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

**City Hall**
**David B. Roberts Council Chambers**
**2729 Prospect Park Drive, Rancho Cordova**
**and**
***9 East Wilson Street, Madison, Wisconsin**

**Monday, July 17, 2006**

**5:30 P.M. – Regular Meeting**

# MINUTES

## REGULAR MEETING – CALL TO ORDER

**Call to Order**

Mayor McGarvey called the regular meeting to order at 5:34 p.m. and announced the cablecast playback schedule.

Present: Council Members Budge, Cooley, Skoglund, Sander (*via teleconference from Madison, Wisconsin) and Mayor McGarvey

Staff Present: Gaebler, Hare, Junker, Abhar, Garcia, Snyder, Miller, Lindgren, Chapman, Haven, and Lehr

**Pledge of Allegiance**

Council Member Cooley led the Pledge.

**Invocation**

1. Pastor Jeff Koons, First Covenant Church, gave the invocation.

**Presentations**

2. Proclamation for Gay Jones Retirement from Sacramento Fire Department.
3. Recognition of the Cordova Girls Softball League All Star Team.

3a. Award of CDBG funds to the following organizations:
- Respite C.L.U.B. ($7,000)

- Sacramento Self-Help Housing ($7,000)
- Safe Harbor After-School Enrichment Program ($12,269)
- Roots and Horizons ($24,375)
- Senior Nutrition Services/Meals on Wheels ($54,990)
- Kiwanis Club ($25,000)

## ORAL COMMUNICATIONS

4. **Public Comment**

The following individuals addressed the Council:

- Bob Sisemore regarding removal of the speed bump sign located in his front yard and the graffiti on the speed bump sign located on Chassella.
- Gerald Shupe regarding unsafe conditions for individuals riding bikes around town and possible improvement at light rail stations for striping and signage program.
- E. Morris regarding trash pile pick-up program being insufficient and Stagger Inn being torn down.
- Walt Myers regarding petitions to add speed bumps and inquiring when the next traffic study will be performed.

## CONSENT CALENDAR ITEMS – ROLL CALL VOTE

**ACTION:** Motion by Budge second by Sander and unanimously carried by a roll call vote, Council approved the Consent Calendar Items, except Item #6, which was pulled for separate discussion.

5. **Subject:** Trinity Garden Rezone, Tentative Subdivision Map, Residential Design Review and Development Agreement, RC-05-190.
**Recommendation:** Waive second readings and adopt Ordinance No. 44-2006, rezoning the Trinity Garden Estates Project and Ordinance No. 45-2006 approving the Development Agreement. **(Roll Call Vote)**
**Result of Recommended Action:** Adoption will approve entitlements to allow the applicant to obtain building permits to construct a 2.1-acre project with 20 single-family attached units as proposed on the northeast corner of Trinity River Drive and Coloma Road, subject to conditions of approval and the provisions of the Development Agreement.
**Staff Report:** Jeffrey Beiswenger, AICP, Planning Department
**Advances Goals:** 1, 6 and 7

7. **Subject:** Resolution Declaring the Result of Mail Ballot Election Regarding the Special Tax for Police Services for Special Police Tax Area Zone 27 (Arista del Sol Subdivision); RC-04-077.
**Recommendation**: Adopt Resolution No. 127-2006.
**Result of Recommended Action**: Adoption of this resolution will declare the result of the police tax election concerning Special Police Tax Zone 27, which will assist the City to meet the costs of providing City law enforcement services by establishing a special tax for police protection services for the Arista del Sol Subdivision.
**Staff Report:** Adam Lindgren, City Attorney's Office
**Advances Goals:** 5 and 10

8. **Subject**: Resolution Declaring the Result of Mail Ballot Election Regarding the Special Tax for Police Services for Special Police Tax Area Zone 28 (Douglas 98 Subdivision); RC-03-025.
   **Recommendation**: Adopt Resolution No. 128-2006.
   **Result of Recommended Action:** Adoption of this resolution will declare the result of the police tax election concerning Special Police Tax Zone 28, which will assist the City to meet the costs of providing City law enforcement services by establishing a special tax for police protection services for the Douglas 98 Subdivision.
   **Staff Report:** Adam Lindgren, City Attorney's Office
   **Advances Goals:** 5 and 10

