City of Rancho Cordova
Regular City Council Meeting

Tuesday, January 18, 2005

MINUTES

CALL TO ORDER

The meeting was called to order by Mayor Cooley at 5:30 p.m.

ROLL CALL

Present: Council Members Budge, McGarvey, Sander, Skoglund & Mayor Cooley
Staff Present: Gaebler, Meyers, Hare, Olea-Moger, Thomas, Haven, Trimberger, Franklin, Junker, Abhar, Howard, Lopez, Garcia, Dehaan

PLEDGE OF ALLEGIANCE

The Pledge was led by Councilmember Dan Skoglund.

INVOCATION

1. Reverend Becky Goodwin, United Methodist Church of Rancho Cordova, gave the invocation.

PRESENTATIONS

2. 2004 Comprehensive Annual Financial Report
   Finance Director Bill Thomas gave an overhead presentation on the 2004 Comprehensive Annual Financial Report for the city.

3. New Employee Introductions
   Human Resource Director Lillian Hare introduced Administrative Secretary Maria Lopez and Sr. Management Analyst Beverly Howard. City Manager Ted Gaebler introduced Chief Building Official Tom Trimberger.

CONSENT CALENDAR

ACTION: Motion by Budge, second by Sander and unanimously carried by roll call vote, Council adopted the Consent Calendar with the exception of Item #7, which was pulled for individual consideration, and with modification to Item #10 to read, "...for Police Tax Area Zones 16 through 23" (not 16 through 24).

4. **Subject:** Minutes of City Council Meetings
   a. Special Meeting of December 1, 2003
   b. Special Meeting of January 15, 2004
   c. Special Meeting of February 2, 2004
   d. Regular Meeting of February 2, 2004
   e. Regular Meeting of February 17, 2004
   f. Special Meeting of February 25, 2004

g. Regular Meeting of March 1, 2004
h. Regular Meeting of March 15, 2004
i. Special Meeting of March 24, 2004
j. Special Meeting of April 1, 2004
k. Special Meeting of April 13, 2004
l. Special Meeting of June 7, 2004
m. Special Meeting of June 21, 2004
n. Special Meeting of July 15, 2004
o. Special Meeting of July 21, 2004
p. Special Meeting of August 11, 2004
q. Regular Meeting of December 20, 2004.

Recommendation: Adopt Minutes.

5. **Subject:** Resolution Authorizing City Manager to Execute MOU with the Folsom South Canal Partners for Participation in the Folsom South Canal Development Plan.
   Recommendation: Adopt Resolution No. 09-2005.

6. **Subject:** Resolution Authorizing City Manager to Secure Traffic Engineering Services.
   Recommendation: Adopt Resolution No. 10-2005.

8. **Subject:** Resolution Changing Signatories on City's Checking Account and Money Market Account with US Bank.
   Recommendation: Adopt Resolution No. 01-2005.

9. **Subject:** Resolution Creating Special Tax Area Zone 25 and Ordinance Establishing a Special Tax for Police Protection Services for the Anatolia II Lot 8 (Anatolia Commons) Project.
   Recommendation: Adopt Resolution No. 11-2005, waive the first reading and introduce Ordinance No. 01-2005. **(Roll Call Vote)**

10. **Subject:** Resolution Declaring the Results of Mail Ballot Elections Regarding Special Taxes for Police Services for Police Tax Area Zones 16 through 24
    Recommendation: Adopt Resolution No. 12-2005.

11. **Subject:** Resolution Adopting Records Retention Schedule
    Recommendation: Adopt Resolution 02-2005.

The following item was pulled from the Consent Calendar for individual consideration:

7. **Subject:** Resolution Updating Local Goals and Policies Concerning the Use of Mello-Roos Community Facilities Act of 1982
   Recommendation: Adopt Resolution No. 17-2005.

Tim Taron addressed the Council to question use of the Mello Roos fee as presented in the staff report and recommended delaying action at this time. City Attorney Steve Meyers advised that in talking with Mr. Taron, he thought appropriate language could be incorporated to address Mr. Taron's concerns.

