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

City Hall
2729 Prospect Park Drive, Rancho Cordova

Monday, December 1, 2008

4:30 P.M. – Closed Session
Community Board Room

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

MINUTES

A. CLOSED SESSION

Mayor Budge called the meeting to order at 4:41 p.m. The Council adjourned to Closed Session to discuss the following items:

Council may adjourn to Closed Session to discuss the following items:

Conference with Legal Counsel – Existing Litigation – Government Code Section 54956.9(a) – (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(a) – (one case) – Name of case: California Native Plant Society v. City of Rancho Cordova et al; Case No. 07CS01311.

Conference with Legal Counsel – Potential Litigation – Government Code Section 54956.9(c) – (one potential case).

Council Members Present:	Cooley, McGarvey, Sander, Skoglund and Mayor Budge
Staff Present:	Gaebler, Lindgren, Chinn, Abhar and Junker.

B. ADJOURNMENT

Mayor Budge adjourned the special meeting at 5:42 p.m.

1. REGULAR MEETING – CALL TO ORDER / ROLL CALL

Mayor Budge called the regular meeting to order in the David B. Roberts Council Chambers at 5:56 p.m.

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

Staff Present: Gaebler, Lindgren, Chinn, Cuppy, Kellerman, Oliver, Haven, Abhar, Campbell, Simpson, Silva, Santini, Pearl, Junker, Garcia, Harriman, Snipes, Salerno, Stricker, Meredith, and Blair.

2. METRO CABLE TV TELEVISION ANNOUNCEMENT

The Mayor announced the meetings video recording and playback schedules.

3. PLEDGE OF ALLEGIANCE

The Mayor called on Reverend Michael Mitchum to lead the Pledge.

4. INVOCATION

P.C. Walker, First Covenant Church, gave the invocation.

5. OPEN SESSION – REPORT FROM CLOSED SESSION

City Attorney Adam Lindgren stated there was no reportable action taken.

6. ELECTION CERTIFICATION

6.1 **Subject**: Certification of the November 4, 2008 General Municipal Election Certifying the Results of the November 4, 2008 General Municipal Election with Regard to Members of the City Council
Recommendation: Adopt Resolution No. 142-2008.
Result of Recommended Action: Adoption of the Resolution results in the City's compliance with California Elections Code Regulations 10262, 10263, and 10264, which, in part, state that the governing body shall declare the results of each election under its jurisdiction.
Staff Report: Mindy Cuppy, City Clerk's Department

ACTION: Motion by Budge second by Skoglund and carried by a 5:0 vote; Council adopted Resolution No. 142-2008.

7. SPECIAL CEREMONIES

7.1 **Subject**: Swearing-in and Seating of Re-elected Council Members
Recommendation: That Incumbent Council Members Ken Cooley, Robert McGarvey and David Sander be sworn in and seated to fill their respective full four-year term of office.

ACTION: Ken Cooley was sworn in by Reverend Michael Mitchum.

ACTION: David Sander was sworn in by Dr. Margaret Parsons-Sander.

ACTION: Robert McGarvey was sworn in by Pastor Walter Little.

8. PRESENTATIONS

8.1 Mayor Budge presented a proclamation to Erva Watts for California League of High Schools 2008 Educator of the Year Award.

8.2 Kyle Frazier, Sacramento Area Sanitation District gave a presentation on the Mather Interceptor Project.

9. PUBLIC COMMENT

The following individuals addressed the Council:

- Scottie Moore presented Council Member Sander with an album "Memoirs of David Sander, My Year as Mayor".
- Walt Little on getting support for the Cordova Food Locker.

AT THIS POINT Council took a brief recess. The full Council reconvened at 7:16 p.m.

10. COUNCIL REPORTS

Council reported on events since the last meeting.

11. CONSENT CALENDAR ITEMS – ROLL CALL VOTE

ACTION: Motion by Skoglund second by McGarvey and carried by a 5:0 roll call vote; Council approved the Consent Calendar except for item 11.6, which was continued to December 15, 2008.

11.1 **Subject:** Minutes of November 17, 2008 Regular Meeting
Recommendation: Adopt Minutes.