9. **Subject**: Resolution Declaring the Result of Mail Ballot Election Regarding the Special Tax for Police Services for Special Police Tax Area Zone 29 (Douglas 103 Subdivision); RC-05-134.
   **Recommendation**: Adopt Resolution No. 129-2006.
   **Result of Recommended Action:** Adoption of this resolution will declare the result of the police tax election concerning Special Police Tax Zone 29, which will assist the City to meet the costs of providing City law enforcement services by establishing a special tax for police protection services for the Douglas 103 Subdivision.
   **Staff Report:** Adam Lindgren, City Attorney's Office
   **Advances Goals:** 5 and 10

10. **Subject**: Resolution Declaring the Result of Mail Ballot Election Regarding the Special Tax for Police Services for Special Police Tax Area Zone 30 (Montelena Subdivision); RC-04-132.
    **Recommendation**: Adopt Resolution No. 130-2006.
    **Result of Recommended Action:** Adoption of this resolution will declare the result of the police tax election concerning Special Police Tax Zone 30, which will assist the City to meet the costs of providing City law enforcement services by establishing a special tax for police protection services for the Montelena Subdivision.
    **Staff Report:** Adam Lindgren, City Attorney's Office
    **Advances Goals:** 5 and 10

11. **Subject**: Resolution Declaring the Result of Mail Ballot Election Regarding the Special Tax for Police Services for Special Police Tax Area Zone 32 (Cresleigh Sunridge Subdivision); RC-03-027.
    **Recommendation**: Adopt Resolution No. 132-2006.
    **Result of Recommended Action:** Adoption of this resolution will declare the result of the police tax election concerning Special Police Tax Zone 32, which will assist the City to meet the costs of providing City law enforcement services by establishing a special tax for police protection services for the Cresleigh Sunridge Subdivision.
    **Staff Report:** Adam Lindgren, City Attorney's Office
    **Advances Goals:** 5 and 10

12. **Subject**: Resolution Declaring the Result of Mail Ballot Election Regarding the Special Tax for Police Services for Special Police Tax Area Zone 33 (Sunridge Park – Phase II Subdivision, Villages 2B, 5C and 5D); RC-04-096.
    **Recommendation**: Adopt Resolution No. 133-2006.
    **Result of Recommended Action:** Adoption of this resolution will declare the result of the police tax election concerning Special Police Tax Zone 33, which will assist the City to meet the costs of providing City law enforcement services by establishing a special tax for police protection services for the Sunridge Park – Phase II Subdivision, Villages 2B, 5C and 5D.

**Staff Report:** Adam Lindgren, City Attorney's Office
**Advances Goals:** 5 and 10

13. **Subject:** Resolution Declaring the Result of Mail Ballot Election Regarding the Special Tax for Police Services for Special Police Tax Area Zone 34 (Sunridge Park – Phase II Subdivision, Villages 1B, 4C, 4D, 8C and 11B); RC-04-096.
**Recommendation:** Adopt Resolution No. 134-2006.
**Result of Recommended Action:** Adoption of this resolution will declare the result of the police tax election concerning Special Police Tax Zone 34, which will assist the City to meet the costs of providing City law enforcement services by establishing a special tax for police protection services for the Sunridge Park – Phase II Subdivision, Villages 1B, 4C, 4D, 8C and 11B.
**Staff Report:** Adam Lindgren, City Attorney's Office
**Advances Goals:** 5 and 10

14. **Subject:** Resolution Declaring the Result of Mail Ballot Election Regarding the Special Tax for Police Services for Special Police Tax Area Zone 35 (Sunridge Park – Phase II Subdivision, Villages 9B and 10B); RC-04-096.
**Recommendation:** Adopt Resolution No. 135-2006.
**Result of Recommended Action:** Adoption of this resolution will declare the result of the police tax election concerning Special Police Tax Zone 35, which will assist the City to meet the costs of providing City law enforcement services by establishing a special tax for police protection services for the Sunridge Park – Phase II Subdivision, Villages 9B and 10B.
**Staff Report:** Adam Lindgren, City Attorney's Office
**Advances Goals:** 5 and 10

15. **Subject:** Resolution Declaring the Result of Mail Ballot Election Regarding the Special Tax for Police Services for Special Police Tax Area Zone 36 (Sunridge Park – Phase II Subdivision, Lots D, E, F, G and 11); RC-04-096.
**Recommendation:** Adopt Resolution No. 136-2006.
**Result of Recommended Action:** Adoption of this resolution will declare the result of the police tax election concerning Special Police Tax Zone 36, which will assist the City to meet the costs of providing City law enforcement services by establishing a special tax for police protection services for the Sunridge Park – Phase II Subdivision, Lots D, E, F, G and 11.
**Staff Report:** Adam Lindgren, City Attorney's Office
**Advances Goals:** 5 and 10

