



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

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

Monday, October 18, 2010

**4:30 P.M. – Special Meeting
Community Board Room**

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

MINUTES

A. SPECIAL MEETING – CALL TO ORDER / ROLL CALL

Mayor Cooley called the special meeting to order in the Community Board Room at 4:45 p.m.

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

Staff Members Present: Lindgren, Cuppy, Bren Lehr, Diamond, Brent Lehr, Haven, Abhar, Silva, Holt, and Simpson

B. PUBLIC COMMENT

NONE

C. STUDY SESSION ITEM

Subject: Appeal of Business License Denial by Walter M. Green III

Recommendation: Conduct an appeal hearing of Mr. Walter M. Green, III (applicant) regarding the City's denial of a business license by its Hearing Authority Officer pursuant to Rancho Cordova Municipal Code (RCMC) 4.10.065: protection of the public health, safety and welfare require that personnel retained by the enterprises to perform specified functions or duties be of good moral character, not have been convicted of particular criminal offenses, and, in certain instances, possess minimum skills necessary to ensure public safety.

Result of Recommended Action: Conducting a final appeal hearing would allow Council to consider the matter as to its conformity with RCMC 4.10.065 in order to grant or deny the applicant a special business license for handyman services.

Staff Report: Donna Silva, Finance Department; Doug Diamond and Brent Lehr, Rancho Cordova Police Department

ACTION 1: Motion by Budge second by Sander and carried by a 5:0 vote; Council made the determination to hold a de novo hearing.

ACTION 2: Motion by Budge and second by Sander and carried by a 5:0 vote; Council denies Special Business License application of Walter M. Green, III pursuant to Rancho Cordova Municipal Code (RCMC) 4.10.065.

- The City Council has carefully reviewed and considered documents in the agenda packet and presented tonight.
- The City Council has completed an appeal in accordance with RCMC 4.10.115.
- Council has considered and concluded: There is evidence that the applicant has been convicted of crimes and has done acts involving dishonesty, fraud or deceit with intent to substantially injure another; and the City Council concludes that by reason of the crime or act the applicant would not conduct the enterprise in a law-abiding manner which does not subject patrons of the enterprise to risk of harm or criminal, deceitful or otherwise unethical practices (RCMC 4.1.020). The reasons to deny the issuance of Mr. Green's business license are the record facts reviewed tonight, facts in the Department of Justice record, crimes since 2009, and current and ongoing probation. Council had specific concerns of the applicant being able to legally conduct business activities. Council made recommendations and suggestions to help he applicant understand how he can conduct his business in a lawful manner and in a way that may not place citizens in jeopardy.

Council directed staff to refund all of the fees paid by Mr. Green in applying for a business license.

D. ADJOURNMENT OF STUDY SESSION

Mayor Cooley did not adjourn the special meeting to closed session. Mayor Cooley adjourned the special meeting to regular meeting in the David B. Roberts Council Chambers at 6:19 p.m.

1. REGULAR MEETING – CALL TO ORDER / ROLL CALL

Mayor Cooley called the regular meeting to order in the David B. Roberts Council Chambers at 6:28 p.m.

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

Staff Members Present: Abhar, Lindgren, Cuppy, Lehr, Diamond, Simpson, Haven, Junker, Silva, Snyder, Samuelson, Sparkman, Harriman, Holt, Williams, Cuff, Blair, Snipes, Stewart, Campbell, and Flory

2. METRO CABLE TV TELEVISION ANNOUNCEMENT

The Mayor announced the meetings video recording and playback schedules.

3. PLEDGE OF ALLEGIANCE

The Mayor called on Chief Dan Drummond to lead the Pledge.

4. INVOCATION

Reverend Christine Leigh-Taylor, St. Clement's Episcopal Church, gave the invocation.

5. OPEN SESSION – REPORT FROM CLOSED SESSION

City Attorney Adam Lindgren reported that the Council upheld prior staff determinations and denied the special business license of Walter M. Green, III, and did not go into closed session to continue discussions of the item.

6. PRESENTATIONS

- 6.1 The Mayor presented proclamations to the individuals responsible for dignitary escorts and smooth traffic flow into and out of the California Capital Airshow.
- 6.2 IRS Outreach & Education Specialist Lorie Declarador presented a Certificate of Gratitude to Council Member Dan Skoglund in support, dedication, and commitment to the Volunteer Income Tax Assistance (VITA) Program.

