CALIFORNIA
Incorporated 2003

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

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

**Monday, December 18, 2006**
**4:30 P.M. – Closed Session**
**5:30 P.M. – Regular Meeting**

# MINUTES

## CLOSED SESSION

**Council met in Closed Session to discuss the following:**

Conference with Legal Counsel – Existing Litigation – Government Code Section 54956.9(a):
(a) Name of case: Vineyard Area Citizens for Responsible Growth, et al. v. City of Rancho Cordova et al.; Case No. S132972
(b) Name of case: California Native Plant Society v. City of Rancho Cordova et al.; Case No. 06CS01311.

Conference with Legal Counsel – Anticipated Litigation – Government Code Section 54956.9(b): (one potential case).

Present: Council Members Cooley, McGarvey, Skoglund, Budge, and Incoming Mayor Sander
Staff Present: Chapman, Olea-Moger, Gaebler, Chinn, Lindgren

## REGULAR MEETING – CALL TO ORDER

__Call to Order__

Outgoing Mayor McGarvey called the Regular Meeting to order in the David B. Roberts Council Chambers at 5:35 p.m. and announced the cablecast playback schedule.

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

Staff Present: Androlowicz, Lehr, Olea-Moger, Reed, Rodriquez, Simpson, Haworth, Treadwell, Humprey, Hadley, Trimberger, Haven, Beiswenger, Junker, Miller, Snyder, Gaebler, Lindgren, Chapman, Meeks, Leitner, Abhar, Chinn, and Garcia

**Pledge of Allegiance**

Joe Fraccola led the pledge.

**Invocation**

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

**Closed Session Report**

2. The City Attorney reported Council met in Closed Session to discuss existing and anticipated litigation and no reportable action was taken.

**Special Ceremonies**

5. Swearing-in of New Vice Mayor Budge by City Clerk.
3. Swearing-in of New Mayor Sander by Assemblyman Alan Nakanishi.
4. Presentation to Outgoing Mayor McGarvey by Mayor Sander.

## ORAL COMMUNICATIONS

6. **Public Comment**

   The following individuals addressed the Council:

   - Assemblyman Alan Nakanishi on Mayor Sander's Mayoral Appointment and legislative updates.
   - Undersheriff George Anderson on Mayor Sander's Mayoral Appointment and to give thanks to outgoing Mayor McGarvey.
   - Dennis Welforth on the Cordova Community Council updates.

**AT THIS POINT** the Council took a brief recess to celebrate with refreshments in honor of newly sworn-in Mayor Sander and Vice Mayor Budge.

## REGULAR CALENDAR ITEM

**Mayor Sander reordered the agenda to take Item #17 before the Consent Calendar Items.**

17. **Subject:** Planning Commissioner Appointments.
**Recommendation**: That re-elected Council Members Linda Budge and Dan Skoglund submit their respective nominations for Planning Commissioner to the full City Council for formal approval to fill Planning Commissioner terms that coincide with their Council Member terms.
**Result of Recommended Action**: Action on this item will result in Council's appointment of two members of the community to serve on the Planning Commission for terms commencing January 2007 and ending December 2010.
**Staff Report:** Anna Olea-Moger, City Clerk's Department

**Advances Goals:** 1 through 13

**ACTION:** Motion by Budge second by Cooley and unanimously carried, Council reappointed Tom Moe to the Planning Commission for term of January 2007 through December 2010..

**ACTION:** Motion by Skoglund second by McGarvey and unanimously carried, Council appointed Matt Cummings to the Planning Commission to the term of January 2007 through December 2010.
Mayor Sander presented a proclamation to outgoing Planning Commissioner Tom Wentz in honor of his outstanding service.

## CONSENT CALENDAR ITEMS

**ACTION:** Motion by Budge second by Skoglund and unanimously carried, the Consent Calendar was approved, except Items #7 and Item #11, which were pulled for separate discussion.

8. **Subject**: Resolution Authorizing the City Manager to Execute a One (1) Year Extension to the Non-Exclusive Commercial Solid Waste and Recyclables Collection Franchise Agreements Between the City and the Commercial Franchises.
   **Recommendation**: Adopt Resolution No. 196-2006.
   **Result of Recommended Action:** The primary objective of this extension to the Commercial Solid Waste and Recyclables Collection Franchise Agreements is to allow sufficient time for Staff to complete discussions with the Solid Waste Authority and execute a new franchise agreements and an ordinance to commercial waste haulers in the City regarding a consistent regional commercial diversion strategy.
   **Staff Report:** Cyrus Abhar, Public Works Department
   **Advances Goal:** 3

