



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

**City Council Chambers
3121 Gold Canal Drive, Rancho Cordova**

MINUTES

**Monday, December 19, 2005
5:30 P.M. – Regular Meeting**

REGULAR MEETING

Call to Order

Mayor Cooley called the meeting to order at 5:53 p.m. and announced the cablecast playback schedule.

Present: Council Members Budge, Cooley, Sander, Skoglund, McGarvey
Staff Present: Gaebler, Butler, Hare, Junker, Lindgren, Olea-Moger, Snyder, Sparkman, Treadwell

Pledge of Allegiance

Bill McGarvey and Dylan DiGregorio led the Pledge of Allegiance.

Invocation

1. Reverend Mike Mitchum, Cordova Neighborhood Church, gave the invocation.

Presentations

2. Swearing-in of New Mayor Robert McGarvey
3. Presentation to Outgoing Mayor Ken Cooley
4. Swearing-in of New Vice Mayor David Sander
5. Mayor McGarvey presented a proclamation to Schoolband Director Kevin Sims of Cordova High School band for the grand sweepstake win.
6. Planning Director Paul Junker gave a brief report on the Sacramento Transportation & Air Quality Collaborative. The collaborative report is not finalized. Mayor McGarvey presented a proclamation to Dennis Dunn for his service on the Sacramento Transportation & Air Quality Collaborative Board.

ORAL COMMUNICATIONS

7. Public Comment

The following individual addressed the Council:

- Bruce Riley said the Cordova Community Food Locker needs food donations for needy families.

CONSENT CALENDAR ITEMS – ROLL CALL VOTE

ACTION: Motion by Sander second by Skoglund and unanimously carried by roll call vote, the Consent Calendar was approved with the exception of Item 14.

8. **Subject:** Minutes of City Council Meetings:

- a. Regular Meeting of November 21, 2005
- b. Special/Regular Meeting of December 5, 2005

Recommendation: Adopt Minutes.

9. **Subject:** Second Reading of Ordinance No. 33-2005 Adopting a Permanent Citywide Transportation Impact Fee

Recommendation: Waive second reading and adopt Ordinance No. 33-2005. **(Roll Call Vote)**

Result of Recommended Action: Ordinance No. 33-2005 requires developers to pay the transportation impact fee adopted by the city on November 7, 2005 for each new residential unit that they construct. These funds will be used to build the new roads and traffic improvements needed for the city.

Staff Report: Cyrus Abhar, Public Works Department

10. **Subject:** Awarding Contract to Responsive Bidder Royal Glass Company, Inc. in the amount of \$251,946.00 for window glass at the New City Hall.

Recommendation: Award contract to Royal Glass Company, Inc.

Result of Recommended Action: Award of this contract will allow the installation of window glass at the new city hall building to be completed.

Staff Report: Winfred DeLeon, Building Department

11. **Subject:** Approval of a Parcel Map at 10301 Mills Station Road, Subdivision No. RC-04-113, Subdivision of Lot 214 of Cordova Town North Unit No. 4, 71 BM 11 and Parcel D of 4 PM 11.

Recommendation: Approve the parcel map.

Result of Recommended Action: Approval of this item will result in the recording of the final parcel map.

Staff Report: Cyrus Abhar, Public Works

12. **Subject:** Resolution Creating a Special Tax Area Zone 3 Within the Rancho Cordova Transit-Related Services Special Tax Area for the Capital Village Subdivision RC-04-123 and an Ordinance Establishing a Special Tax for Transit-Related Services for the Capital Village Subdivision Subject to Voter Confirmation

Recommendation: Adopt Resolution No. 147-2005 and waive first reading and introduce Ordinance No. 31-2005. **(Roll Call Vote)**

Result of Recommended Action: Resolution No. 147-2005 will establish a Tax Zone 3 in the city for the Capital Village development at Zinfandel and International and set the date for the transit-related services tax election
Staff Report: Cyrus Abhar, Public Works

13. **Subject:** Resolution of Intention to Form Citywide Landscape Maintenance Community Facilities District No. 2005-2

Recommendation: Adopt Resolution No. 154-2005.

Result of Recommended Action: Resolution No. 154-2005 will declare Council's intention to establish the community facilities district, designate the name of the district, state the Council's intention to levy a special tax to pay for landscape maintenance services, and set a public hearing on this matter for February 6, 2006.