ACTION: Motion by Budge second by Sander and unanimously carried, Council continued this item to February 7th meeting.

CONSENT PUBLIC HEARINGS

None

ORAL COMMUNICATIONS

12. **Public Comment**

    Mani Holcomb addressed the Council to share her concerns regarding youth wandering the streets late at night and the benefits of a youth center, the homeless problem in Rancho Cordova as well as her encouragement to Council Members not forget the Rancho Cordova "old timers" when new development is being planned and approved.

PUBLIC HEARINGS

13. **Subject:** Ellenwood Estates – RC-04-125 – Design Review. Project was continued from the December 6, 2004 Council meeting to allow a sub-committee to meet with the applicant for project review.
    Recommendation: Review and discuss comments from sub-committee and make one of the following determinations: a. Remand the project back to the Planning Commission for further consideration subject to the Council listed concerns; b. Review the submitted project and deny the proposed project; or c. Affirm the Planning Commission's approval.

    ACTION: By consensus, this item was continued to February 7, 2005 as requested by the applicant.

By consensus, Council agreed to take Items #14-17 together.

14. **Subject:** 3791 Recycle Road – RC-04-127 – Conditional Use Permit - Applicant is requesting a Conditional Use Permit to allow the Auto Dismantling Use in the South Sunrise Special Planning Area.
    Recommendation: Adopt Resolution No. 05-2005 approving Conditional Use Permit for the auto recycling use at 3791 Recycle Road.

15. **Subject:** 3781 Recycle Road – RC-04-128 – Conditional Use Permit - Applicant is requesting a Conditional Use Permit to allow the Auto Dismantling Use in the South Sunrise Special Planning Area.
    Recommendation: Adopt Resolution No. 06-2005 approving the Conditional Use Permit for the auto recycling use at 3781 Recycle Road.

16. **Subject:** 3806 Recycle Road – RC-04-129 – Conditional Use Permit - Applicant is requesting a Conditional Use Permit to allow the Auto Dismantling Use in the South Sunrise Special Planning Area.
    Recommendation: Adopt Resolution No. 07-2005 approving the Conditional Use Permit for the auto recycling use at 3806 Recycle Road.

17. **Subject:** 3811 Recycle Road – RC-04-130 – Conditional Use Permit - Applicant is requesting a Conditional Use Permit to allow the Auto Dismantling Use in the South Sunrise Special Planning Area.
    Recommendation: Adopt Resolution No. 08-2005 approving Conditional Use Permit for the auto recycling use at 3811 Recycle Road.

Mayor Cooley opened the public hearing. Mr. Bill Moore, representing the developer on Items #14-17, addressed the Council to answer any questions and state that he agreed to all conditions of approval. Mayor Cooley closed the public hearing.

ACTION: Motion by Budge, second by McGarvey and unanimously carried, Council determined the projects exempt under Section 15332 of the CEQA Guidelines and adopted Resolution Nos. 05-2005, 06-2005, 07-2005, and 08-2005 approving the Conditional Use Permits for auto recycling uses at 3791, 3781, 3806, 3811 Recycle Road.

18. **Subject:** Kimberly's Residential Home Care – RC-04-092 – Conditional Use Permit: Applicant requests a Conditional Use Permit to increase the capacity of licensed beds in an adult care facility from six to twelve beds. A Variance is required to reduce the number of parking spaces from 6 to 4. Applicant appealed the Planning Commissions denial. The City Council shall review the entire proceeding held before the Planning Commission, de novo, and may make any order it deems just and equitable including the grant of any permit (Title I, Chapter 15, Article 3, Section 115-38)
Recommendation: Adopt Resolution No. 03-2005 approving the Conditional Use Permit and Variance for Project.

Mayor Cooley opened the public hearing. The following individual(s) addressed the Council on this item:

Heather Lane, Sacramento County Mental Health Department, to advise that her agency contracts with Mr. Tampus and to encourage Council support of his request.

Mike Tampus, Kimberly's Residential Home Care's owner, to answer any questions and offer his reasons for increasing the capacity from six to twelve beds.

