existing debt service)
Sewer	CFD 27 Regional One-time Special Tax (Tier 2)	Sewer Fund
Corporation Yard	CFD 27 Regional One-time Special Tax (Tier 2)	Corp Yard Fund
City Hall Addition	CFD 27 Regional One-time Special Tax (Tier 2)	City Hall Fund
Police Facilities	CFD 27 Regional One-time Special Tax (Tier 2)	Police Fund
Child Care	CFD 27 Regional One-time Special Tax (Tier 2)	Child Care Fund
In-Lieu Flood Protection	In-Lieu Flood Ordinance	Flood Improvement Fund
Traffic Impact Fee	CFD 27 Annual Tax / Bridge One-time Special Tax	Regional and Bridge District Roads within the District
Parks Impact Fee	CFD 27 Annual Tax / Bridge One-time Special Tax	Regional and Neighborhood Parks within the District

In addition to CFD 27, additional sources of funding are identified for addressing the transit needs in the Bridge District.

***Streetcar Assessment (Non-Bridge)***

A total estimated \$1.4 million in streetcar assessments from development outside of the Bridge District will help fund the first phase of the streetcar.

***Yolo County Transportation District/Grants/Owners***

It may be necessary to increase transit level of service before implementation of the streetcar program. If this is the case, the financing analysis assumes additional costs associated with enhanced bus service, additional transit stops (bus shelters), and transit management activities. If this type of transit enhancement is necessary before the streetcar construction, it is likely that the funding could come from a combination of sources including grants, Yolo County Transportation District (YCTD), or the project itself. Current estimates include \$3.0 million, with \$1.0 million from grants, 1.0 million from YCTD, \$140,000 from the Proposition 1C grant, and

**DEVELOPMENT AGREEMENT  
BY AND BETWEEN  
THE CITY OF WEST SACRAMENTO, RALEY'S,  
AND PRINCIPAL REAL ESTATE INVESTORS,  
RELATIVE TO THE DEVELOPMENT KNOWN AS  
RALEY'S LANDING: RIVER THREE**

THIS DEVELOPMENT AGREEMENT ("Agreement") is made and entered into as of the Effective Date as defined herein, by and between the CITY OF WEST SACRAMENTO, a municipal corporation organized and existing under the laws of the State of California ("City"), RALEY'S, a California Corporation ("Owner"), and PRINCIPAL REAL ESTATE INVESTORS, a Delaware Limited Liability Company ("Developer") (collectively, "the parties"), pursuant to the authority of Article 2.5, Chapter 4, Division 1, Title 7 (Government Code Section 65864 et seq.) relating to Development Agreements.

**RECITALS**

This Agreement is predicated upon the following findings:

1. In order to strengthen the public land use planning process, to encourage private participation in the process, to reduce the economic risk of development and to reduce the waste of resources, the Legislature adopted the Development Agreement Statutes (Government Code section 65864 et seq.). The Development Agreement Statutes authorize the City to enter into binding development agreements with persons having legal or equitable interests in real property for the development of such property.
2. The Development Agreement Statutes permit cities and counties to contract with private interests for their mutual benefit in a manner not otherwise available to the contracting parties. Such agreements, as authorized by the Development Agreement Statutes, can assure property developers that they may proceed with development of their projects and that approvals granted by public agencies will not change during the period of development.
3. The City has adopted rules and regulations establishing procedures and requirements for consideration of development agreements pursuant to Government Code section 65865. The City's rules and regulations are contained in City Council Resolution No. 88-111, as amended by City Council Resolution No. 96-62.
4. This Development Agreement relates generally to the development known as Raley's Landing, a residential development of mixed densities together with commercial, office, and retail development, and relates more specifically to the development of a particular parcel located within the Raley's Landing project area and commonly referred to as River Three ("River Three" or "Project").

mechanism is a Community Facilities District ("CFD"), then approval of the special tax formula by the qualified electors must have occurred prior to the issuance of the first building permit for the Project, with the exception that for Phase 1 of River Three, approval of the special tax formula must have occurred prior to issuance of the Certificate of Occupancy. If another financing mechanism is provided, then all comparable steps must have occurred prior to building permit issuance, with the exception that for Phase 1 of River Three, where such steps must have occurred prior to issuance of the Certificate of Occupancy. Developer's "fair share" shall be determined by the City at the time the financing mechanism is established, provided, however, that in no event shall the combined fair share for River One, River Two, River Three, and the Washington Street Property exceed 50% of the total cost to maintain and operate the Riverfront Park between the I Street Bridge and the Tower Bridge. Developer shall be responsible for City's costs incurred in the development of the financing mechanism, provided however that subsequent developers that annex into the CFD or other financing mechanism shall reimburse Developer for costs incurred in formation of the financing mechanism. City shall, to the extent feasible, impose clean-up and maintenance obligations upon public or private entities that utilize the Riverfront Park for large public gatherings and regional events.