9. **Subject**: Resolution Authorizing the City Manager to Execute a Consulting Service Contract Not To Exceed $325,000 with Parsons Brinkerhoff Quade & Douglas, Inc. for the Promenade Feasibility Study Project.
   **Recommendation**: Adopt Resolution No. 197-2006.
   **Result of Recommended Action:** This project addresses feasibility and preliminary engineering for a gateway structure over Highway 50 and will deliver a concept that will set the stage for environmental evaluation design and construction of this future landmark. The project will also fulfill the City's requirements for obligating a $300,000 SACOG Community Design Program grant.
   **Staff Report:** Cyrus Abhar, Public Works Department
   **Advances Goals:** 1 and 2

10. **Subject**: Resolution Authorizing the Execution of a Consultant Service Agreement with Jones and Stokes in the Amount of $423,804 for Preparation of Westborough at Easton EIR.
    **Recommendation**: Adopt Resolution No. 198-2006.
    **Result of Recommended Action:** This resolution will authorize the City Manager to execute a contract with Jones and Stokes for the preparation of the Westborough at Easton Environmental Impact Report.
    **Staff Report:** Paul Junker, Planning Department
    **Advances Goal:** 10

**The following items were pulled for separate discussion:**

7. **Subject:** Ordinance Amending Chapter 5.50, "Cable Television Ordinance" of the Rancho Cordova Municipal Code.
   **Recommendation**: Waive the first reading and introduce Ordinance No. 59-2006.
   **Result of Recommended Action:** This ordinance accomplishes some minor housekeeping changes requested by the Sacramento Metropolitan Cable Commission, which relate to the timing of meetings held by the Commission and the dissolution of the Commission.
   **Staff Report:** Joe Chapman, City Attorney's Office
   **Advances Goals:** 3 and 10

**ACTION:** Motion by Budge second by McGarvey and unanimously carried by roll call vote, Council continued Item #7 to January 16.

11. **Subject:** Resolution Approving the Execution of the First Amendment to the Collection Services Contract with Allied Waste Services to Establish the Illegal Pile Collection Fee for the Bulky Item Pickup Program.
    **Recommendation**: Adopt Resolution No. 188-2006.
    **Result of Recommended Action:** The primary objective of this First Amendment to the Contract is to establish the Illegal Pile Collection Fee, which will allow Allied to charge a fee to residents for the collection of "illegal" bulky item debris piles.
    **Staff Report:** Cyrus Abhar and Kathy Garcia, Public Works Department
    **Advances Goals:** 1, 3, 5, 7, and 9

**ACTION:** Motion by Skoglund second by Budge and unanimously carried, Council adopted Resolution No. 188-2006.

## CONSENT PUBLIC HEARING ITEMS

**All consent Public Hearing Calendar items were heard as separate items.**

12. **Subject:** An Ordinance Amending Chapter 16.18 "Nuisance Code" Section 16.18.205 (f) of the Rancho Cordova Municipal Code relating to Administrative Citations.
    **Recommendation**: Waive the first reading and introduce Ordinance No. 60-2006.
    **Result of Recommended Action:** Adoption of this Ordinance will provide step-by-step guidelines for designated staff to issue administrative citations for violations of the City Code. The Ordinance will also establish fines associated with the citations and hearing procedures for all citation challenges.
    **Staff Report:** Curt Haven, Economic Development Department and Kerry Simpson, Neighborhood Services Division
    **Advances Goals:** 1, 5, 6, 8, 10, and 13

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

**ACTION:** Motion by Budge second by McGarvey and unanimously carried by roll call vote, Council waived first reading and introduced Ordinance No. 60-2006.

13. **Subject:** Ordinance Adopting Title 8, "Animals", Regarding the Regulations and Functions of Animal Services and Establishment of Fees Associated with Licensing and Field Services.
    **Recommendation**: Waive the first reading and introduce Ordinance No. 61-2006.

**Result of Recommended Action:** Adoption of this Ordinance will establish regulations and functions pertaining to Animal Services and establish fees associated with licensing, impoundment of non-spayed or un-neutered dogs or cats, and field services.
**Staff Report:** Curt Haven, Economic Development Department and Michael Rodriquez, Animal Services Division
**Advances Goals:** 1, 4, 6, 8, 10, and 13

Mayor Sander opened the public hearing. The following individual addressed the Council:

- Scotti Moore in support of Item #13.

Mayor Sander closed the public hearing.

**ACTION:** Motion by Skoglund second by Cooley and unanimously carried by roll call vote, Council waived first reading and introduced Ordinance No. 61-2006.

14. **Subject:** Capital Village Commercial Project RC-05-193, Chili's Restaurant Request for Amendment to Conditions of Approval to Allow a Larger Sign, Located at Zinfandel Drive between Data Drive and International Drive.
**Recommendation:** Staff recommends Council deny this request.
**Result of Recommended Action:** No changes to the Capital Village Commercial Project Conditions of Approval.
**Staff Report:** Jeffrey Beiswenger, Planning Department
**Advances Goals:** 1 and 5

Mayor Sander opened the public hearing. The following individual addressed the Council:

- Brian Cooley in opposition to Staff's recommendation for Item #14.