Mariel Donohue, parent of an adult child housed in such a facility, to give testimony on the benefits of such services to her daughter's quality of life and independent living ability.

Police Chief Tom McMahon to advise that the Rancho Cordova Police Department was no longer concerned about the number of calls received from Kimberly's Residential Home Care (12 calls in 6 months) given the nature of calls (non-safety issues) with regard to medical challenges of residents.

Mayor Cooley closed the public hearing.

ACTION: Motion by McGarvey, second by Skoglund and passed by 3-2 roll call vote (Sander and Budge dissenting), Council found the Negative Declaration adequate according to CEQA Guidelines and adopted Resolution 03-2005 approving the Conditional Use Permit and Variance for the project.

At this point, Council adjourned for a brief recess. The full Council reconvened.

19. **Subject:** Trinity Garden Estates – RC-04-092 – Design Review - Applicant is requesting Design Review for a 21 unit, one and two-story residential development with enclosed garages and landscaped central court yards.
Recommendation: Adopt Resolution No. 04-2005 approving the Design Review subject to the Findings and Conditions of Approval.

Mayor Cooley opened the public hearing. The following individual(s) addressed the Council on this item:

Dr. Joseph Martel, applicant, to give an overview and explain his intent of the project as well as to clarify entrances/exits for the planned development.

Mr. Bob Marin, representing the homeowners' association, to express support for this project but concern about traffic safety due to street width.

Mr. Mark Raus, homeowner, to express concern about traffic safety and suggested consideration be given to installing crosswalks and/or stop signs to increase pedestrian safety.

Mayor Cooley closed the public hearing.

ACTION: Motion by Budge, second by Sander and unanimously carried, Council determined the project is exempt under Section 15332 of the CEQA Guidelines and adopted Resolution 04-2005 approving Design Review subject to the Findings and Conditions of Approval contained in the staff report and the addition of the following conditions:

- Fire exit gate may be eliminated if Fire Department determines an alternative access is acceptable
- Roof materials - shall be concrete tile or similar material
- Lighting – applicant to work with staff on decorative lighting
- Traffic – applicant to work with Public Works/Planning staff to provide enhanced pedestrian circulation

20. **Subject:** Pedestrian Master Plan and Americans with Disabilities (ADA) Transition Plan
Recommendation: Begin 45-day public comment period.

Mayor Cooley opened the public hearing. The following individual(s) addressed the Council on this item:

Judy Waegell to express interest in being part of the focus group process for these plans.

Mayor Cooley closed the public hearing.

ACTION: Motion by Budge, second by McGarvey and unanimously carried, Council acted to receive the staff report and begin the 45-day public comment period.

21. **Subject:** Ordinance Amending Rancho Cordova Municipal Code Chapter 4.54, Article 7, "Fireworks," Relating to the Permitting and Sale of Fireworks in the City
Recommendation: Waive first reading and introduce Ordinance No. 02-2005. **(Roll Call Vote)**

Mayor Cooley opened the public hearing. The following individual(s) addressed the Council on this item:

David Shephard, Vice President of the Orangevale Rotary and Chairman of its Fireworks Committee, to state the proposed ordinance would not allow local service clubs to operate booths, that the city would be restricting how sale proceeds could be used by the Rancho Cordova only restriction and that a 501(3)(c) designation is eliminating nonprofits.

Rod Borba, President of Rancho Cordova Girls Softball, to state his opposition to the $200 fee but his acknowledgement of how it would ultimately benefit his organization if fee were approved.

Les Passuello, Director of Finance for VSP and an Orangevale Rotary Club member, to point out that if ordinance is adopted as proposed it would restrict people who work in Rancho Cordova and spend their dollars here but are not Rancho Cordova residents.

Russell Reams, President-Elect of the Orangevale Rotary Club, to advise that the club has a lot at stake if they must move their booth to another location and are not allowed to support organizations not in the city of Rancho Cordova. He requested a one-year extension to 2006 and consideration of eliminating the 50% membership residency requirement.

Helen Stanley, MCC Sacramento Church, to state her opposition to the $200 fee.

