



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

**City Hall
2729 Prospect Park Drive, Rancho Cordova**

Monday, July 19, 2010

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

**End of Meeting Closed Session
Community Board Room**

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 5:49 p.m.

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

Council Members Absent: Sander

Staff Members Present: Gaebler, Lindgren, Cuppy, Lehr, Lohse, Diamond, Chinn, Blair, Snyder, Pearl, Reese, Haven, Sparkman, Junker, Campbell, Loveless, Harriman, Chan, Garcia, Stricker, Bane, Abhar, and Holt

2. METRO CABLE TV TELEVISION ANNOUNCEMENT

The Mayor announced the meetings video recording and playback schedules.

3. PLEDGE OF ALLEGIANCE

The Mayor called on Mr. Ross in attendance to lead the Pledge.

4. INVOCATION

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

5. PRESENTATIONS

- 5.1 Hristo Longworth gave a presentation regarding People to People Student Leadership Summit.
- 5.2 Rancho Cordova Rotary President Beth Walter presented honorary Rotary Memberships to each City of Rancho Cordova City Council Member.

AT THIS POINT: Mayor Cooley announced that action on Agenda Item 5.3 would come later in the meeting, and reordered the agenda for Council to take action on Agenda Item 8.7 next.

8. CONSENT CALENDAR ITEM

- 8.7 **Subject:** Resolution Making Minor Changes to the Cardroom Tax Ballot Measure Language and Reestablishing November 2, 2010 as the Date for an Election on the Proposed Ballot Measure
Recommendation: Adopt Resolution No. 87-2010.
Result of Recommended Action: Adoption of this resolution will rescind Resolution Nos. 46-2010 and 75-2010, making minor changes to the previously adopted Cardroom Tax ballot measure language and reestablish November 2, 2010 as the date for an election on the proposed ballot measure seeking voter approval to impose a Cardroom Tax.
Staff Report: Donna Silva, Finance Department

ACTION: Motion by Budge second by Cooley and carried by a 4:0 vote (Sander absent), Council tabled Agenda Item 8.7 due to no action necessary.

6. PUBLIC COMMENT

Mayor Cooley opened the Public Comment period. The following individuals addressed the Council:

- Bill Leach regarding modification of carport zoning requirements for garage conversion
- Ruben Marquez in support of Agenda Item 9.6
 - The following individuals introduced themselves in support of Ruben Marquez and the Rancho's Club Casino:
 - Tony Amador
 - Rob Ross
 - Mark Marquez
 - Clark Rosa
 - Kevin Schultz
 - John Williams
 - Blanca Marquez

7. COUNCIL REPORTS

Council Members reported on events since the last meeting.

8. CONSENT CALENDAR ITEMS – ROLL CALL VOTE / CONTINUED...

ACTION: Motion by Skoglund second by Budge and carried by a 4:0 roll call vote (Sander absent), Council approved the Consent Calendar with exception to Agenda Items 8.5 and 8.6 that were pulled for separate discussion.

8.1 **Subject:** Meeting Minutes.

- a) Regular Meeting of July 6, 2010;
- b) Special Meeting of July 12, 2010; and
- c) Special Meeting of July 13, 2010.

Recommendation: Adopt Minutes.

8.2 **Subject:** Ordinance Making Revisions to the Transient Occupancy Tax

Recommendation: Waive second reading and adopt Ordinance No. 13-2010 (**Roll Call Vote**)

Result of Recommended Action: Adoption of Ordinance No. 13-2010 will make 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

8.3 **Subject:** Resolution Rescinding Resolution No. 47-2010

Recommendation: Adopt Resolution No. 83-2010 rescinding Resolution No. 47-2010.

Result of Recommended Action: Rescission of Resolution No. 47-2010 would remove the date for an election on a proposed ballot measure seeking voter approval to modify the City's existing Transient Occupancy Tax to require that records pertaining to the transient occupancy tax be preserved for a period of five years, and to provide that the statute of limitations for actions to collect transient occupancy taxes shall be four years. Rescission of Resolution 47-2010 would also remove policies and procedures in connection with such an election, and remove a request to the County of Sacramento to conduct such an election.

Staff Report: Donna Silva, Finance Department

8.4 **Subject:** Resolution Designating Voting Delegate and Alternates for 2010 League of California Cities Annual Conference to be Held September 15-17 in San Diego, CA

Recommendation: Adopt Resolution No. 71-2009.