Mayor Sander closed the public hearing for Item #14.

**ACTION:** Motion by Budge second by Cooley and unanimously carried, Council acted to defer approval of Item #14 to January 16 in order that a resolution be submitted for adoption amending the conditions of approval for Chili's sign requirement to the 4'3" x 7'6" size.

## PUBLIC HEARING ITEMS

15. **Subject:** Anatolia Marketplace Project RC-06-222 Design Review and Conditional Use Permit, Located at Southeast corner of Sunrise Boulevard and Douglas Road.
**Recommendation:** Adopt Resolution No. 199-2006.
**Result of Recommended Action:** Approval would grant planning entitlements needed to construct a 125,529 sq. ft. shopping center on approximately 14.7 acres with a grocery store, gas station with a carwash, fast-food restaurant with a drive-thru, and 5 multi-tenant retail buildings. The applicant is requesting conditional use permits to allow the construction of a gas station and to allow additional building height.
**Staff Report:** Jeffrey Beiswenger, Planning Department
**Advances Goals:** 1, 2, 6, 8, and 9

Applicant's attorney Tim Taron on behalf of developer AKT Investments addressed the Council to request that Condition of Approval # 22 be eliminated. Condition #22 required the project proponent to grant easements as required to facilitate construction and permanent use of pedestrian/bicycle ramps and pedestrian overcrossings, and to provide future access to the pedestrian overcrossings of Sunrise and Douglas Road..

Mayor Sander opened the public comment period. The following individual addressed the Council on Item #15:

- Planning Commissioner Chairman Ernie Vance spoke on the Condition of Approval 22 when it was brought before the Planning Commission.

Mayor Sander closed the public hearing on Item #15.

**ACTION:** Motion by Budge second by McGarvey, to adopt Resolution No. 199-2006 with the following changes:
a) Deletion of Condition of Approval #22
b) Addition of vines planting behind loading dock
c) Addition of service doors treatment
The Council, by general consensus, agreed to take no action on this motion in order to act on an amended motion.

**AMENDED ACTION:** Motion by Cooley second by McGarvey and unanimously carried, Council deferred action and continued Item #15 to January 16.

16. **Subject:** Urgency Ordinance Extending a Temporary Moratorium on the Establishment of New Cardrooms.
**Recommendation**: Adopt Urgency Ordinance 62-2006.
**Result of Recommended Action:** This ordinance will extend the current moratorium on the establishment of new cardrooms in the City for an additional 6 months.
**Staff Report:** Joseph Chapman, City Attorney's Office
**Advances Goals:** 1, 4, and 8

Mayor Sander opened the public hearing. The following individual addressed the Council on Item #16:

- Robert Harris spoke in support of Item #16.

Mayor Sander closed the public hearing on Item #16.

**ACTION:** Motion by Cooley second by McGarvey and unanimously carried by roll call vote, Council adopted Urgency Ordinance No. 62-2006

## REGULAR CALENDAR ITEMS

**Mayor Sander reordered the agenda to take Item # 19 before Item #18.**

19. **Subject:** Council Member Appointments to Regional Boards, Commissions, 2x2's and Subcommittees for 2007.
**Recommendation**: That Council Member appointments for 2007 be determined for the listed Boards, Commissions, 2x2's and Subcommittees reflected in the attachment to the staff report.
**Result of Recommended Action:** Action on this item will confirm the 2007 Rancho Cordova City Council Member appointees and alternates to various boards and committees within the region to which Rancho Cordova provides leadership representation.
**Staff Report:** Anna Olea-Moger, City Clerk's Department

**Advances Goals:** 1 through 13

**ACTION:** Motion by Budge second by Cooley and unanimously carried, Council approved the appointments listed in the Boards and Committees Matrix attached to the staff report.

18. **Subject**: 2007 City Council Conference Attendance & Meeting Schedule.
**Recommendation**: That Council determine its conference attendance and meeting schedule for 2007.
**Result of Recommended Action:** Action on this item will confirm the 2007 conference attendance and meeting schedule for Rancho Cordova City Council Members.
**Staff Report:** Anna Olea-Moger, City Clerk's Department
**Advances Goals:** 1 through 13

**ACTION:** By general consensus, Council approved the 2007 Conference Attendance and Meeting Schedule.

## CORRESPONDENCE

Council Members reported on various correspondence since last meeting

## COUNCIL REPORTS

Council Members reported on various events and activities since the last meeting.

## COUNCIL REQUESTS FOR FUTURE AGENDA ITEMS

None

## CITY MANAGER'S REPORT

None

## ADJOURNMENT

Mayor Sander adjourned the meeting at 10:33 p.m.

FOR Anna Olea-Moger, CMC, City Clerk