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

City Hall
2729 Prospect Park Drive, Rancho Cordova

Monday, December 7, 2009

4:00 P.M. – Study Session
American River Community Room - North

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

MINUTES

A. STUDY SESSION – CALL TO ORDER / ROLL CALL

Mayor Skoglund called the study session to order in the American River North Community Room at 4:16 p.m.

Council Members Present: Budge (left the meeting at 5:15 p.m.), McGarvey, Sander (arrived at 4:34 p.m.), Cooley, and Mayor Skoglund (left meeting at 5:06 p.m.)

Staff Present: Gaebler, Cuppy, Junker, Haven, Pearl, Sparkman, Miller, McMurtry, Runner, Chinn, Abhar, and Flory

B. PUBLIC COMMENT

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

C. STUDY SESSION ITEM

Subject: Discussion of City Gateways
Recommendation: Consider presentation by City staff and community representatives regarding City Gateways and provide general comments and direction to proceed, including guidance on subsequent Council involvement in Gateway planning efforts.
Result of Recommended Action: Council guidance and preliminary direction will allow staff and community members to begin efforts to define a City Gateways program. Assuming Council support to proceed, staff anticipates a report back to the Council in approximately two months with an update, and to request more specific guidance and direction.
Staff Report: Paul Junker, Planning Department

ACTION: Discussion item only; no action taken.

D. ADJOURNMENT OF STUDY SESSION

1. REGULAR MEETING – CALL TO ORDER / ROLL CALL

Mayor Skoglund called the regular meeting to order in the David B. Roberts Council Chambers at 5:48 p.m.

Council Members Present:	Budge, McGarvey, Sander, Cooley, and Mayor Skoglund
Staff Present:	Gaebler, Lindgren, Chinn, Cuppy, Lehr, Sparkman, Harriman, Oliver, Abhar, Richeal, Santini, Beiswenger, Junker, Haven, Flory, Bontrager, Silva, Trimberger, Gassaway, Garcia, and Pearl

2. METRO CABLE TV TELEVISION ANNOUNCEMENT

The City Clerk announced the meetings video recording and playback schedules.

3. PLEDGE OF ALLEGIANCE

The Mayor called on Senator Dave Cox to lead the Pledge.

4. INVOCATION

Mark Shetler, First Covenant Church, gave the invocation.

5. PRESENTATIONS

5.1 Introduction of Costa Rica Consul General Xinia Vargas from Los Angeles District.

5.2 Senator Dave Cox gave a State budget update.

6. PUBLIC COMMENT

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

- Pamela Liu/Michelle Chen inviting the Mayor and Council Members to NTDTV Sponsored Chinese Classical Dance and Music Show, Shen Yun.

Mayor Skoglund closed the public comment period.

7. COUNCIL REPORTS

Council reported on events since the last meeting.

8. CONSENT CALENDAR ITEMS

ACTION: Motion by Budge second by Sander and carried by a 5:0 vote Council approved the Consent Calendar.

8.1 **Subject:** Meeting Minutes
a) Regular Meeting of November 16, 2009; and
b) Special Meeting (Closed Session) of November 17, 2009.
Recommendation: Adopt Minutes.

8.2 **Subject:** Resolution Authorizing the Rancho Cordova Police Department to Enter into a Joint Service Agreement with the California Highway Patrol to Provide Pedestrian and Bicyclist Enhanced Enforcement and Education
Recommendation: Adopt Resolution No. 120-2009.
Result of Recommended Action: Adoption of this resolution will allow the Rancho Cordova Police Department to enter into a partnership agreement with the California Highway Patrol to provide pedestrian and bicyclist enhanced enforcing and education in the City of Rancho Cordova.
Staff Report: Rosanne Richeal, Rancho Cordova Police Department, and Greg Ferrero, California Highway Patrol

8.3 **Subject:** Resolution Declaring the Results of the Special Mailed-Ballot Election for the Shell Gas Station Expansion Project Annexation to Community Facilities District No. 2008-1 (Street Lighting and Road Maintenance)
Recommendation: Adopt Resolution No. 124-2009.
Result of Recommended Action: Adoption of this resolution will declare the results of the special mailed-ballot election for the Shell Gas Station Expansion Project Annexation to Community Facilities District No. 2008-1 (Street Lighting and Road Maintenance; orders the annexation; authorizes the special tax levy on the project; and directs the records of the Amended Notice of Special Tax Lien. There is no financial impact to existing residents.

