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November 20, 2009

VIA U.S. MAIL AND FACSIMILE (916) 874-2939Mr. Peter Brundage
Executive Officer
Sacramento LAFCo
1112 I Street, Suite 100
Sacramento, CA 95814

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NOV 20 2009

SACRAMENTO LOCAL GOVERNMENT
INFORMATION COMMISSION

Re: Request for Continuance of Hearing on Sunrise-Folsom Annexation

Dear Mr. Brundage:

This firm represents the Sunrise-Folsom Business Alliance ("SFBA") regarding the proposed Sunrise-Folsom Annexation project whereby 748 acres would be annexed to the City of Rancho Cordova ("City"). On November 10, 2009, I wrote to you requesting that Sacramento LAFCo continue consideration of the Sunrise-Folsom Annexation to its next regular meeting after December 2, 2009, in order to allow affected businesses the opportunity to fully understand the implications of this proposal and provide their input. This letter provides additional information in support of this request.

As explained previously, SFBA members are concerned, among other things, about the effect annexation may have on their ability to continue and expand their business operations in the future if the annexation occurs. Materials presented on the City's website indicate that future ability to operate and expand in the annexation area would not be restricted. (See <http://www.cityofranhocordova.org/Index.aspx?page=119>.) Provisions within the City's Zoning Code, however, require a Conditional Use Permit process with special findings requirements for nonconforming uses. (See, e.g. City of Rancho Cordova Zoning Code, § 23.170.070.) Thus, these future uses would in fact be restricted, thereby impairing SFBA members' future business opportunities, as well as their ability to increase contributions to the local tax base as they expand.

In addition to future business opportunities, SFBA members are also concerned about the completeness of the current annexation application as well as unintended consequences that may result from the annexation. We are still reviewing the documents provided by LAFCo and the City but have the following preliminary concerns:

Mr. Peter Brundage
November 20, 2009
Page 2

- The Plan for Services for the annexation area is inadequate, especially with regard to provision of public safety services. Specifically, City Police services contracted from the County would take over public safety in the annexation area without any additional resources.
- The annexation does not adequately address transportation needs. In particular, the annexation would hinder efforts to provide vehicle access on Citrus Road as an alternative to the already extremely congested Sunrise Boulevard corridor.
- The environmental impacts of the annexation were not adequately addressed in the 2007 Negative Declaration. For example, neither the 2007 Negative Declaration nor the 2009 Addendum to the Negative Declaration provide any details about how the annexation would be accomplished in a manner that would help accomplish regional or statewide goals for greenhouse gas *reductions* under Assembly Bill 32 (the Global Warming Solutions Act of 2006).

* * *

We understand that the City is eager to annex this area. However we believe that addressing SFBA's member concerns in advance of making any decision is imperative. Moreover, LAFCo's policies specifically allow for a continuance not to exceed 70 days. (Sacramento LAFCo Policy, Standards and Procedures Manual, Appendix L, section (A)(4)(e).) While we have begun, and intend to continue, conversations with City representatives regarding these concerns, there is not enough time (especially given the Thanksgiving holiday) to adequately address these concerns and review all necessary documents prior to December 2nd. Thank you again for your consideration of our respectful request for a continuance.

Very truly yours,

SOLURI MESERVE
A Law Corporation

By: 

Osha R. Meserve

cc: Jimmy Yee, LAFCO Chairman, via facsimile (916) 874-7593
Susan Peters, LAFCO Member, via facsimile (916) 874-7593
Linda Budge, LAFCO Member, via facsimile (916) 851-8787
Robert King Fong, LAFCO Member, via facsimile (916) 264-7680
Christopher Tooker, LAFCO Member, via facsimile (916) 654-3882
Charles T. Rose, LAFCO Member, via facsimile (916) 874-2939

Mr. Peter Brundage
November 20, 2009
Page 3

Gay Jones, LAFCO Member, via facsimile (916) 566-4200
Roger Dickenson, LAFCO Member Alternate, via facsimile (916) 874-7593
Gene Resler, LAFCO Member Alternate, via facsimile (916) 777-7775
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Leo A. Fassler, LAFCO Member Alternate, via facsimile (916) 682-3687
Jerry Fox, LAFCO Member Alternate, via facsimile (916) 874-2939
Nancy Miller, LAFCO Counsel, via facsimile (916) 447-5195
Julius Cherry, The Cherry Consulting Group via facsimile (916) 923-3872



