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

City Hall
2729 Prospect Park Drive, Rancho Cordova

Monday, December 15, 2008

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

MINUTES

1. REGULAR MEETING – CALL TO ORDER / ROLL CALL

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

Staff Present: Gaebler, Lindgren, Chinn, Cuppy, Kellerman, Abhar, Junker, Holt, Pearl, Oliver, Haven, Beiswenger, Flory, Miller, Chan, Delaney, Racheal, Simpson, Behrends, S. Snyder, Belgram, Peterson, Harriman, Trimberger, Silva, Hadley, Johns, and Snipes.

2. METRO CABLE TV TELEVISION ANNOUNCEMENT

The Mayor announced the meetings video recording and playback schedules.

3. PLEDGE OF ALLEGIANCE

The Mayor called on Martha Lake to lead the Pledge.

4. INVOCATION

Pastor Kevin Goldstein, First Covenant Church, gave the invocation.

5. PRESENTATIONS

5.1 Outgoing Mayor Budge presented Certificates of Recognition to participants of the Cordova Community Council Christmas Tree Lighting Ceremony.

5.2 Geraldine Lampack, mother of incoming Mayor Skoglund administered Oath of Office to incoming Mayor Skoglund.
Pastor Bryce Cooley, son of incoming Vice Mayor Cooley administered Oath of Office to incoming Vice Mayor Cooley.

5.3 Incoming Mayor Dan Skoglund presented a plaque to outgoing Mayor Linda Budge.

CELEBRATORY BREAK

At this point Mayor Skoglund recessed for refreshments in honor of new Council officers.

6. PUBLIC COMMENT

The following individuals addressed the Council:

- Bruce Risley regarding the Skoglund family toy drive.
- Rich Jordan regarding the policies of the Rancho Cordova Police Department alarm ordinance.

7. COUNCIL REPORTS

Council reported on events since the last meeting.

8. CONSENT CALENDAR ITEMS – ROLL CALL VOTE

ACTION: Motion by Budge second by McGarvey and carried by a 5:0 roll call vote; Council approved the consent calendar.

8.1 **Subject:** Meeting Minutes of:
a) November 24, 2008 Special Meetings; and
b) December 1, 2008 Special and Regular Meeting; and
c) December 3, 2008 Special Meeting (Closed Session)
Recommendation: Adopt minutes.

8.2 **Subject:** Ordinance Establishing a Special Tax for Transit-Related Services for the Zinfandel and Sunrise Project
Recommendation: Waive second reading and adopt Ordinance No. 25-2008. **(Roll Call Vote)**
Result of Recommended Action: Adoption of this ordinance will establish a special tax for transit-related services for the Zinfandel and Sunrise project.
Staff Report: Cyrus Abhar, Public Works Department

8.3 **Subject:** Ordinance Amending the Rancho Cordova Municipal Code by Adding Regulations Related to Maintenance of Foreclosed Residential Property
Recommendation: Waive second reading and adopt 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
GROWING STRONG NEIGHBORHOODS

8.4 **Subject:** Resolution Authorizing the City Manager to Execute Contract Change Order No. 1 with Granite Construction Company for Construction of the 2007/2008 Paving Rehabilitation Project Phase 1
Recommendation: Adopt Resolution No. 145-2008.
Result of Recommended Action: Adoption of this resolution will authorize the City Manager to execute contract Change Order No. 1 with Granite Construction Company (Contract No. 45-2008), to increase the current contract amount from $2,073,370.00 to $2,242,566.32 for the construction of the 2007/2008 Paving Rehabilitation Project

Phase 1. The contract time is not affected by this change order.
Staff Report: Cyrus Abhar, Public Works Department
GROWING STRONG NEIGHBORHOODS

8.5 **Subject**: Resolution Authorizing Employer Pick-up for California Public Employees' Retirement System (CalPERS) Tax Deferred Member Contributions
Recommendation: Adopt Resolution No. 146-2008.
Result of Recommended Action: This resolution is required by the Internal Revenue Service (IRS) to put the City in compliance with the Internal Revenue Code section 414(h)(2), since we have been reporting member contributions to CalPERS as pre-tax contributions. This formal action will be treated by the IRS as meeting the requirements of 414(h)(2) for the past pre-tax contributions and future employee contributions. There is no fiscal impact to the City.
Staff Report: Stacey Peterson, Human Resources Department

8.6 **Subject**: Resolution Authorizing the Paying and Reporting of the Value of the California Public Employees Retirement System (CalPERS) Employer Paid Contributions (EPMC)
Recommendation: Adopt Resolution No. 147-2008.
Result of Recommended Action: Adoption of this resolution will put the City in compliance with CalPERS for paying and reporting the value of the 5.5 percent employer paid member contribution. This resolution will replace the current Resolution No. 21-2005 on record, which incorrectly indicates the EPMC is seven percent. There is no fiscal impact to the City.
Staff Report: Stacey Peterson, Human Resources Department