16. **Subject:** Resolution Declaring the Result of Mail Ballot Election Regarding the Special Tax for Police Services for Special Police Tax Area Zone 31 (Anatolia IV Subdivision); RC-03-023.
**Recommendation:** Adopt Resolution No. 131-2006, declaring the result of the police tax election concerning Special Police Tax Area Zone 31.
**Result of Recommended Action:** Adoption of this resolution will declare the result of the police tax election concerning Special Police Tax Zone 31. In order to go into effect, the special tax must be approved by two-thirds of the affected property owners voting in a mail-ballot election to be held by the City. The landowner intentionally did not return the circulated police tax ballot and therefore the tax in Zone 31 cannot go into effect.
**Staff Report:** Adam Lindgren, City Attorney's Office
**Advances Goals:** 5 and 10

17. **Subject:** Resolution Authorizing City Manager to Extend Contract of Sandy Salerno in Amount of $135,0000 for Consulting Services.
    **Recommendation**: Adopt Resolution No. 139-2006.
    **Result of Recommended Action:** The result of the proposed action will continue to provide management assistance in Finance, the City Manager's office and Redevelopment for a period of eleven (11) months beginning on August 1, 2006.
    **Staff Report:** Bill Thomas, Finance Department
    **Advances Goal:** 10

18. **Subject:** Resolution Authorizing City Manager to Execute Contract with Wood Rodgers in the Amount of $400,000 for Preliminary Engineering Design.
    **Recommendation**: Adopt Resolution No. 141-2006.
    **Result of Recommended Action:** Action will allow City Manager to execute a contract for consultant services with Wood Rodgers for preliminary engineering work for roadway improvements in the area south of Mather including Zinfandel Drive, Douglas Road, Eagles Nest and Excelsior Road and documentation support for the preparation of an Environmental Document for the roadway improvements. Funding for the preliminary engineering will be provided from the Transportation Impact Fees Fund.
    **Staff Report**: Cyrus Abhar and Elizabeth Sparkman, Public Works Department
    **Advances Goal:** 2

19. **Subject:** Resolution Authorizing the City Manager and Public Works Director to Execute Letters Certifying that Rights-of-Way Have Been Acquired for Federally Funded Projects in Accordance with Federal Regulations.
    **Recommendation**: Adopt Resolution No. 140-2006.
    **Result of Recommended Action:** Approval would authorize the City Manager and Public Works Director to execute right-of-way certification documents on behalf of the City for the Folsom Boulevard Beatification Project, and future federally funded projects which may require new rights-of-way or easements within the City of Rancho Cordova.
    **Staff Report:** Cyrus Abhar, Public Works Department
    **Advances Goals:** 1, 2, 3, 4 and 5

**The following item was pulled for separate discussion:**

6. **Subject:** Capital Village Special Planning Area Amendment, Tentative Parcel Map and Commercial Design Review, RC-05-193.
   **Recommendation**: Waive second reading and adopt Ordinance No. 46-2006 adopting amendments to the Capital Village Special Planning Area (CVSPA). **(Roll Call Vote)**
   **Result of Recommended Action:** Adoption will approve entitlements for a 307,424 s.f. commercial project on 27.4 acres. The amendments to the CVSPA increase allowable height, decrease minimum parking requirements and change the development standards within the Loft District. The Tentative Parcel Map creates a separate parcel for each building. The preliminary site plan and signs package are approved, subject to a subsequent design review process.
   **Staff Report:** Jeffrey Beiswenger, AICP, Planning Department
   **Advances Goals:** 1, 4 and 7

**ACTION:** Motion by Skoglund second by Budge and unanimously carried by roll call vote, Council waived second reading and adopted Ordinance No. 46-2006.

## CONSENT PUBLIC HEARING ITEM

Mayor McGarvey opened the Consent Public Hearing for Item #20. There were no speakers. Mayor McGarvey closed the Consent Public Hearing.

**ACTION:** Motion by Sander second by Budge and unanimously carried by roll call vote, Council approved the Consent Public Hearing item.