Result of Recommended Action: The Voting Delegate and/or Alternates will be able to represent the City by voting at the Annual Business Meeting of the League of California Cities.

Staff Report: Mindy Cuppy, City Clerk's Department

The following items were pulled for separate discussion:

8.5 **Subject:** Resolution Authorizing the City Manager to Execute a Renewal of the Agreement for Law Enforcement Services Between the County of Sacramento and the City of Rancho Cordova

Recommendation: Adopt Resolution No. 86-2010.

Result of Recommended Action: The City will continue to contract for law enforcement services from the County of Sacramento for a term of two years.

Staff Report: Joe Chinn, City Manager's Office

ACTION: Motion by Budge second by Skoglund and carried by a 4:0 roll call vote (Sander absent), Council adopted Resolution No. 86-2010.

8.6 **Subject:** A Resolution of the City Council of the City Of Rancho Cordova Establishing the Special Taxes for Police Protection Services For Fiscal Year 2010/11 within the Rancho Cordova Special Police Tax Area

Recommendation: Adopt Resolution No. 82-2010.

Result of Recommended Action: The recommended action is part of the annual process to levy and collect special taxes in the Rancho Cordova Special Police Tax Area (the "District"). The action approves the District's Escalation Factors to be used to calculate the District's Fiscal Year 2010/11 Maximum Special Tax Rates, authorizes and directs the Finance Director to determine, or cause to be determined, the District's Fiscal Year 2010/11 Maximum Special Tax Rates, to establish the Special Taxes to be levied to the District parcels and to cause such charges to be applied to the County Tax Roll. Only developed parcels shall be levied. The special tax rates will not exceed the amounts established through the Zone ordinances previously adopted by the City Council. There are no impacts to existing residents.

Staff Report: Donna Silva, Finance Department

ACTION: Motion by Budge second by Skoglund and carried by a 4:0 roll call vote (Sander absent), Council adopted Resolution No. 82-2010.

5. PRESENTATIONS CONTINUED...

5.3 Mayor Cooley called a recess at 7:03 p.m. to recognize Vice Mayor Bob McGarvey's Birthday in the lobby with refreshments. The Council reconvened at 7:30 p.m.

9. CONSENT PUBLIC HEARING ITEMS

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 4:0 vote (Sander absent), Council approved the Consent Public Hearing Items with exception to Agenda Items 9.1 and 9.6 that were pulled for separate discussion.

9.2 **Subject:** Resolution Approving Proceedings for the Annual Levy and Collection of Charges for the Transit Related Services Benefit District Zone No. 1

Recommendation: Adopt Resolution No. 78-2010 Confirming the Written Report for Fiscal Year 2010/11 Service Charges and Establishing Fiscal Year 2010/11 Service Charges for Certain Miscellaneous Extended Services Within Transit Related Services Benefit District Zone No. 1.

Result of Recommended Action: Adoption of this resolution will authorize the annual levy and collection of service charges in the District Zone 1 for Fiscal Year 2010/11. These charges will fund a broad range of miscellaneous transportation services within the District as identified in the Engineer's Report. On June 21, 2010 the City Council approved resolutions ordering the preparation of the Engineer's Annual Levy Report, and set the public hearing to be held prior to approving and ordering the levy of assessments for Fiscal Year 2010/11.

Staff Report: Cyrus Abhar, Public Works Department and Donna Silva, Finance Department