Reverend Freda Smith to seek opinion on whether or not her chapel was located within the city's boundaries. Council Member Budge affirmed the location of the chapel as being within the city.

Dennis Revell, lobbyist, to endorse the proposed ordinance and propose the following changes:

- Issue of minimum of 20 members versus 50% of membership living in city – do one or the other but not both.
- $200 fee is too high
- Safety and education issues – rewrite from "may" include to "shall" include
- Penalty section – consider infraction (citation) versus breaking the law (arrest)

Pat Stokes, El Camino Chapter of Eastern Star member, to express desire to remain at their Dawes/Folsom Blvd. location even though they meet none of the criteria of the proposed ordinance and to encourage Council to think broadly and allow more than Rancho Cordova-only beneficiaries.

Dave Shira, Rancho Cordova community volunteer to oppose the proposed ordinance for the following reasons:

- $200 fee is too high
- Reporting requirement is too cumbersome
- Clause restricting booth workers to organization members and that only members can benefit from booth as too stringent.

David Cole, United Methodist Church member, to express following concerns:

- Fee increase is too much
- Reporting requirements too much
- Provisions of where money is spent in general is too limiting/restrictive

Lee Frechette, Rancho Cordova Community Council Board Member, in support of the proposed ordinance and concept that Rancho Cordova charities receive "first" designation of dollars.

Dave Harris, District Governor Elect of District 180 Rotary, to express opposition to "flavor" of Rancho Cordova-only policy tones as not allowing or encouraging partnerships with other organizations beyond Rancho Cordova's boundaries.

Pedro John Hernandez, President of Optimist Club, to express concern that:

- Fee increase is too high
- Requirement for Rancho Cordova-only beneficiaries is too restrictive and will not foster partnerships

Tom Steinbach, United Methodist Church of Rancho Cordova and Fireworks Committee member, to advise the proposed $200 fee is too high.

Mayor Cooley closed the public hearing.

ACTION: Motion by Skoglund, second by Budge and carried by 4-1 vote (McGarvey dissenting), Council directed staff to rewrite the proposed ordinance to include the following general modifications and return, for first reading, a revised ordinance:

- Fee of $40
- Organization must have a bonafide address and regular meeting location within the city's planning area and a minimum of 20 members residing in Rancho Cordova
- Grandfather clause to allow existing fireworks sellers not meeting the bonafide address within the city's planning area a one-year extension
- Scope of education programs to be directed at policy level
- Rewrite penalty language (citation vs. arrest)
- Rewrite language so it does not restrict volunteers from working/being in the fireworks sale booth

At this point, Council took a brief recess. The full Council reconvened and reordered the agenda to consider Item #23 next.

23. **Subject:** Revised Park and Open Space Standards - Presentation of proposed Cordova Recreation and Park District park standards and review of City proposed open space standards.
Recommendation: Direct staff to continue working with the Cordova Recreation and Park District, the development community, the City Attorney's Office, and other stakeholders on proposed park and open space standards. Provide direction on appropriate standards and implementation strategies.

Mayor Cooley opened the public hearing. The following individual(s) addressed the Council on this item:

Bron Leatham, representing six of the eleven villages, to ask what is nexus of 7-acres of parkland set-aside per 1,000 people and 10% set-aside target for recreational open space.

Judy Waegell to ask what standards are applied in other communities and what kind of restrictions apply.

Rex Albright, CEO of Rancho Cordova Chamber, requesting more time to review all aspects of the plan and its financing.

Ardie Zahedani, BIA representative, to point out that proposal before Council is significantly different than what was presented at December 20th meeting, to ask if it is quality or quantity that is being sought, to suggest that the LOS (level of service) must be closely analyzed, and to request more time for adequate review and response.

David Hatch, GenCorp Real Estate, to comment that a policy by the Park District Board or City Council should not be set without thorough review of fee details and maintenance costs.

Jay Pawlek, Pulte Homes, distributed a comparison of current fees and proposed fees, advised that any change to standards for projects in the pipleline would be very difficult, and inquired on justification for chosing public parkland of 7 acres per 1,000 persons and 10% target for recreational open space of each residential project.