11.2 **Subject:** Ordinance Amending the City's Municipal Code by Adding Chapter 6.21 Prohibiting Unauthorized Entry into Waste Containers
Recommendation: Waive second reading and adopt Ordinance No. 24-2008. **(Roll Call Vote)**
Result of Recommended Action: Adoption of this ordinance will prohibit unauthorized persons from rummaging, exploring, tampering with, moving, removing, tipping, defacing, destroying or otherwise searching officially designated waste or recyclable containers. This Ordinance will help the City protect its residents from the negative impacts associated with such activity.
Staff Report: Adam Lindgren, City Attorney's Office and Steve Harriman, Integrated Waste Manager
GROWING STRONG NEIGHBORHOODS

11.3 **Subject:** Ordinance Establishing a Special Tax for Transit-Related Services for the 3581 Mather Field Road Project
Recommendation: Waive second reading and adopt Ordinance No. 22-2008. **(Roll Call Vote)**
Result of Recommended Action: Adoption of this ordinance will assist the City to meet the costs of providing transit-related services by creating a special tax area zone and establishing a special tax for transit-related services for the 3581 Mather Field Road Project.
Staff Report: Cyrus Abhar, Public Works Department

11.4 **Subject:** Ordinance Levying a Special Tax within Community Facilities District No. 2008-1 (Street Lighting and Road Maintenance)
Recommendation: Waive second reading and adopt Ordinance No. 23-2008. **(Roll Call Vote)**
Result of Recommended Action: Adoption of this ordinance will pay for public services for public safety and to maintain public infrastructure necessary or incident to development in the CFD.
Staff Report: Cyrus Abhar, Public Works Department

11.5 **Subject:** A Resolution Creating Special Tax Area Zone 14 and Ordinance Establishing a Special Tax for Transit-Related Services for the Zinfandel and Sunrise Project
Recommendation: That Council:
a) Adopt Resolution No. 133-2008; and
b) Waive first reading and introduce Ordinance No. 25-2008 establishing a Special Tax for Transit-Related Services for the Zinfandel and Sunrise Project. **(Roll Call Vote)**
Result of Recommended Action: Adoption of this resolution and ordinance will assist the City to meet the costs of providing transit-related services by creating a special tax area zone and establishing a special tax for transit-related services for the Zinfandel and Sunrise Project. There are no new financial impacts to existing residents.
Staff Report: Cyrus Abhar, Public Works Department

11.6 **Subject:** Approval of Parcel Map Titled Folsom & Kilgore; Subdivision No. RC-07-321, Located on the north side of Folsom Boulevard across from Kilgore Road
Recommendation: Submitted herewith for approval is the parcel map titled Folsom & Kilgore; Subdivision No. RC-07-321.
Result of Recommended Action: Approval of this recommended action will result in the recording of the final parcel map creating two new parcels.
Staff Report: Cyrus Abhar, Public Works Department

12. CONSENT PUBLIC HEARING ITEMS

12.1 **Subject:** Resolution Approving JSP Office Building Design Review for a New 4,605 Square Feet Single Story Office Building, Project No. RC-08-370, Located at 3835 Security Park Drive
Recommendation: Adopt Resolution No. 135-2008.
Result of Recommended Action: Adoption of this resolution will allow construction of a new 4,605 square feet office building. The proposed project; consisting of a new building with landscaping, parking, and other site improvements, fills a vacant portion of the site and continues to set a higher design quality of light-industrial architecture in this area of Rancho Cordova. The new office will complement the existing warehouse and create new jobs for Rancho Cordova.
Staff Report: William Campbell, Planning Department_

Mayor Budge opened the public comment period. The following individual addressed the Council:

- Burt Peterson (applicant) introducing himself to Council and expressing excitement to start construction.

Mayor Budge closed the public comment period.

ACTION: Motion by Skoglund second by Sander and carried by a 5:0 vote; Council adopted Resolution No. 135-2008.

13. PUBLIC HEARING ITEMS

13.1 **Subject:** Resolutions Determining that the Public Interest and Necessity Require the Acquisition of Certain Real Property Interests and Directing the Filing of Six Eminent Domains Proceedings for the International Drive Extension Project
Recommendation: That Council make the findings listed below and adopt the attached Resolutions of Necessity, authorizing eminent domain actions to acquire real property for the International Drive Extension Project from the following owners and parcels:

a) Resolution No. 136-2008 Assessor Parcel 072-0680-048, Zinfandel Holdings, Inc.; Temporary Construction Easement; and
b) Resolution No. 137-2008 Assessor Parcel 072-0680-067, RREEF America Reit II Corporation; Fee Simple, Access Rights, and Temporary Construction Easement; and
c) Resolution No. 138-2008 Assessor Parcel 072-0680-068, Parcel 4 LLC; Fee Simple, Access Rights, Slope Easement, Public Utility Easement, and Temporary Construction Easement; and
d) Resolution No. 139-2008 Assessor Parcels 072-0410-061 & 062, Simon Building LLC and Ed Simon et al; Fee Simple, Public Utility Easement, and Temporary Construction Easement; and
e) Resolution No. 140-2008 Assessor Parcel 072-0410-054, Frederick T. Jamieson Revocable Trust; Fee Simple, Public Utility Easement, and Temporary Construction Easement; and
f) Resolution No. 141-2008 Assessor Parcel 072-0410-015, Monier Self Storage LLC; Temporary Construction Easement

Result of Recommended Action: Adoption of the resolutions will allow the City Attorney to file eminent domain actions and request court orders of possession so that the project can proceed on schedule. This action will also ensure that the property owners receive just compensation as determined by the court.
Staff Report: Cyrus Abhar, Public Works Department

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

- Carol Sitzenstatter in opposition to Resolution No. 137-2008.
- Bill Simon in opposition to Resolution No. 139-2008.
- Tom Simon in opposition to Resolution No. 139-2008.

