CONCURRENT MEETING
CITY COUNCIL/COMMUNITY REDEVELOPMENT AGENCY (CRA)/
RANCHO CORDOVA FINANCING CORPORATION (RCFC)

City Hall
2729 Prospect Park Drive, Rancho Cordova

Tuesday, July 6, 2010

5:30 P.M. – Regular Meeting
David B. Roberts Council Chambers

MINUTES

1. REGULAR MEETING – CALL TO ORDER / ROLL CALL

Mayor Cooley called the regular meeting to order in the David B. Roberts Council Chambers at 5:41 p.m.

Council Members Present: Sander, Budge, Skoglund, McGarvey, and Mayor Cooley

Staff Members Present: Gaebler, Lindgren, Cuppy, Lehr, Diamond, Blair, Haven, Silva, Abhar, Runner, Harriman, Chinn, Sparkman, Hall, Hadley, and Pearl

2. METRO CABLE TV TELEVISION ANNOUNCEMENT

The City Clerk announced the meetings video recording and playback schedules.

3. PLEDGE OF ALLEGIANCE

Mayor Cooley called on Council Member Skoglund to lead the Pledge.

4. INVOCATION

Shane Parkins, Law Enforcement Chaplaincy, gave the invocation.

5. PRESENTATIONS

5.1 Assemblyperson Alyson Huber gave a presentation to Council Members regarding Artwork Donated by Artist Miles Hermann to the City of Rancho Cordova.

6. PUBLIC COMMENT

The following individuals addressed the Council:

- Gene Murphy regarding Rancho Cordova police encounter on June 25, 2010

7. COUNCIL REPORTS

Council Members reported on events since the last meeting.

8. CONSENT CALENDAR ITEMS – ROLL CALL VOTE

ACTION: Motion by Budge second by Skoglund and carried by a 5:0 roll call vote on Agenda Items 8.1, 8.4, and 8.5, and carried by a 4:1 roll call vote on Agenda Item 8.8 (Sander dissenting); Council approved the Consent Calendar with exception to Agenda Items 8.2, 8.3, 8.6 and 8.7 that were pulled for separate discussion.

8.1 **Subject:** Minutes:
a) Regular Meeting Minutes of June 21, 2010; and
b) Parks Tour of June 29, 2010
Recommendation: Adopt Minutes.

8.4 **Subject:** Resolution Authorizing Submittal of Grant Applications to the California Department of Resources, Recycling, and Recovery for all Available Grants Under the Used Oil Payment Program
Recommendation: Adopt Resolution No. 70-2010.
Result of Recommended Action: Adoption of this resolution will allow for receipt of grant funding to promote safe and efficient used oil collection and recycling practices by residents and businesses in the City of Rancho Cordova.
Staff Report: Cyrus Abhar, Public Works Department

8.5 **Subject:** Resolution Authorizing the City Manager to Execute Contract Change Orders 1, 6, 7, 10, 12, 13, 14, and 15, with DeSilva Gates Construction for the Construction of the International Drive Extension Project in an Approximate Combined Amount of $120,000; the Current Change Orders are for Revisions to the Water Supply System, Street Lighting System, Electrical Connection Points, Storm Drain Layout, and Utility Pole Coordination
Recommendation: Adopt Resolution No. 72-2010.
Result of Recommended Action: Adoption of this resolution will authorize the City Manager to execute contract change orders in an approximate amount of $120,000 to DeSilva Gates Construction for the International Drive Extension project. Construction Contract No. 117-2009 was approved by Council on October 5, 2009 in an amount of $7,684,408. Change Order No. 2 was approved by Council on May 3, 2010 in an amount of $111,077. The total contract amount, including previously approved Change Orders 3, 4, and 5, will total approximately $7,923,088.
Staff Report: Cyrus Abhar, Public Works Department

8.8 **Subject:** Adoption of Resolutions Making Minor Changes to Two Previously Council Approved Tax Measures and Reestablishing November 2, 2010 as the Date for An Election on the Proposed Ballot Measures Relating to Utility Users' and Cardrooms
Recommendation: That Council **(Roll Call Vote)**:
Adopt Resolutions No. 75-2010 and Resolution No. 76-2010.
Result of Recommended Action: That Council:
a) Adoption of Resolution No. 75-2010 would rescind Resolution No. 46-2010, and reestablish November 2, 2010 as the date for an election on a proposed ballot measure seeking voter approval to impose a Cardroom Tax for general fund purposes. This resolution adjusts the dates by which direct arguments and rebuttals, both for and against the measure, are due in the City Clerk's office, allowing adequate time to review and prepare the packet for submittal to the County by the statutorily imposed deadlines. Additionally the resolution shortens the ballot language to the maximum allowed per law and approves minor modifications to the proposed ordinance to clarify definitions and payment due dates.
b) Adoption of Resolution No. 76-2010 would rescind Resolution No. 44-2010, and reestablish November 2, 2010 as the date for an election on a proposed ballot measure seeking voter approval to modify the existing Utility Users' Tax for general fund purposes. The new resolution adjusts the dates by which direct arguments and rebuttals, both for and against the measure, are due in the City Clerk's office, allowing adequate time to review and prepare the packet for submittal to the County by the statutorily imposed deadlines. No change is sought in the proposed ordinance.