- 9.3 **Subject:** Resolution Approving Proceedings for the Annual Levy and Collection of Charges for the Transit Related Services Benefit District Zone No. 2
Recommendation: Adopt Resolution No. 79-2010 Confirming the Written Report for Fiscal Year 2010/11 Service Charges and Establishing Fiscal 2009/10 Service Charges for Certain Miscellaneous Extended Services Within Transit Related Services Benefit District Zone No. 2.
Result of Recommended Action: Adoption of this resolution will authorize the annual levy and collection of service charges in the District Zone 2 for Fiscal year 2010/11. On June 21, 2010 the City Council approved resolutions ordering the preparation of the Engineer's Annual Levy Report and set the public hearing to be held prior to approving and ordering the levy of assessments for Fiscal Year 2010/11. These charges will fund a broad range of miscellaneous transportation services within the District as identified in the Engineer's Report.
Staff Report: Cyrus Abhar, Public Works Department and Donna Silva, Finance Department
- 9.4 **Subject:** Resolution Approving Proceedings for the Annual Levy and Collection of Assessments for Landscaping and Lighting District No. 2005-1
Recommendation:
Adopt Resolution No. 80-2010 Approving the Annual Engineer's Report and Ordering the Levy and Collection of Assessments for the Landscaping and Lighting District 2005-1 for Fiscal Year 2010/2011.
Result of Recommended Action: Adoption of this resolution will authorize the continuance of the annual levy and collection of assessments in the District. On June 21, 2010 the City Council approved resolutions ordering the preparation of the Engineer's Annual Levy Report, and set the public hearing to be held prior to approving and ordering the levy of assessments for Fiscal Year 2010/2011. The assessments fund the ongoing landscape maintenance services in the District. There are no new impacts to existing or new residents.
Staff Report: Cyrus Abhar and Elizabeth Sparkman, Public Works Department
- 9.5 **Subject:** Resolution Approving Proceedings for the Annual Levy and Collection of Assessments for the Rancho Cordova Road Maintenance Assessment District
Recommendation:
Adopt Resolution No. 81-2010 Approving the Annual Engineer's Report and Ordering the Levy and Collection of Assessments within the Rancho Cordova Road Maintenance Assessment District for Fiscal Year 2010/2011.
Result of Recommended Action: Adoption of this resolution will authorize the continuance of the annual levy and collection of assessments in the District. On June 21, 2010 the City Council approved resolutions ordering the preparation of the Engineer's Annual Levy Report, and set the public hearing to be held prior to approving and ordering the levy of assessments for Fiscal Year 2010/2011. The assessments provide funding for street light and road maintenance and only apply to specific newly developed areas that are part of the District as identified in the Engineer's Report.
Staff Report: Cyrus Abhar and Elizabeth Sparkman, Public Works Department

The following items were pulled for separate discussion:

- 9.1 **Subject:** Resolution Approving Tentative Parcel Map for the Rockingham Center Office Park Located at Rockingham and Mather Field Road – Rockingham Plaza TPM DD6856 – **CONTINUED FROM JUNE 21, 2010**

Recommendation: That Council:

- a) Accept the Planning Commission recommendation to determine the project is Categorically Exempt and approve the four lot parcel map, subject to the modified Conditions of Approval; and
- b) Adopt Resolution No. 67-2010.

Result of Recommended Action: Adoption of the resolution will allow the subject property to be divided for future sales. Binding provisions will ensure ongoing maintenance of the common property and shared parking, and access to the site.

Staff Report: William Campbell, Planning Department

PLANNING COMMISSION RECOMMENDATION

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 4:0 roll call vote (Sander absent), Council accepted the Planning Commission recommendation and adopted Resolution No. 67-2010 subject to revised Conditions of Approval.

- 9.6 **Subject:** Resolution Approving Rancho's Club Casino Nonconforming Use Permit Project No. DD6826, Located at 10499B Folsom Boulevard and 2740 Mills Park Drive

Recommendation: The Planning Commission recommends the City Council:

- a) Find the project Categorically Exempt under Section 15301, Existing Facilities, of the California Environmental Quality Act; and
- b) Adopt Resolution No. 84-2010 approving the Nonconforming Use Permit for Rancho's Club Casino, Project No. DD6826, subject to the findings, evidence, Project Plans, and Conditions of Approval.

Result of Recommended Action: Adoption of this resolution will approve the Nonconforming Use Permit and allow Rancho's Club Casino to expand from its existing space into the adjacent vacant corner space in the same building. No additional card tables will be added in the expansion. The nonconforming corner monument sign will be replaced and brought into conformance with current Zoning regulations. Overall, the impacts will be positive for the corner of Folsom Blvd and Mills Park Drive.

Staff Report: Shannan Loveless, Planning Department

PLANNING COMMISSION RECOMMENDATION

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

- Ruben Marquez in support of the item.

Mayor Cooley closed the public comment period.

ACTION: Motion by Budge second by Skoglund and carried by a 4:0 roll call vote (Sander absent), Council accepted the Planning Commission recommendation and adopted Resolution No. 84-2010 subject to revised Conditions of Approval.