8.7 **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

8.8 **Subject**: Report Describing the Measures Taken to Alleviate the Conditions which Led to the Adoption of a Temporary Moratorium on the Establishment, Expansion or Relocation of Recycling Businesses, Check Cashing Businesses, Pawn Shops, Resale Shops, Smoke Shops and Tattoo Parlors
Recommendation: Receive Report.
Result of Recommended Action: This Report describes the measures taken to alleviate the conditions which led to the adoption of a temporary moratorium prohibiting the establishment, expansion, or relocation of recycling businesses, check cashing businesses, pawn shops, resale shops, smoke shops and tattoo parlors in Rancho Cordova. This report complies with the requirements of Government Code section 65858(d).
Staff Report: Adam Lindgren, City Attorney's Office, Curt Have, Economic Development Department, and Jeff Beiswenger, Planning Department
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8.9 **Subject**: Resolution Authorizing City Manager to Execute Third Amendment to Memorandum of Understanding for Community Prosecution Services
Recommendation: Adopt Resolution No. 148-2008.
Result of Recommended Action: Adoption of this Resolution will continue the Community Prosecution Program services provided by the District Attorney. This program focuses on targeted areas and involves a long-term, pro-active partnership between the City, prosecutors, law enforcement and community in dealing with public safety and

quality of life issues that affect City residents.
Staff Report: Adam Lindgren, City Attorney's Office, Joe Chinn, City Manager's Office, and Donna Silva, Finance Department
GROWING STRONG NEIGHBORHOODS

9. PUBLIC HEARING ITEMS

9.1 **Subject:** Ordinance Amending Zoning Code Text, Zoning Map and General Plan
Recommendation: Waive first reading and introduce Ordinance No. 27-2008. **(Roll Call Vote)**
Result of Recommended Action: Adoption of this ordinance will approve Zoning Code text changes, Zoning Map changes and General Plan amendments.
Staff Report: Jeffrey S. Beiswenger, Planning Department

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

- Paul Philley, SMAQMD regarding tree shade ordinance relating to the zoning code.
- Alcides Gonzalez in opposition of this item.
- Rachael Phillips in opposition of this item regarding rezoning of Al's Automotive.
- Tami Aschenbeurner in opposition of this item regarding rezoning of Al's Automotive.
- Dwight Lockhart in opposition of this item regarding rezoning of Al's Automotive.
- Ershad Ali in opposition of this item.
- Manvir Gill is in opposition of this item.
- Ronald Fulwider support of this item.
- Theron Collins in opposition of this item regarding rezoning of Al's Automotive.

Mayor Skoglund closed the public comment period.

ACTION: Motion by Cooley second by McGarvey and carried by a 4:1 vote (Budge Abstained); Council directed amendments relating to the Form-based Zoning Plan.

ACTION: By consensus, Council pulled the RV Parking Prohibition from the Zoning Code for separate discussion in 2009.

ACTION: Motion by Budge second by Cooley and carried by a 5:0 roll call vote; Council adopted Resolution No. 144-2008 and waived first reading and introduced Ordinance No. 27-2008.

9.2 **Subject:** City Joint Application for State Neighborhood Stabilization Program (NSP) Funds
Recommendation: That Council:
a) Hear alternative uses of NSP funds; and
b) Hear public testimony on usage of NSP funds; and
c) Continue item to January 20, 2009 City Council Meeting for final action.
Result of Recommended Action: City may make application with other contiguous cities and or the County of Sacramento for funds to undertake qualified NSP activities associated with a response to the foreclosure crisis.
Staff Report: Reed Flory, Economic Development Department, Housing Division
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ACTION: Motion by Cooley second by McGarvey and carried by a 4:0 vote (Budge absent); Council continued the item to January 20, 2009.

Mayor Skoglund opened the public comment period. There were no speakers. Mayor Skoglund closed the public comment period.

ACTION: Motion by Budge second by Cooley and carried by a 5:0 vote; Council rescinded motion due to oversight of one Council Member vote.

Mayor Skoglund opened the public comment period. There were no speakers. Mayor Skoglund closed the public comment period.

ACTION: Motion by Budge second by Sander and carried by a 5:0 vote; Council closed the public hearing and directed staff to hold another public hearing on January 20, 2009.