Notwithstanding the foregoing, if the financing mechanism required by this Section has not been established as provided for herein when Phase 1 of the Project is otherwise eligible to receive a Certificate of Occupancy, Developer may obtain a Certificate of Occupancy by entering into an agreement with the City pursuant to which Developer obligates itself and its successors to pay annually to the City an amount equal to 25% of the City's estimate of the total cost to maintain and operate the Riverfront Park between the I Street Bridge and the Tower Bridge for the next twelve months. The agreement will provide for a partial refund to Developer of the current year's payment in the event the required financing mechanism is established during that twelve month period. The agreement will be subject to review and approval by the City Council, will be recorded against the Property prior to issuance of the Certificate of Occupancy, and will remain in effect until such time as the financing mechanism is established. The first annual payment under the agreement will be due prior to issuance of the Certificate of Occupancy for Phase 1.

**2.6.5**            Trip Reduction.    Developer shall either: (1) prepare and submit for approval by the City Council a plan which includes specific measures which will result in thirty percent (30%) of all trips being other than single- occupancy vehicle trips; or (2) agree to participate in a financing mechanism for regional transit that (a) is based on a nexus study, (b) is regional in nature, (c) is proportionate, fair and equitable, and (d) complies with all applicable laws and ordinances.

**Section 2.7.**    Permit Processing Fees.    Developer shall pay when due all Permit Processing Fees.

**Section 2.8.**    Tree Removal Permits.    Developer shall satisfy the requirements of the City's Tree Preservation Ordinance, Chapter 8.24 of the West Sacramento Municipal Code, which requires that Developer obtain and comply with the terms of a

Labor Code. In the event that, notwithstanding such representation, the California Department of Industrial Relations or a court of competent jurisdiction shall subsequently determine that such improvements are "public works," then Developer shall comply fully with the requirements of Section 1720 of the Labor Code and that, in such event, the Developer's obligation under Section 1.19 shall apply to any claims, costs, or other obligations imposed on the City in connection therewith.

IN WITNESS WHEREOF, this Agreement was executed by the parties thereto on the dates set forth below.

CITY:

CITY OF WEST SACRAMENTO, a  
municipal corporation

Date: 3/15, 2006

By:

  
CHRISTOPHER L. CABALDON, Mayor

ATTEST:

Date: 3/15, 2006

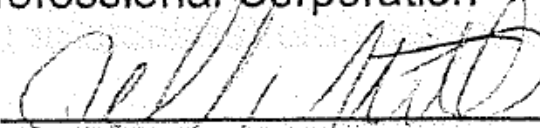
  
KRYSS RANKIN  
City Clerk

APPROVED AS TO FORM:

KRONICK, MOSKOVITZ,  
TIEDEMANN & GIRARD,  
a Professional Corporation

Date: 3/15, 2006

By:

  
ROBERT E. MURPHY  
City Attorney

DEVELOPER:

PRINCIPAL REAL ESTATE INVESTORS, LLC  
a Delaware Limited Liability Company

Date: 3/13/2006

By: [Signature]  
Its: MANAGING DIRECTOR

Date: 3/8/2006

By: [Signature]  
Its: Sandra K. Lane  
Director  
Closing

OWNER:

RALEY'S, a California corporation

Date: 3/13/2006

By: [Signature]  
Name: William J. Coyne  
Title: President & CEO

**RESOLUTION 08-46**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST SACRAMENTO  
CALLING AN ELECTION AND REQUESTING THE YOLO COUNTY BOARD OF SUPERVISORS  
TO PERMIT THE YOLO COUNTY CLERK TO RENDER SPECIFIED SERVICES TO THE CITY RELATING  
TO THE CONDUCT OF A MUNICIPAL ELECTION TO BE HELD IN THE CITY ON NOVEMBER 4, 2008 IN  
CONSOLIDATION WITH THE GENERAL ELECTION**