Staff Report: Cyrus Abhar, Public Works

- 14a. **Subject:** Resolutions for Reimbursement Agreement between the City and the Community Redevelopment Agency

Recommendation: Adopt Resolution No. 156-2005 and Agency Resolution No. 157-2005.

Result of Recommended Action: Adoption of these resolutions will formalize the City's \$400,000.00 advance loan to the Community Redevelopment Agency as well as establish a mechanism to provide additional funds to the Agency as needed for operating expenses and capital costs.

Staff Report: Bill Thomas, Finance

The following item was pulled for individual consideration:

14. **Subject:** Final Report of the Sacramento Transportation and Air Quality Collaborative

Recommendation: Receive the Sacramento Transportation and Air Quality Collaborative agreements and recommendations and accompanying final report.

Result of Recommended Action: Acceptance of this report's agreements and recommendations indicate specific actions that the Collaborative's participants recommend to its sponsoring agencies and will provide direction for inclusion of these materials within the City's long-range planning efforts.

Staff Report: Paul Junker, Planning

ACTION: By consensus, Council continued Item 14 to January 17, 2006.

CONSENT PUBLIC HEARING ITEMS

Mayor McGarvey opened the consent public hearing. There were no speakers. Mayor McGarvey closed the consent public hearing.

ACTION: Motion by Budge second by Cooley and unanimously carried by roll call vote, Council approved the consent public hearing calendar with the exception of Item 17.

15. **Subject:** Ordinance Amending Ordinance No. 18-2003 Changing the Functions of "Zoning Administrator" to "Planning Director" for Certain Administrative Approvals. The Planning Director Would be Able to Approve Minor Projects With or Without the Hearings, as Provided in the Zoning Code (**Continued from November 21, 2005 and December 5, 2005**)

Recommendation: Continue to January 17, 2006.

Result of Recommended Action: Continuation of this item will allow staff additional time to respond to questions from the Council regarding the amendments to Ordinance No. 18-2003.

Staff Report: Paul Junker, Planning

16. **Subject:** An Urgency Ordinance Extending Urgency Ordinance No. 24-2005 Adopting a Permanent Citywide Fee Transportation Impact Fee.

Recommendation: Adopt Urgency Ordinance No. 35-2005 extending Urgency Ordinance No. 24-2005 for 30 days. **(Roll Call Vote)**

Result of Recommended Action: Adoption of Urgency Ordinance No. 35-2005 will allow the citywide transportation impact fee to be imposed on new development prior to the permanent ordinance taking effect (Ordinance No. 33-2005 - Agenda Item #9 on this City Council agenda).

Staff Report: Cyrus Abhar, Public Works

The following item was pulled for individual consideration:

17. **Subject:** Abandonment of a 60-Foot Irrevocable Offer of Dedication Along Lots 1, 2, and 7 of Book 29 of Parcel Maps Page 28 Located at the Northwest Corner of Douglas Road and Grant Line Road

Recommendation: Adopt Resolution No. 153-2005

Result of Recommended Action: Resolution No. 153-2005 will allow abandonment of this property. The property is not needed by the city for public improvements.

Staff Report: Cyrus Abhar, Public Works

Mayor McGarvey opened the public hearing for Item 17. There were no speakers. Mayor McGarvey closed the public hearing.

ACTION: Motion by Sander second by Budge and unanimously carried, Council adopted Resolution No. 153-2005.

PUBLIC HEARING ITEMS

18. **Subject:** An Ordinance to Approve a Development Agreement (DA) between the City of Rancho Cordova and the Sunridge Park Limited Partnership for the Sunridge Park Phase II Project, Located South of Douglas and East of Jaeger.

Recommendation: Waive first reading and introduce Ordinance No. 30-2005. **(Roll Call Vote)**

Result of Recommended Action: Ordinance No. 30-2005 authorizes the city to enter into an agreement that will vest the developer's right to build 181 units in exchange for paying the city: \$1,500.00 per unit for renovation of existing parks, \$450.00 per unit for supplemental police services, and other consideration.

Staff Report: Bill Campbell, Planning & Adam Lindgren, City Attorney

Mayor McGarvey opened the public hearing.

