

AMENDED TRACY ELLIS DEVELOPMENT AGREEMENT (DA) TERMS¹

July 26, 2012

<p>Tracy Ellis to provide:</p> <ul style="list-style-type: none">• Two (2) Capital Contributions toward the design, construction, operation and maintenance of a Swim Center<ul style="list-style-type: none">○ \$2 Million within 60 days of Annexation Effective Date (First Swim Center Contribution)○ \$8 Million no later than three years following First Swim Center Contribution• Land Contribution<ul style="list-style-type: none">○ 16 acres of land (the “Ellis Swim Center site”) offered for dedication to the City, at no cost, for a Swim Center• Design Contribution<ul style="list-style-type: none">○ \$324 Thousand in previous Swim Center design costs paid by Tracy Ellis• Environmental Review<ul style="list-style-type: none">○ All environmental review costs for construction of a Swim Center at the Ellis Swim Center site• Infrastructure Analysis Funding<ul style="list-style-type: none">○ All technical infrastructure analyses necessary for provision of infrastructure to a Swim Center at the Ellis Swim Center site• Recycled Water Program<ul style="list-style-type: none">○ Project to fully participate in future recycled water program requirements in anticipated Water Master Plan, including all infrastructure and fee requirements	<p>City to provide:</p> <ul style="list-style-type: none">• Reservation of Residential Growth Allotments (RGAs) and Building Permits (BPs)<ul style="list-style-type: none">○ Maximum of 2,250 RGAs and BPs reserved for Project over 25 years, to be allocated annually.○ 225 RGAs and BPs reserved and allocated to the Project each year, subject to City’s right to reduce reservation to 150 RGAs and BPs for up to 3 years (non-consecutive and no less than 2 years apart)• Wastewater Treatment Capacity<ul style="list-style-type: none">○ Sufficient treatment capacity in City’s existing WWTP to serve 800 residential units• Wastewater Conveyance Capacity<ul style="list-style-type: none">○ No cost for Corral Hollow System capacity sufficient to serve 550 residential units○ The right to use 330 residential units of existing capacity in the Corral Hollow Sewer Conveyance System on a permanent basis shall be reserved for Tracy Ellis at no cost. If, by January 31, 2016, contributions from other developers for expansion of the system for an additional 220 residential units has not been guaranteed to the City, then the remaining 220 units of capacity shall be reserved to Tracy Ellis and allocated upon each subdivision map approval.○ Sufficient capacity in Eastside System to serve additional 250 residential units on an interim basis, until Corral Hollow Phase One Upgrade is completed shall be reserved for Tracy Ellis.• Water Supplies and Capacity<ul style="list-style-type: none">○ City to reserve supplies, and transmission and treatment capacity for all Project development○ City to provide supplies (but not transmission or treatment capacity) at no cost to Tracy Ellis
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¹ The Draft Amended and Restated Ellis DA terms presented here are intended to provide sufficient information to the public to fully and adequately understand the potential environmental impacts from adoption and implementation of the proposed Amended and Restated Ellis DA. While there may be changes to terms and language of the Amended and Restated DA between the date of publication of the Draft Revised EIR and the City’s certification of the Final Revised EIR and approval of the Amended and Restated Ellis DA, the City and the Project Applicant do not anticipate any changes to the substantive terms of the of the Amended and Restated Ellis DA that would result in any new, potentially significant environmental impacts resulting from its adoption and implementation that are not identified and analyzed in this Draft Revised EIR. In the event that any changes are proposed to the current Draft Amended and Restated DA, the City would carefully evaluate such proposed changes to ensure that they do not alter the conclusions identified in the Draft Revised EIR.