Thad Johnson, landowner for current project in the pipeline, to comment that more projects are in the pipeline than what was viewed on overhead--projects well beyond the planning stages.

Rod Borba, President of Rancho Cordova Girls Softball, to advise he participated in the Parks District Master Plan meetings and is in full support of the proposed guidelines. He suggested that Rancho Cordova "stop making do" with existing facilities and move forward with providing adequate lighted facilities.

Mayor Cooley closed the public hearing.

ACTION: Motion by Sander, second by Budge and unanimously carried, Council continued this item to the February 22nd meeting and directed staff to work with all the stakeholders for consensus or proposed alternatives before the item returns to Council.

At this point, motion by Sander, second by Budge and unanimously carried, Council voted to continue the conduct of business beyond 11 p.m.

22. **Subject**: Adoption of General Plan Draft Land Use Map as part of the Vision Book/Interim General Plan, and direction to staff to proceed with preparation of a Final Land Use Map and with the creation of a Draft General Plan which implements the Draft Land Use Map and with preparation of a Draft Environmental Impact Report based on the Draft Land Use Map.
Recommendation: Adopt Resolution No. 13-2005 that City Council consider staff's presentation and comments from the public and provide direction **(continued from January 3, 2005)**.

Mayor Cooley opened the public hearing. The following individual(s) addressed the Council on this item:

Judy Waegell to point out that one town center and one village center are to be included in the Sunrise Blvd. Planning Areas.

Mayor Cooley closed the public hearing.

ACTION: Motion by Budge second by McGarvey and unanimously carried, Council adopted the Draft Land Use Plan/Map for the purpose of moving forward with environmental review. Resolution No. 13-2005 was not adopted.

REGULAR CALENDAR ITEMS

24. **Subject:** Property Maintenance Ordinance Presentation
Recommendation: Provide direction to staff on the nature and scope of a Property Maintenance Ordinance **(continued from December 20, 2004)**.

ACTION: Due to time constraints, by consensus, this item was continued to February 7th meeting.

25. **Subject:** A Resolution Designating the Current Rancho Cordova Planning Area Boundaries as the Boundaries for the Redevelopment Survey Area.
Recommendation: Adopt Resolution No. 16-2005.

ACTION: Motion by Budge second by Skoglund and unanimously carried, Council adopted Resolution No. 16-2005.

26. **Subject:** Consider Appointment of a Director and an Alternate to the Sacramento Metropolitan Air Quality Management District Board.
Recommendation: Adopt Resolution No. 15-2005.

ACTION: By consensus, Council continued this item to February 7th meeting.

27. **Subject:** Consider Appointment of a Director and an Alternate to the Sacramento Placerville Transportation Corridor Joint Powers Authority.
Recommendation: By Minute action, appoint a Director and an Alternate.

ACTION: By consensus, Council Member Budge will serve on this JPA and an alternate will be determined at later date.

28. **Subject:** Council Member Appointments
Recommendation: That Council Member appointments for 2005 be made/confirmed for the listed boards, commissions and 2x2 meetings **(continued from December 20, 2004)**.

ACTION: By consensus, the Council confirmed the appointments to regional jurisdictions, as presented in the staff report. The 2x2 meetings with other agencies to be constituted as follows:

2x2 Meetings	Attendees
Folsom Cordova Unified School District	Mayor, Councilmember Sander, and City Manager
Sacramento County	Mayor, Vice Mayor and City Manager
Sacramento Metro Fire	Vice Mayor, Councilmember Budge, and City Manager
Elk Grove Unified School District	Mayor, Councilmember Sander, and City Manager

The Cordova Recreation and Park District 2x2 – Councilmember Linda Budge volunteered to serve with the Mayor and City Manager

CORRESPONDENCE

None

COUNCIL REPORTS

None

COUNCIL REQUESTS FOR FUTURE AGENDA ITEMS

None

CITY MANAGER'S REPORT

None

ADJOURNMENT

The meeting adjourned at 1:30 a.m.

Respectfully submitted,

Anna Olea-Moger

Anna Olea-Moger, Assistant City Clerk