Applicant Bryan Bell of River West Investments supported the revised Sunridge Park Phase II Development Agreement.

David Hatch supported the Sunridge Park Phase II project Development Agreement. He addressed the Council regarding the \$1,500.00 fee for renovation, repair, and maintenance of existing parks.

Assistant City Attorney Adam Lindgren addressed the Council regarding the recommended amendments to Sections 6.4.1 and 6.4.4 of the Development Agreement as follows:

6.4.1 New Park Development Obligation. The Project shall be subject to Resolution No. 28-2005, which establishes revised standards for Park and Open Space in the City. The Project shall also be subject to the development impact fees imposed by the City pursuant to Resolution No. 122-2005, which established the City's intent to modify its park improvement impact fee.

6.4.4 Police Tax. The City is in the process of preparing a General Plan Fiscal Analysis, which will include a review of the current shortfall of revenue for police services, and a new proposed amount of the special police tax. The special tax shall be in the amount of the lesser of (1) \$450 annually, per single-family residential parcel or residential parcel equivalent, and \$0.25 for each square foot of gross parcel area of non-residential use (excluding recreational and agricultural uses), or (2) the amount calculated in the General Plan Fiscal Analysis.

Mayor McGarvey closed the public hearing.

ACTION: Motion by Cooley second by Budge and unanimously carried by roll call vote, Council waived first reading and introduced Ordinance No. 30-2005 with amendments to Sections 6.4.1 and 6.4.4 of the Development Agreement as proposed by the Assistant City Attorney.

19. **Subject:** An Urgency Ordinance Adopting Rancho Cordova Municipal Code Chapter 16.130, Swainson's Hawk Impact Mitigation. This Item Proposes an Urgency Ordinance That Would Immediately Establish Guidelines for Mitigating the Impacts of Urban Development on Swainson's Hawk

Recommendation: Adopt Urgency Ordinance No. 23-2005. **(Roll Call Vote)**

Result of Recommended Action: Urgency Ordinance No. 23-2005 will establish regulations that allow developers to mitigate impacts to Swainson's Hawk through payment of a fee. The fee will be used to purchase suitable habitat for the endangered Swainson Hawk.

Staff Report: Paul Junker, Planning

ACTION: By consensus, the item was tabled.

20. **Subject:** An Ordinance Adopting Rancho Cordova Municipal Code Chapter 16.130, Swainson's Hawk Impact Mitigation. This Initiates the Adoption of a Regular Ordinance that Establishes Guidelines for Mitigating the Impacts of Urban Development on Swainson's Hawk

Recommendation: If Urgency Ordinance is not adopted, waive first reading and introduce Ordinance No. 34-2005. **(Roll Call Vote)**

Result of Recommended Action: Ordinance No. 34-2005 is identical to Urgency Ordinance No. 23-2005. It is recommended for adoption as an option if it is determined that an Urgency Ordinance is not the desired course of action by the Council.

Staff Report: Paul Junker, Planning

ACTION: By consensus, the item was tabled.

21. **Subject:** Ordinance Amending Title I of the Rancho Cordova Zoning Code Regarding Uses that are Illegal under Federal and State Law
Recommendation: Waive first reading and introduce Ordinance No. 29-2005. (**Roll Call Vote**)
Result of Recommended Action: Ordinance No. 29-2005 will clarify that activities which are illegal under Federal and State law may be enforced as violations of the City's Municipal Code.
Staff Report: Steve Meyers, City Attorney

Mayor McGarvey opened the public hearing. There were no speakers. Mayor McGarvey closed the public hearing.

ACTION: Motion by Budge second by Skoglund and unanimously carried by roll call vote, Council waived first reading and introduced Ordinance No. 29-2005.

22. **Subject:** An Urgency Ordinance Extending a Moratorium on the Establishment and Operation of Medical Marijuana Dispensaries to Become Effective Immediately
Recommendation: Table and do not adopt the Urgency Ordinance. (**Roll Call Vote**)
Result of Recommended Action: The current moratorium on dispensaries will lapse. The moratorium is no longer necessary because Federal court decisions have confirmed that dispensaries are illegal
Staff Report: Steve Meyers, City Attorney

ACTION: Motion by Budge second by Sander and unanimously carried by roll call vote, Council tabled the item.