20. **Subject:** Resolution to Order Delinquent Refuse Service Charges be Collected on the Tax Roll.
**Recommendation**: It is recommended that the City Council:
(a) Adopt Resolution No. 137-2006 Ordering Delinquent Refuse Service Charges be Collected on the Tax Roll.
(b) Direct staff to file a copy of the Delinquent Service Charges Report with the County Auditor's Office on or before the 25th day of August, 2006.
**Result of Recommended Action:** Adoption of this resolution will allow the City to record liens on delinquent residential solid waste accounts. The delinquent amounts will be placed on the property tax rolls by the County Assessor's Office, and collected in December and March. The recovered revenues will be split accordingly between Allied Waste and the City.
**Staff Report:** Cyrus Abhar and Kathy Garcia, Public Works Department
**Advances Goal:** 9

**AT THIS POINT** the Mayor reordered the agenda to hear the Regular Calendar Items before the Public Hearing Items.

## REGULAR CALENDAR ITEMS

23. **Subject:** Urgency Ordinance Amending Title 6 of the Rancho Cordova Municipal Code, Adding Chapter 6.130 and Sections 6.130.010 to 6.130.069, Relating to the Protection of Children From Sexual Offenders. **(Continued from the July 5, 2006)**
**Recommendation**: Adopt Urgency Ordinance No. 47-2006. **(Roll Call Vote)**
**Result of Recommended Action:** Adoption of this Urgency Ordinance will protect children from contact and potential sexual assault by registered sex offenders.
**Staff Report:** Adam Lindgren, City Attorney's Office
**Advances Goal:** 5

The following individual addressed the Council:

- Larry Ladd to inquire if the ordinance will funnel the locations of the sex offenders.

City Attorney will report back to Council Member Budge on how long sex offenders remain registered under Megan's Law.

**ACTION:** Motion by Sander second by Budge and unanimously carried by roll call vote, Council adopted Urgency Ordinance No. 47-2006.

24. **Subject:** Options and Strategies to Improve the Performance of the Residential Bulky Item Cleanup Program.
**Recommendation**: Receive report regarding options and strategies to improve the performance of the residential Bulky Item Cleanup Program and provide direction to staff on the preferred option(s) for implementation.
**Result of Recommended Action:** The primary objectives of this report are to:

(a) Identify potential solutions and strategies to improve the performance of the existing "on-call" bulky item collection program; and
(b) Identify alternatives to the existing program.
**Staff Report:** Cyrus Abhar, Public Works Department
**Advances Goals:** 1, 3, 5, 7 and 9

The following individuals addressed the Council:

- Maureen Nelson is discouraged by clean-up service program. Would like the service to be improved.
- Walt Myers is discouraged by clean-up service program. Would like the service to be improved.
- Larry Ladd is discouraged by clean-up service program. Would like the service to be improved.
- Conrade Mayer is discouraged by cleanup service program. Would like the service to be improved. Conrade also provided suggestions on how to improve the program and simplify problems.
- Clifton Billings would like to know who is responsible for illegal dumping by a non-resident in front of a resident's property. If such resident is on vacation and does not receive adequate notification, what are the repercussions? Mr. Billings also inquired about customer scheduled pickups and if Allied doesn't pick up on the scheduled day, will the company be fined?

**ACTION:** By consensus, Council provided the following direction:

- City staff to work on three components to improve solid waste program - education, resources, and enforcement.
- A consortium of Allied Waste truck drivers, City senior staff, and City Code Enforcement Officers to check on illegal trash piles against the list of "legally scheduled" pickups.
- An ordinance to establish penalties for non-compliance, which will be presented to the Council in September.
- Notify in the next newsletter of program emphasis and changes.
- Continue to fine owners rather than renters and revise business license program to allow garbage fines to be collected.
- Return to Council by the first meeting of November for review of program improvements.

25. **Subject**: Legislative Update on Assembly Bill 2987 Regarding Telecommunications.
**Recommendation**: Review information and comment on AB 2987, directing staff on future legislative activities regarding the bill.
**Result of Recommended Action:** As a result of Council comments on AB 2987, staff will be able to determine an appropriate course of action regarding support or opposition to the bill.
**Staff Report:** Stephanie Snyder, City Manager's Office
**Advances Goals:** 3, 5, 7 and 10

**ACTION:** By consensus, Council agreed to continue opposing Assembly Bill 2987.

**AT THIS POINT** Council took a brief recess. The full Council reconvened.

## PUBLIC HEARING ITEMS

21. **Subject:** Resolution of Intent to Grant a Water Franchise to the Golden State Water Company and California American Water Company.
**Recommendation**: Adopt Resolution No. 138-2006.
**Result of Recommended Action:** Passage of this resolution will indicate the intention of the City to grant water franchises to the Golden State Water Company and California American Water Company for purposes of operating and maintaining water pipelines within the City's rights-of-way. The resolution will also set an additional public hearing date for consideration of the franchises.
**Staff Report:** Cyrus Abhar, Public Works Department and Joe Chapman, City Attorney's Office
**Advances Goals:** 7 and 10

Mayor McGarvey opened the public hearing for Item #21. There were no speakers. Mayor McGarvey closed the public hearing.