Staff Report: Donna Silva, Finance Department, and Adam Lindgren, City Attorney's Office

The following items were pulled for separate discussion:

8.2 **Subject:** Resolution Adopting Building Permit Fee Schedule – **CONTINUED FROM JUNE 7, 2010**
Recommendation: Adopt Resolution No. 49-2010.
Result of Recommended Action: Adoption of this resolution will approve a fee schedule for construction permits, commonly referred to as building permits, and will be effective upon the effective date of Ordinance No. 6-2010. There is no fee increase associated with this action. Adoption of the fee schedule by resolution is part of an administrative action to remove the fee schedule for construction permits from an existing ordinance and set those fees by resolution instead.
Staff Report: Cyrus Abhar, Public Works Department and Donna Silva, Finance Department

Mayor Cooley opened the public comment period. There were no speakers. Mayor Cooley closed the public comment period.

ACTION: Motion by Budge second by Skoglund and carried by a 5:0 roll call vote; Council adopted Resolution No. 49-2010.

8.3 **Subject:** Resolution Authorizing the City Manager to Execute Change Orders 1 and 2 to Contract No. 62-2009 with Sierra Nevada Construction, Inc. for the Construction of the 2007/2008 Paving Rehabilitation Project Phase 2 in the Amount of $149,145; Change Order No. 1 Covers the Cost Associated with Unforeseen Conditions Encountered During Construction for a Total of $116,610; and Change Order No. 2 Covers the Cost Associated with Reconciling the Quantities of the Bid Form with the Actual Quantities Placed During Construction for a Total of $32,535
Recommendation: Adopt Resolution No. 69-2010.
Result of Recommended Action: Adoption of this resolution will authorize an increase of the current contract amount from $1,772,007.00 to $1,921,151.74. The contract period is not affected by the change orders.
Staff Report: Cyrus Abhar, Public Works Department
GROWING STRONG NEIGHBORHOODS

Mayor Cooley opened the public comment period. There were no speakers. Mayor Cooley closed the public comment period.

ACTION: Motion by Skoglund second by McGarvey and carried by a 5:0 roll call vote; Council adopted Resolution No. 69-2010.

8.6 **Subject:** Resolution of Intent of the City Council of the City of Rancho Cordova to Transfer Delinquent Refuse Service Charges to the Tax Bill
Recommendation: That Council:
a) Adopt Resolution of Intention No. 73-2010; and
b) Set a public hearing for August 16, 2010.
Result of Recommended Action: Adoption of this resolution will begin the process to allow delinquent refuse service charges to be collected on the property tax rolls.
Staff Report: Donna Silva and Patty Lohse, Finance Department

Mayor Cooley opened the public comment period. There were no speakers. Mayor Cooley closed the public comment period.

ACTION: Motion by Skoglund second by Budge and carried by a 5:0 roll call vote; Council adopted Resolution of Intention No. 73-2010 and set a public hearing on August 16, 2010.

8.7 **Subject:** Adoption of Resolution Modifying the Transient Occupancy Tax and Introduction of Ordinance Making Revisions to the Transient Occupancy Tax
Recommendation: That Council:
a) Adopt Resolution No. 74-2010; and
b) Waive First Reading and Introduce Ordinance No. 13-2010 **(Roll Call Vote)**
Result of Recommended Action: Adoption of Resolution No. 74-2010 would rescind Resolution No. 47-2010, and reestablish November 2, 2010 as the date for an election on a proposed ballot measure seeking voter approval to modify the City's existing transient occupancy tax, establish policies and procedures in connection with such an election, and request that the County of Sacramento conduct such an election. Ordinance No. 13-2010 is introduced for first reading making revisions to the transient occupancy tax that do not require voter approval.
Staff Report: Donna Silva, Finance Department, and Adam Lindgren, City Attorney's Office

Mayor Cooley opened the public comment period. The following individuals addressed the Council:

- Dan Washburn in opposition of the item
- Toby Valdez in opposition of the item

Mayor Cooley closed the public comment period.

ACTION: Motion by Budge second by McGarvey and carried by a 5:0 roll call vote; Council, by consensus did not pass the adoption of Resolution No. 74-2010, and waived first reading and introduced Ordinance No. 13-2010.

9. CONSENT PUBLIC HEARING ITEMS

NONE

10. PUBLIC HEARING ITEMS

NONE

11. REGULAR CALENDAR ITEMS

11.1 **Subject:** Update on Proposition 19 Regarding Cultivation, Distribution, Use, and Taxation of Marijuana; Discussion of City Policy; Possible Direction to City Staff to Prepare a Tax Measure for Consideration on the November 2, 2010 Ballot
Recommendation: Receive report and provide direction.
Result of Recommended Action: Council and the Community will have the opportunity to consider the potential impacts of possible passage of Proposition 19, to hear about related policies in other cities, and provide direction to City staff.
Staff Report: Adam Lindgren, City Attorney's Office, and Donna Silva, Finance Department
Advances Goals: 6 and 11

Mayor Cooley opened the public comment period. There were no speakers. Mayor Cooley closed the public comment period.

ACTION: Discussion item only; no action taken. Council received report and directed staff to hold a special meeting on Monday, July 12, 2010 at 10:00 a.m. to consider placing a marijuana business tax measure on the November 2, 2010 ballot.

12. COUNCIL REQUESTS FOR FUTURE AGENDA ITEMS

- Council Member Budge requested to use a version of the new map of Rancho Cordova that shows jurisdictions around City limits.

13. CITY MANAGER'S REPORT

City Manager Ted Gaebler reported on the follow:

- Thanked staff for the Fourth of July Event coordination
- Capital Air Show Tickets are on sale at City Hall for the weekend of September 11 and 12, 2010
- Announced recruitment will begin for Leadership Class of 2011
- Need for Council Members to nominate individuals to serve on campaign committees for fall ballot issues.

14. ADJOURNMENT

Mayor Cooley adjourned the regular meeting at 7:55 p.m. in honor of the firefighters injured in the gas explosion in Oak Park, CA on July 5, 2010.

Mindy Cuppy

Mindy Cuppy, City Clerk