**WHEREAS**, under provisions of the laws relating to general law cities in the State of California, a General Municipal Election shall be held on November 4, 2008; and

**WHEREAS**, pursuant to the requirements of the laws of the State relating to General Law Cities, there is called and ordered to be held in the City of West Sacramento CA, on Tuesday, November 4, 2008, a General Municipal Election for the purpose of electing two members of the City Council for the full term of four years, one Mayor for a term of two years; the Sales Tax Advisory Measure, and the Sales Tax Measure as specified in Exhibit "B" attached herein; and

**WHEREAS**, the Clerk of Yolo County has traditionally provided the City of West Sacramento with services necessary to conduct municipal elections and the Yolo County Clerk's office has expertise in providing these services; and

**WHEREAS**, the Yolo County Board of Supervisors is hereby requested to permit the County Clerk to render services as specified in Exhibit "A" attached herein; and

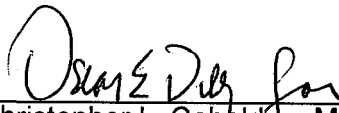
**WHEREAS**, the City has traditionally consolidated its election with the Statewide General Election and again requests to consolidate with the Statewide General Election on November 4, 2008.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of West Sacramento that the Yolo County Board of Supervisors is requested to consolidate the City of West Sacramento Municipal Election with the Statewide General Election, to authorize the County Clerk to provide the services specified in Exhibit "A" and to provide that the County of Yolo shall be reimbursed for services performed when the work is completed upon presentation to the City of a properly prepared bill; and

**BE IT FURTHER RESOLVED**, that each candidate is to pay \$350 for the publication of the optional Candidate's Statement, pursuant to Election Code Section 13307 and the Book of City Imposts. If the candidate elects to have Spanish and/or Russian translation of his/her candidate statement, an additional \$350 will be charged for each. The limitation of the number of words that a candidate may use in his/her Candidate Statement is 200 words.

**PASSED AND ADOPTED** by the City Council of the City of West Sacramento this 18<sup>th</sup> day of June, 2008 by the following vote:

**AYES:** Beers, Johannessen, Villegas, Cabaldon  
**NOES:** None  
**ABSENT:** Kristoff

  
\_\_\_\_\_  
Christopher L. Cabaldon, Mayor

**ATTEST:**

  
\_\_\_\_\_  
Kryss Rankin, City Clerk

EXHIBIT "A" of Resolution 08-46

Services to be rendered by the Yolo County Clerk to the City of West Sacramento for the November 4, 2008 General Municipal Election:

- a. Publish all required legal notices pertaining to the election and provide copy of affidavit of publication to City.
- b. Verify nomination signatures.
- c. Provide copies of all precinct maps and additional maps the city requires.
- d. Provide one set of voter lists (precinct/street order) at the close of registration.
- e. Recruit and train precinct workers and secure polling places.
- f. Provide printer proof samples of all city ballot material in a timely manner to allow for any changes prior to the final printing deadline.
- g. Encode the ballots for computer count, providing a test run, appoint an Accuracy and Logistics Board to certify computer programming for ballot tabulation; tabulate unofficial election results.
- h. Verify absent voter ballot application signatures, and process absent voter pamphlets.
- i. Label sample ballot pamphlets.
- j. Provide election supplies, including voting booths, tables, chairs, voting devices, flags and other election-related items.
- k. Provide Statement of Vote pursuant to state law.
- l. Any other services reasonably required to conduct this election.

West Sacramento City Clerk, as the Chief Elections Official for the City of West Sacramento will conduct all aspects of the election not specified above, including but not limited to:

- a. Issue and file candidates' nomination papers.
- b. Proof sample/official ballots.
- c. Prepare resolution canvassing votes to be adopted by Council.
- d. Serve as filing officer for all FPPC statements for city candidate and ballot measure committees.
- e. Other services as required.

EXHIBIT "B" of Resolution 08-46

Order and wording of ballot measures for the November 4, 2008 Municipal Election:

**ADVISORY MEASURE \_**

If Measure \_\_\_ is approved, should the proceeds fund the operations of a streetcar system serving West Sacramento and flood protection improvements?

**MEASURE \_**

Shall the City of West Sacramento continue one-fourth cent of the existing one-half cent sales tax for general government purposes including but not limited to community facilities and programs until March 31, 2033 to replace the one-fourth cent set to expire on March 31, 2013?