**ACTION:** Motion by Budge second by Cooley and unanimously carried, Council adopted Resolution No. 138-2006.

22. **Subject:** The Preserve Special Planning Area Rezone, Tentative Subdivision Map and Development Agreement; RC-03-052. **(Continued from the July 5, 2006 Meeting)**
**Recommendation**: That Council:
(a) Adopt Resolution No. 105-2006 certifying the FEIR;
(b) Adopt Resolution No. 106-2006 approving an amendment to mitigation measures BR-2 and BR-4 (with further revisions as specified in mitigation measure MM 4.9.10 of the FEIR) in the Sunrise Douglas Community Plan;
(c) Waive first reading and introduce Ordinance No. 40-2006 approving the Special Planning Area Rezone; **(Roll Call Vote)**
(d) Consider Resolution No. 108-2006 a Tentative Subdivision Map for the "Preserve at Sunridge", subject to the Conditions of Approval, Sections 1 and 2 and formal adoption at August 7, 2006 Regular City Council Meeting;
(e) Waive first reading and introduce Ordinance No. 41-2006 accepting the terms of the draft Development Agreement, as submitted. **(Roll Call Vote)**
**Result of Recommended Action:** Approval will allow the orderly development of a key parcel within the Sunridge area. This project will allow the extension of two major streets from the Anatolia's to connect Sunrise Blvd. to Grantline Road and Douglas Road to Kiefer Road. One of the major General Plan Land Use components will be implemented by this project that will provide a "Town Center" commercial node to support the new residential development.
**Staff Report:** William Campbell, Planning Department
**Advances Goals:** 1, 2, 6 and 7

Mayor McGarvey opened the public hearing for Item #22. The following individuals addressed the Council:

- Joyce Martin in opposition to the project because she does not want the rezone to move forward due to impacts on drainage, which would significantly impact the loss of habitat and biological resources.
- John Martin in opposition to the project because he does not like the idea of the parkway being re-channeled and he is concerned for the loss of vernal pools.

- Keith Wagner in opposition to project for various discrepancies in the General Plan that impact the project and deem it inconsistent.
- Rod Ries in opposition to the project.
- Carol Witham to say Council Members are the City's leaders and they should be protecting the City.

Mayor McGarvey closed the public hearing.

**AT THIS POINT** Council took a brief recess. The full Council reconvened.

**ACTION:** Motion by Budge second by Sander and unanimously carried by roll call vote, Council:
(a) Adopted Resolution No. 105-2006,
(b) Adopted Resolution No. 106-2996,
(c) Waived first reading and introduced Ordinance No. 40-2006,
(d) Considered Resolution No. 108-2006, with revisions to conditions 4, 25, 49 and 64 to Sections 1 and 2 of Conditions of Approval, for adoption on consent calendar on August 7, 2006; and
(e) Waived first reading and introduced Ordinance No. 41-2006, with revision to Section 6.5.5 of the Development Agreement.

## URGENCY ITEM

**The following item was added as an Urgency Item:**

**ACTION:** Motion by Budge second by Skoglund and unanimously carried, Council added the Quality of Life Initiative to the agenda. The need for immediate action arose because the City needed to provide input to the Sacramento County Board of Supervisors by Tuesday, July 25 and no meeting of the Council was scheduled prior to July 25. Need for Council action did not come to the attention of the City until after 1:00 p.m. on July 17.

26. **Subject:** Quality of Life Initiative.

**ACTION:** Motion by Budge second by Cooley and unanimously carried, Council requested the Board of Supervisors place the Quality of Life Initiative on the ballot for the November 7th election if a deal with the owners of the Sacramento Kings could be negotiated.

## CORRESPONDENCE

None

## COUNCIL REPORTS

None

## COUNCIL REQUESTS FOR FUTURE AGENDA ITEMS

None

## CITY MANAGER'S REPORT

None

## ADJOURNMENT

Mayor McGarvey adjourned the meeting at 12:13 a.m.

Brenda Lehr, Deputy City Clerk