Mayor Budge closed the public comment period.

ACTION: Motion by Cooley second by McGarvey and carried by a 5:0 roll call vote, Council adopted the resolutions of necessity as specified in the staff report for specified owners for specified purposes.

13.2 **Subject:** Appeal of Planning Commission's Decision to Deny a Conditional Use Permit for the Department of Revenue & Recovery, Project No. DD 6151, Located at 10665 Coloma Road
Recommendation: Continue item to January 20, 2009.
Result of Recommended Action: Staff recommends Council continue this item to January 20th per letter of request dated November 25, 2008 by the County of Sacramento.
Staff Report: Shannan Loveless, Planning Department

ACTION: Motion by Skoglund second by McGarvey and carried by a 5:0 vote; Council continued the item to January 20, 2009.

13.3 **Subject:** Ordinance Amending the Rancho Cordova Municipal Code by Adding Regulations Related to Maintenance of Foreclosed Residential Property
Recommendation: Waive first reading and introduce Ordinance No. 26-2008. **(Roll Call Vote)**
Result of Recommended Action: Adoption of this Ordinance will establish procedures related to the fining of mortgage companies and banks for the failure to maintain foreclosed residential properties. This Ordinance will codify the fines and procedures provided for in state law (Senate Bill 1137).
Staff Report: Curt Haven, Economic Development Department and Adam Lindgren, City Attorney's Office
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ACTION: Motion by Sander second by McGarvey and carried by a 5:0 roll call vote; Council introduced Ordinance No. 26-2008.

14. REGULAR CALENDAR ITEMS

14.1 **Subject:** Resolution Approving City of Rancho Cordova Environmental Purchasing Policy
Recommendation: Adopt Resolution No. 134-2008.
Result of Recommended Action: Adoption of an Environmental Purchasing Policy (EPP) will encourage and increase the purchase and use of environmentally preferable products and services in the City. By including environmental considerations in purchasing decisions, the City can promote practices that improve public and worker health and conserve natural resources, while remaining fiscally responsible.
Adopting a policy will also accomplish two specific goals:
a) Demonstrate that the City of Rancho Cordova is committed to complying with the California Integrated Waste Management Act (Assembly Bill 939), which requires all California jurisdictions to reduce by 50 percent municipal solid waste going to landfills. The City's goal is to help generate less waste material by reviewing how supplies, materials and equipment are purchased, manufactured, packaged, delivered and disposed.
b) Allow the City to qualify for grant funds (such as the Rubberized Asphalt Conrete Grant) from the California Integrated Waste Management Board.

Staff Report: Donna Silva, Finance Department

ACTION: Motion by Skoglund second by McGarvey and carried by a 5:0 vote; Council adopted Resolution No. 134-2008.

14.2 **Subject:** Planning Commissioner Appointments
Recommendation: That re-elected Council Members Ken Cooley, Robert McGarvey and David Sander submit their respective nominations for Planning Commissioners 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 three members of the community to serve on the Planning Commission for terms commencing January 2009 and ending December 2012.
Staff Report: Mindy Cuppy, City Clerk's Department

ACTION: Motion by Cooley second by Sander and carried by a 5:0 roll call vote; Cooley re-nominated Ray Savorn, Sander re-nominated Therese Burke, and McGarvey re-nominated Troy Konarski.

14.3 **Subject:** Selection of Mayor and Vice Mayor.
Recommendation: That Council selects its next Mayor and Vice Mayor.
Result of Recommended Action: That Council appoints its leadership officers, per Resolution No. 05-2004. The ceremonial seating of the new Mayor and new Vice Mayor will take place at the next Council Meeting on December 15th.
Staff Report: Mindy Cuppy, City Clerk's Department

ACTION: Motion by Budge second by Cooley and carried by a 5:0 vote; Council appointed Dan Skoglund as Mayor.

ACTION: Motion by Skoglund second by McGarvey and carried by a 5:0 vote; Council appointed Ken Cooley as Vice Mayor.

15. COUNCIL REQUESTS FOR FUTURE AGENDA ITEMS

16. CITY MANAGER'S REPORT

17. ADJOURNMENT

Mayor Budge adjourned the regular meeting at 9:19 p.m.

Mindy Cuppy

Mindy Cuppy, City Clerk