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SACRAMENTO LOCAL AGENCY
INFORMATION COMMISSION

Dan Skoglund
Mayor

Ken Cooley
Vice Mayor

Linda Budge
Council Member

Robert McGarvey
Council Member

David Sander
Council Member

November 19, 2009

Mr. Peter Brundage
Executive Officer
Sacramento LAFCO
Sacramento, CA 95814-2836

Dear Mr. Brundage:

**Re: City of Rancho Cordova Annexation -- Annexation of the Sphere of Influence
(LAFC 07-09)**

I am writing regarding the letter from Osha Meserve to you of November 10, 2009, in which she requested, on behalf of business owners she is representing, that LAFCO continue consideration of the City of Rancho Cordova's application to annex its sphere of influence from December 2, 2009 to its next regular meeting.

As early as July 2005, by adoption of Resolution No. 84-2005, the Council expressed its interest in annexing the sphere of influence and indicated its intention to submit an application to LAFCO. The City submitted its application to annex the sphere of influence, also known as the Sunrise-Folsom area, in August 2007. As noted in the application, the City conducted outreach with affected property owners and businesses within the area prior to submitting the application, and the City believed at that time that it had addressed those concerns that were raised through the outreach program. In fact, there were no written or verbal comments in opposition to the pre-zoning or the resolution of application received by either the Planning Commission or the Council at their public hearings on April 2, May 7 and July 2, 2007.

The outreach program began in March 2007 with group meetings conducted by City staff and property owners and business owners. City staff held a community meeting on April 2, 2007, for business owners, property owners and interested persons. In addition, I attended a Chamber of Commerce meeting in April 2007 and made a presentation regarding the annexation and answered questions. The City also has a "FAQ" handout which it has distributed to a number of business owners and property owners.

Information about the annexation process has been and still is included on the City's website at <http://www.cityoffranchocordova.org/Index.aspx?page=119> since April 2007. There have also been several articles in local publications regarding the annexation process (March 2007 "Grapevine Independent"; April 2007 "Sacramento Bee" [two articles]; June 2007 City Newsletter).

Notwithstanding the outreach program we conducted, and the fact that no property owners or business owners in the sphere of influence area have contacted City staff with any concerns regarding the annexation application since we submitted the application in August 2007, we have offered to meet with Ms. Meserve and her clients to address their concerns. At the time of this letter, we have not yet heard back whether they will meet with us to discuss their concerns. We hope to meet with them soon so we can provide both Ms. Meserve and her clients with the information they need to address the Commission at its December 2 meeting.

For these reasons, we request, therefore, that you not continue the City's annexation application from the December 2, 2009, LAFCO meeting, as requested by Ms. Meserve.

Thank you for your consideration. Please let me know if you need any additional information.

Sincerely,



Joe Chinn
Assistant City Manager

cc: Osha R. Meserve
Adam Lindgren, City Attorney
Paul Junker, Planning Director

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NOV 24 2009

Brundage. Peter

From: k willoughby [k.willoughby@sbcglobal.net]

Sent: Tuesday, November 24, 2009 10:50 AM

To: Brundage. Peter; Lockhart. Don

Cc: Osha Merserve; Kristy; LONN MAIER; Steve Interchange comm Watanabe; Mike Childress; Jody Bryan; MacGlashan. Roberta; Nottoli. Don; McGinness. John (SacSheriff); Ruben Meeks; Dan Scoglund; Sharell Katibah; Jody Jones

Subject: LAFCO agenda postponement and document request

SACRAMENTO LOCAL AGENCY
FORMATION COMMISSION

Mr. Peter Brundage and Mr. Don Lockhart,

1. Please postpone the Dec. 2, 2009 SOI hearing of Rancho Cordova annexation application. Your agenda is over booked for that date and your rules provide for postponement. Entities are entitled to preparation time after the Oct. 30, 2009 settlement between Rancho Cordova and Sacramento County regarding revenue sharing. Additional reasons are noted herein.

2. Please forward to me or provide the research by Sacramento County Sheriff Dept. Civilian staff member, Jeffrey Rodrigues, who accompanied us on the tour of Citrus Road. As you may remember, he researched ownership of parcels in the area and summarized the spaces from a crime prevention perspective.