7. PUBLIC COMMENT

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

- Scottie Moore regarding National Feral Cat Day and thanking the Council for their support

Mayor Cooley closed the public comment period.

8. COUNCIL REPORTS

Council Members reported on events since the last meeting.

9. 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.

9.1 Subject: Meeting Minutes:

- a) Special and Regular Meeting Minutes of October 4, 2010; and
- b) Special Meeting Minutes of October 12, 2010.

Recommendation: Adopt Minutes.

9.2 Subject: Resolution Approving and Authorizing the City Manager to Execute Regulatory Agreement with UHC 00516 Rancho Cordova, L.P. and Take Related Actions for the Crossings at New Rancho Redevelopment Project

Recommendation: Adopt Resolution No. 121-2010.

Result of Recommended Action: The City Manager will execute a Loan Agreement and Regulatory Agreement with Urban Housing Communities, an affordable housing developer for the development of the Crossings @ New Rancho Affordable Housing Redevelopment Project. Additionally, authorizes the City Manager to act on the City's behalf for any additional items necessary to begin construction.

Staff Report: Reed Flory, Housing Services

GROWING STRONG NEIGHBORHOODS

9.3 Subject: Community Redevelopment Agency Resolutions Authorizing the Agency Executive Director to Execute a Regulatory Agreement with UHC 00516 Rancho Cordova, L.P. and Take Related Actions for the Crossings at New Rancho Development Project

Recommendation: Adopt Agency Resolution No. CRA 9-2010.

Result of Recommended Action: The Executive Director will execute a Regulatory Agreement and Termination of Owner Participation Agreement with Urban Housing Communities, an affordable housing developer for the development of the Crossings @ New Rancho Affordable Housing Redevelopment Project. Additionally, authorizes the Executive Director to act on the Agency's behalf for any additional items necessary to begin construction.

Staff Report: Reed Flory, Housing Services Administrator

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COUNCIL ACTING AS COMMUNITY REDEVELOPMENT AGENCY

9.4 Subject: Resolution Authorizing the City Manager to Execute Contract Change Orders No. 1 and 2 with Granite Construction Company for the Sunrise Boulevard North of White Rock Road Project in the amount of \$17,804

Recommendation: Adopt Resolution No. 119-2010.

Result of Recommended Action: Adoption of this resolution will authorize the City Manager to execute contract Change Orders No. 1 and 2 with Granite Construction Company (Contract No. 58-2010), to increase the current contract amount from \$174,471 to \$192,275 for the construction of the Sunrise Boulevard North of White Rock Road Project. The contract time is not affected by this change order.

Staff Report: Cyrus Abhar, Public Works Department

10. CONSENT PUBLIC HEARING ITEMS

- 10.1 **Subject:** Resolution Approving Design Review for the Addition of the Koreana Plaza Market Expansion – Project No. DD7019; Located at 10971 Olsen Drive – APN: 072-0280-019

Planning Commission Recommendation: That Council determine the proposed project to be Categorically Exempt under Section 15301 of the California Environmental Quality Act (CEQA)

City Council Recommendation: Adopt Resolution No. 118-2010.

Result of Recommended Action: The proposed addition will have a significant positive functional effect on the subject property and the surrounding land uses. The project will enhance the utilization of the market and may promote additional commercial activity that the existing facility could not support. The new addition and renovation will improve the overall commercial center. Not approving the addition could cause the market to relocate out of the area.

Staff Report: William Campbell, Planning Department

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

ACTION: Motion by Sander second by Budge and carried by a 5:0 roll call vote; Council determined the proposed project to be Categorically Exempt under Section 15301 of the California Environmental Quality Act (CEQA) and adopted Resolution No. 118-2010.

11. PUBLIC HEARING ITEMS

- 11.1 **Subject:** Resolution and Ordinance Amending Sections 16.83 and 16.84 of the City Municipal Code Extending the Temporary Deferral for Payments of Certain Development Impact Fees for a Period of Three Years

Recommendation: That Council:

- a) Waive first reading and introduces Ordinance No. 32-2010 approving an extension of the residential and non-residential Fee Deferral Program for an additional three year term, from July 1, 2010 to June 30, 2013. **(Roll Call Vote)**
- b) Adopt Resolution No. 120-2010 extending temporary deferral of payment of certain development fees for a period of three years.