10. PUBLIC HEARING ITEMS

NONE

11. REGULAR CALENDAR ITEMS

NONE

12. COUNCIL REQUESTS FOR FUTURE AGENDA ITEMS

- Council Member Linda Budge suggested the Planning Department consider modifying the zoning code relating to carport installation based on garage conversion requirements. City Attorney Adam Lindgren suggested staff bring back a report for discussion only prior to approval of an ordinance to amend the Zoning Code.
- Council Member Skoglund would like staff to inquire about a Use Permit to store U-Haul trucks at Sunny's Market.

13. CITY MANAGER'S REPORT

City Manager Ted Gaebler reported on the following items:

- Announced the August 2, 2010 Regular Council Meeting previously cancelled will be restored as a Work Session to hear one item related to the statewide Cannabis issue.
- Announced that a new Fiscal Year has begun and that employees will experience ten Furlough Days. The first Furlough Day will be on Monday July 26, 2010 and the second will be on Friday, September 2nd. City Hall will be closed on both days.
- Announced City Hall will be closed on September 6, 2010 for the Labor Day holiday.
- Announced the Work Session previously scheduled for August 10, 2010 is cancelled.
- Announced that on Friday, July 23, 2010 selected staff will be attending the quarterly meeting of the Sacramento Valley Division of the League of California Cities in Redding, CA.

City Manager Ted Gaebler introduced Public Works Director Cyrus Abhar to give an annual department update on the Public Works, Building & Safety, and Facilities Departments as follows:

Public Works Director Cyrus Abhar introduced the following staff who represent various departments:

- Troy Holt, Management Analyst II
- Kathy Garcia, Senior Engineer
- Ben Chan, Assistant Civil Engineer
- Elizabeth Sparkman, Senior Engineer
- Steve Harriman, Integrated Waste Manager
- Laurel Bane, Facilities Services Representative
- Albert Stricker, Senior Engineer
- Denise Reese, Building Permit Technician

Albert Stricker provided the following department update:

Engineering

- Traffic Engineering
- Drainage
- CIP Delivery
- Development Services
- Construction Management Team

Denise Reese provided the following department update:

Building and Safety

- Building Permits
- Tenant Improvements
- Building Inspections
- Plan Review
- Customer Service

Laurel Bane provided the following department update:

Facilities

- Building Maintenance
- Room Rentals
- Emergency Operations Center (EOC) Coordination
- Kilgore Cemetery
- Leasing/Space Planning

Steve Harriman provided the following department update:

Operations and Maintenance

- Customer Service
- Road Maintenance
- Signals/Signage
- Solid Waste/Recycling
- Transit System
- Street Sweeping
- Drainage

Cyrus Abhar provided the following department update:

Administration/Budget

- Special Revenue Programming
- Fee Programs
- Special Districts
- Grants Administration

14. ADJOURNMENT OF REGULAR MEETING

Mayor Cooley adjourned the regular meeting to closed session in the Community Board Room in memory of Senator Dave Cox at 8:31 p.m.

15. CLOSED SESSION

Mayor Cooley called the closed session to order in the Community Board Room at 8:24 p.m.

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

Council Members Absent: Sander

Staff Members Present: Chinn, Haven, Lindgren, and Skinner

Council adjourn to closed session to discuss the following item(s):

Conference with Legal Counsel – Existing Litigation – Government Code Section 54956.9(b) – (one case) – Name of case: Vineyard Area Citizens for Responsible Growth, et. al. v. City of Rancho Cordova et. al.; Case No. S132972

Conference with Legal Counsel – Existing Litigation – Government Code Section 54956.9(b) – (one case) – Name of case: Community Redevelopment Agency of the City of Rancho Cordova v. The Lily Company; Sacramento Superior Court Case No. 34-2009-00043404

Conference with Legal Counsel – Existing Litigation – Government Code Section 54956.9(b) – (one case) – Name of case: Community Redevelopment Agency of the City of Rancho Cordova v. Land IDM, Inc.; Sacramento Superior Court Case No. 34-2009-00064520

Conference with Legal Counsel – Existing Litigation – Government Code Section 54956.9(b) – (one case) – Name of case: City of Rancho Cordova v. Simon Building, LLC; Sacramento Superior Court Case No. 34-2009-00032782

16. OPEN SESSION – REPORT FROM CLOSED SESSION

City Attorney Adam Lindgren reported there was no reportable action taken in closed session.

17. ADJOURNMENT

Mayor Cooley adjourned the closed session at 8:54 p.m.


Mindy Cuppy, City Clerk