Please remember you and Don agreed with my position that governance of the under crossing should not be split, which is precisely what this SOI accomplishes. One quadrant of the under crossing will remain in the county, and continued County jurisdiction over Citrus Road is in question. Rancho Cordova certainly will shutter this existing superb infrastructure that can be converted into a four lane under crossing with space for four lane roadway on the north and south, including space for bike lanes, obvious during the tour I gave you. This cost would be a fraction needed to construct the RCPI.

Notwithstanding the RCPI proposal, Rancho Cordova and Sacramento County must open this under crossing by removing unlawful barricades.

In an email to me from my County Supervisor, Rancho Cordova apparently refuses to enter into a MOU with the county over governance jurisdictions for Citrus Road and the under crossing. **Rancho Cordova has converted the Citrus Road boundary into a border.** Supervisor Nottoli currently is researching the history of this roadway closure, located within his 5Th Supervisory District. He has assured me he will divulge the results to me and other interested parties soon.

LAFCO approval of the SOI will convert the under crossing boundary of the center line of US50 to another contested border with Rancho Cordova and thereby will become part of the problem. LAFCo must not accept false statements of useless of this infrastructure from state agency's such as CAL-TRANS or local governments such as Sacramento County and Rancho Cordova. LAFCo is aware that residents ignorance or outrage are exacerbated by contention of useless. Also the structure is not represented accurately on most maps and unfortunately is not visible to the average commuter.

Following is background to understand the mentality of Rancho Cordova Council that as recently as Nov. 16, 2009 requested non LAFCo City Council members attend the Dec. 2, 2009 hearing as comfort for one LAFCo member who has no intention to recuse herself from the vote even through obvious conflict of interest as member of Rancho Council. And during this same meeting, Rancho Cordova

11/24/2009

Council offered that this SOI annexation is among a trifecta of important actions for the City, the other two are a Kelo taking of the Stagger Inn on Folsom Blvd., and an earnest search for a developer to build a bowling alley in the city!

Aug 17, 2009 Rancho council land locked the Mobile Country Club, permitted a dangerous expansion of the Shell Station on Sunrise scandalously recommending customers violate traffic laws in order to shop there and return to Rancho without traveling into County territory. Their approval did not require the correct name of the street be reflected on the street sign, preferring to allow the county sign to remain. The city has refused residents request to paint a keep clear sign on the roadway at the entrance to the guard station entrance to MCC. Really bad public policy, the Council inappropriately conditioned the permit on the owner building an off site sidewalk, which will require a taking. Rancho Cordova Council action officially encouraged a dangerous intersection to become more dangerous, by not closing entrances to the Shell Station, not conditioning addition of a sidewalk to the roadway north side, not aligning traffic lanes with the overhead light equipment, not requiring safe placement for the pump emergency shut off equipment, and leaving two other significant impacts to MCC unmitigated.

Rancho Cordova through permit approval, sanctioned public usage of a private road { Club House Drive is owned by Mobile Country Club but labeled Zinfandel Drive}, sanctioned continued closure of a public roadway there by prohibiting vehicle traffic usage on Citrus Road, and sanctioned continued dereliction by the management company for MCC by not providing emergency escape plan and hindering potential for creating a plan. Rancho Cordova official action promotes dangerous conditions for residents in MCC.

Rancho Cordova official action promotes dangerous conditions at the intersection of Sunrise and Zinfandel [Club House Drive]. Rancho Cordova has not kept up responsibility to eliminate blight by landscape maintenance and graffiti removal along 2300 and 2400 Citrus Road. Perhaps it was the City that reintroduced locks and chains that Sheriff McGinness removed Aug. 4, 2009 at my request. Emergency response time is adversely affected by these locks and barricades.

Rancho Cordova continues the decades old battle with Gold River to construct the RCPI. The City has demonstrated willingness to sanction bad public policy if the Citrus Road under crossing of US 50 is ignored within the environmental document even though it is 1.3 miles from the proposed Tenderfoot Meadow site. Rancho Cordova has turned boundaries into borders with aggressive acts that will harm residents of my neighborhood and indeed every resident within the area bounded by Sunrise Blvd. US50, Hazel Blvd and The American River.

A Rancho City Council member expressed desire for a sister city in JAPAN, perhaps the same council member who stated not a nickel of City funds would be spent on Citrus Road.

I've provided you with substantive reasons for postponing the Dec. 2, 2009 hearing. Please provide board members with this information. Please remove the agenda item and provide me with the requested research on parcels.

Thank you,
Kathleen Willoughby
k.willoughby@sbcglobal.net