Result of Recommended Action: Adoption of this resolution and ordinance will extend the Development Impact Fee Deferral Program, established in May of 2008, and extended in April 2009, for three additional years, to June 30, 2013. Developers will benefit significantly from the program, as it will reduce their cash outlay at the time of building permit issuance.

Staff Report: Donna Silva, Finance Department

Advances Goals: 1, 11 and 13

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

ACTION: Motion by Budge second by Skoglund and carried by a 5:0 roll call vote; Council waived first reading and introduced Ordinance No. 32-2010 and adopted Resolution No. 120-2010.

12. REGULAR CALENDAR ITEMS

- 12.1 **Subject:** Rancho Cordova Tourism Business Improvement District Public Meeting
Recommendation: Allow public testimony on the establishment of the proposed Rancho Cordova Tourism Business Improvement District
Result of Recommended Action: A final public hearing will be held on December 6, 2010 on the establishment of the Rancho Cordova Tourism Business Improvement District
Staff Report: Curt Haven, Economic Development Department

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

- Jane Daly in support of hotel travel and Tourism Business Improvement District

Mayor Cooley closed the public comment period.

ACTION: Motion by Budge second by McGarvey and carried by a 5:0 roll call vote; Council allowed for public testimony on the establishment of the proposed Rancho Cordova Tourism Business Improvement District.

- 12.2 **Subject:** Resolution and Ordinances Adopting Local Building Codes

Recommendation: That Council:

- a) Adopt Resolution No. 113-2010; and
- b) Waive first readings and introduce **(Roll Call Vote)**:
 1. Ordinance No. 22-2010; and
 2. Ordinance No. 23-2010; and
 3. Ordinance No. 24-2010; and
 4. Ordinance No. 25-2010; and
 5. Ordinance No. 26-2010; and
 6. Ordinance No. 27-2010; and
 7. Ordinance No. 28-2010; and
 8. Ordinance No. 29-2010; and
 9. Ordinance No. 30-2010; and
 10. Ordinance No. 31-2010.

Result of Recommended Action: The recommended actions will result in the City's building codes being updated to current industry best practices and to coincide with new codes mandated by the state of California.

Staff Report: Cyrus Abhar and Elizabeth Sparkman, Public Works Department

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

ACTION: Motion by Budge second by Cooley and carried by a 5:0 roll call vote; Council adopted Resolution No. 113-2010 and waived first readings and introduced Ordinance Nos. 22-2010 through 31-2010.

12.3 **Subject:** Kilgore Cemetery Phase 2 Design Project

Recommendation: Receive presentation and direct staff to proceed with the Kilgore Cemetery Phase 2 Design Project.

Result of Recommended Action: The Phase 2 Expansion Project will allow the City to offer in-ground burials at Kilgore Cemetery and provide several updated amenities at the facility.

Staff Report: Cyrus Abhar, Public Works Director

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

ACTION: Motion by Budge second by McGarvey and carried by a 5:0 roll call vote; Council received the presentation and directed staff to proceed with the Kilgore Cemetery Phase 2 Design Project.

13. COUNCIL REQUESTS FOR FUTURE AGENDA ITEMS

NONE

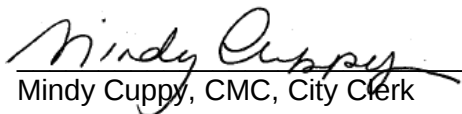
14. CITY MANAGER'S REPORT

Planning Director Paul Junker Reported on the following Planning Department Updates:

- Project Status - October 2010 - Total Projects: 422
- Current Planning
 - Planning Staff
 - Current Planning Functions
- Westborough Project
- Rio del Oro Project
- Sunridge Specific Plan
- The Rancho Project
- Suncreek Specific Plan
- The Arboretum – Weagell Project
- Special Projects
 - City Gateways
 - Development Agreement Compliance
 - South Sacramento Habitat Conservation Plan
 - Support on Permitting and Litigation Issues
- Advanced Planning Programs
 - Zoning Code Minor Amendments
 - Specific Plans
 - Special Planning Areas
- Convention District Overlay
- Folsom Boulevard Specific Plan Amendments
- South Sunrise Special Planning Area
- Zoning Code Sign Regulations

15. ADJOURNMENT

Mayor Cooley adjourned the regular meeting at 9:25 p.m. in memory of Fire Fighter James Saunders.


Mindy Cuppy, CMC, City Clerk