10. REGULAR CALENDAR ITEMS

10.1 **Subject:** Draft Housing Element Update
Recommendation: That Council:
a) Review the updated Draft Housing Element and direct additional revisions as appropriate; and
b) Authorize staff to submit the Draft Housing Element to the State Department of Housing and Community Development (HCD) for review and comment.
Result of Recommended Action: Council direction and endorsement will allow staff to submit the Draft Housing Element to HCD for review and comment. HCD is expected to respond to the City within 60 days, with comments that describe changes to the Draft Housing Element that would be necessary to secure HCD certification of the Element.
Staff Report: Reed Flory, Economic Development, Housing Division
GROWING STRONG NEIGHBORHOODS

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

- Nancy Bui on getting ten percent for the community.
- Chris Kasten on using money to help the already established section 8 communities.
- Tim Lantz on difference between affordable housing and section 8.
- Larry Ladd in opposition of the item.
- Roseanna Torretto on adopting the housing element with the ten percent minimum for affordable housing.
- Richard Balestreri in support of this item.
- Brian Cutting in support of this item and eliminating item h.1 regarding citywide fee program.
- Shamus Roller in opposition of this item.
- Frank Carpenter in opposition of this item.
- Patricia Wilcox in opposition of this item.
- Joanna Jensen in opposition of this item.
- Brad Bauer in opposition of this item.

ACTION: Motion by McGarvey second by Budge and carried by a 5:0 vote; Council continued item past 11:00 p.m.

- Sandra Hamameh in opposition of this item.
- Dennis Rogers in support of this item.
- Tim Taron in support of this item.
- Lionel Galloway in support of this item and more flexibility on this item.
- Brent Petersen in support of this item.
- Martha Lofgren in support of BIA letter and clarification of housing element.
- Ralph Cyfers in opposition of this item.
- Glenda Marsh on affordable housing and safe neighborhoods.
- Sherry Lautsbaugh in opposition of this item.

Mayor Skoglund closed the public comment period.

ACTION: Motion by McGarvey second by Budge and carried by 4:1 vote (Vice Mayor Cooley dissenting); Council adopted the Draft Housing Element with language amendments to affordable housing.

10.2 **Subject:** Highway 50 Corridor Mobility Partnership Regional Transportation Fee Program
Recommendation: That Council:
a) Endorse a proposed Highway 50 Corridor Mobility Partnership Regional Transportation Fee Program concept; and
b) Direct staff to continue to participate in the Highway 50 Corridor Mobility Partnership in order to complete a nexus study as required by Government Code section 66000 et seq. to support the adoption of a regional fee; and
c) Direct staff to return to the Council with recommendations and implementing documentation for a governance structure that facilitates efficient collection, review and oversight of the Regional Fee Program.
Result of Recommended Action: This item requests the City Council's endorsement of the proposed regional fee concept and directs staff to complete the required studies and return to the City Council with recommendations to adopt and implement the Regional Transportation.
Staff Report: Cyrus Abhar, Public Works Department

ACTION: By consensus Council continued this item to January 5, 2009 at 7:30 p.m.

10.3 **Subject:** Urgency Ordinance Establishing a Temporary Moratorium on the Establishment, Expansion or Relocation of Recycling Businesses and Resale Shops Pending the Review and Possible Amendment of Zoning Regulations Applicable to Such Businesses, to become Effective Immediately
Recommendation: Adopt Urgency Ordinance No. 28-2008. **(Roll Call Vote)**
Result of Recommended Action: Adoption of this Ordinance will establish a 45-day temporary moratorium on the establishment, expansion or relocation of recycling businesses and resale shops. This moratorium is needed in order to continue analyzing how to best address the current imminent threats to public safety, health, and welfare resulting from these types of businesses.
Staff Report: Adam Lindgren, City Attorney's Office, Curt Haven, Economic Development Department, and Jeff Beiswenger, Planning Department
GROWING STRONG NEIGHBORHOODS

Mayor Skoglund opened the public comment period. There were no speakers. Mayor Skoglund closed the public comment period.

ACTION: Motion by Budge second by Cooley and carried by a 5:0 roll call vote; Council adopted Urgency Ordinance No. 28-2008.

11. COUNCIL REQUESTS FOR FUTURE AGENDA ITEMS

None.

12. CITY MANAGER'S REPORT

City Attorney Adam Lindgren reported that the City Manager's Office and the City Attorney's Office have been negotiating with Elliot Homes to help sell a piece of their property in the southern portion of the Zinfandel Project. These negotiations have also been with the Department of General Services and the Military Department. The proposal is to build a statewide headquarters for the Army National Guard. An agreement would be made to amend the current development agreement to remove the designations and obligations on that piece of property to allow for the development of this facility. The City Attorney advised the Council that he and the City Manager's office anticipated that staff would recommend approval of this arrangement including a Memorandum of Understanding and the amendment to the development agreement amendment.

13. ADJOURNMENT

Mayor Skoglund adjourned the regular meeting at 12:17 a.m.

Mindy Cuppy

Mindy Cuppy, City Clerk