23. **Subject:** Amending Resolution No. 141-2005 Defining Transit-Related Services for the Rancho Cordova Transit-Related Services Special Tax Area
Recommendation: Adopt Resolution No. 152-2005.
Result of Recommended Action: Resolution No. 152-2005 adds a new paragraph to better define transit-related services.
Staff Report: Cyrus Abhar, Public Works

Mayor McGarvey opened the public hearing. There were no speakers. Mayor McGarvey closed the public hearing.

ACTION: Motion by Skoglund second by Cooley and unanimously carried, Council adopted Resolution No. 152-2005.

At this time, Council took a brief recess. The full Council reconvened at 8:17 p.m.

REGULAR CALENDAR ITEMS

24. **Subject:** Downtown Vision Presentation
Recommendation: Consider survey results and case studies; provide policy direction for the Downtown District.
Result of Recommended Action: By providing direction to staff for defining the Rancho Cordova downtown within the City's General Plan, policy language regarding the downtown will receive further review and consideration during the General Plan public hearing process.
Staff Report: Paul Junker/Pam Johns, Planning

ACTION: Council, by consensus, directed staff to compose a listing of criteria for a vibrant and livable downtown and a revised map outlining the downtown area for the January 3, 2006 Study Session.

25. **Subject:** Testing the Draft General Plan Land Use Map Against New Data

Recommendation: Provide direction to Planning staff regarding further preparation of the General Plan and revisions to the Draft General Plan Land Use Map

Result of Recommended Action: By providing direction to staff, the City Council will begin its review of the Draft Land Use Map. It is expected that the Council will take action on the Land Use Map in January 2006.

Staff Report: Paul Junker/Pam Johns, Planning

ACTION: Council, by consensus, directed staff to continue review of the Draft Land Use Map with Council at the January 3, 2006 study session.

26. **Subject:** Council Member Appointments

Recommendation: Confirm the "Summary of Council Member Appointments for 2006".

Result of Recommended Action: Action on this item will identify and confirm the 2006 list of Council Members appointed to serve on various boards and committees.

Staff Report: Lillian Hare, City Clerk's Department

ACTION: By consensus, the Council confirmed the appointments to regional jurisdictions, as presented in the staff report with changes as follows:

- SACOG – McGarvey, Alternate replacing Cooley
- Sacramento County – Sander to replace Cooley on 2 x 2 committee
- Sacramento County and Cities Board on Homelessness (added) – McGarvey
- Sacramento County Library Authority and Elk Grove/Folsom Connector Study Joint Powers Authority added as placeholders to list of possible appointments.
- Cooley noted as Sacramento Valley League Division President and appointee to League Policy Committee on Housing, Community and Economic Development

CORRESPONDENCE

None.

COUNCIL REPORTS

Council Members reported on various meetings, invitations, and events since the last Council meeting.

COUNCIL REQUESTS FOR FUTURE AGENDA ITEMS

Vice Mayor Sander requested the following items:

- Local preference ordinance that will give 2.5-5% preference to contracts with local businesses

- A proclamation to be presented to Sacramento Metro Fire at the first meeting in new Council Chambers for their assistance in providing a place for the first City Hall

Council Member Cooley requested a report on the daytime curfew ordinance before school lets out for summer vacation.

Council Member Budge requested a report on the refuse contract with BFI Waste Management Services regarding the on-demand call for garbage pick-up vs. regularly scheduled clean-up days.

Mayor McGarvey withdrew his request relative to revising the sign ordinance to require all signs to be in English in addition to any other language.

CITY ATTORNEY'S REPORT

Assistant City Attorney Adam Lindgren said his staff would prepare a listing of legislative developments from the previous year, which will be available next week. This will include AB 1234 relative to required ethics training, updates, and reimbursement policies for decision makers.

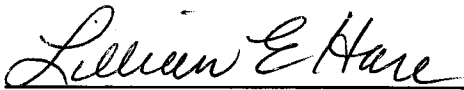
CITY MANAGER'S REPORT

27. City Manager's Office Operations

Public Information Officer Erin Treadwell and Senior Management Analyst Stephanie Snyder gave a brief presentation on their responsibilities in the City Manager's Office.

ADJOURNMENT

The meeting adjourned at 11:39 p.m. in memory of Jim Tullis.



Lillian E. Hare, City Clerk