8.4 **Subject:** Resolution Authorizing the Acquisition of Property and Authorizing Execution of a Certificate of Acceptance and Recordation of a Grant Deed for 2880 Gold Tailings Drive, APN: 072-0490-003
Recommendation: Adopt Resolution No. 126-2009.
Result of Recommended Action: Adoption of this resolution authorizes the City Manager to proceed with execution of documents as necessary to purchase and take possession of property located at 2880 Gold Tailings Drive.
Staff Report: Cyrus Abhar, Public Works Department, and Tom Trimberger, Public Works Department

8.5 **Subject:** Resolution Authorizing the City Manager to Execute Contract Between the City of Rancho Cordova and Calpo Hom and Dong Architects for Architectural Design Services for the Proposed City of Rancho Cordova Police Station Located at 2897 Kilgore Road and 2880 Gold Tailings Drive in the Amount of $120,000
Recommendation: Adopt Resolution No. 129-2009.
Result of Recommended Action: Adoption of this resolution will allow the City Manager to Execute Contract No. 150-2009 Between the City of Rancho Cordova and Calpo Hom and Dong Architects for architectural design services for the design and construction of the City of Rancho Cordova Police Department.
Staff Report: Cyrus Abhar, Public Works Department, and Tom Trimberger, Public Works Department

8.6 **Subject:** Resolution Affirming the City's Continued Commitment to the South Sacramento Habitat Conservation Plan (SSHCP)
Recommendation: Adopt Resolution No. 130-2009.
Result of Recommended Action: Adoption of this resolution will affirm Councils' continued support of the SSHCP and directs City staff to continue participating within and supporting the SSHCP preparation.
Staff Report: Paul Junker, Planning Department

8.7 **Subject:** Resolutions Authorizing the City of Rancho Cordova to Participate with Sacramento Municipal Utilities District (SMUD), and the County of Sacramento in Pursuit of State Energy Program Grant Funding Applications
Recommendation: Adopt Resolution No. 127-2009 and Resolution No. 128-2009.
Result of Recommended Action: Adoption of Resolution No. 127-2009 will allow the City to collaborate with SMUD in seeking a State Energy Program Grant. Participation with the grant, if awarded, will allow Rancho Cordova residents to receive substantial rebates and incentives from SMUD for energy efficiency retrofits to their homes. Adoption of Resolution No. 128-2009 will allow the City to collaborate with the County of Sacramento as the lead applicant for purposes of qualifying for a separate State Energy Program Grant. Participation with this grant, if awarded, will provide funding for implementation, marketing and administration for the CaliforniaFIRST Program.
Staff Report: Cyrus Abhar, Public Works Department, and Rebecca Santini, Finance Department

9. CONSENT PUBLIC HEARING ITEMS – ROLL CALL 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 Cooley and carried by a 5:0 roll call vote Council approved the Consent Public Hearing Items with exception to Agenda Item 9.4 and 9.7 that were pulled for separate discussion.

9.1 **Subject:** Resolution Approving the City to Participate in the CaliforniaFIRST Program, Sponsored by the California Statewide Community Development Authority (California Communities)
Recommendation: Adopt Resolution No. 125-2009.
Result of Recommended Action: Adoption of this resolution will enable California Communities to accept applications from residential and commercial property owners in participating cities and counties for the financing of renewable energy, energy efficiency, and water efficiency improvements on their property. The improvements will be financed by the issuance of municipal bonds by California Communities, pursuant to the Improvement Bond Act of 1915. California Communities will levy an assessment on the owner's property to repay the portion of the bonds issued to finance the improvements on that property.
Staff Report: Donna Silva, Finance Department, and Cyrus Abhar, Public Works Department

9.2 **Subject:** Resolution and Ordinance Relating to Extension of Commercial Solid Waste Collection Franchise Agreements; Regulation of Construction Cleanup Companies; and Appointment of the Public Works Director as the Administrator of the Commercial Solid Waste Collection Franchise
Recommendation: That Council:
a) Waive first reading and introduce Ordinance No. 23-2009 **(Roll Call Vote)**; and
b) Adopt Resolution No. 121-2009.
Result of Recommended Action: Adoption of the ordinance will repeal Ordinance No. 22-2005 and Ordinance No. 41-2007, allow the commercial solid waste collection franchise agreements to be extended through December 31, 2015, and will require construction clean-up contractors to execute a commercial solid waste collection franchise with the City. Adoption of the resolution will authorize the City Manager to execute the third amendments to the commercial solid waste collection franchise agreements; extend the terms through December 31, 2015; establish a mechanism for calculating the franchise fee for construction clean-up contractors; and appoint the Public Works Director or his/her designee as the administrator of the commercial solid waste collection franchise agreements.
Staff Report: Cyrus Abhar, Public Works Department, and Steve Harriman, Public Works Department

9.3 **Subject:** Ordinance Amending the Folsom Boulevard Specific Plan, and Land Development Regulations as Recommended by the Planning Commission
Recommendation: Waive first reading and introduce Ordinance No. 24-2009 **(Roll Call Vote)**.
Result of Recommended Action: The proposed modifications will reduce the number of non-conforming uses, allow businesses to continue operating in existing commercial buildings within residentially focused areas, allow building owner to find new tenant to fill vacancies, address concerns related to special regulated land uses, and increase consistency between the Folsom Boulevard Specific Plan and the Zoning Code.
Staff Report: Jeff Beiswenger, Planning Department

9.5 **Subject:** Resolution Adopting the Midyear Amendments to the 2009-10 Community Development Block Grant (CDBG) Action Plan
Recommendation: Adopt Resolution No. 123-2009.
Result of Recommended Action: Adoption of this resolution will amend the 2009-10 CDBG Action Plan, authorize the City Manager to submit the amendment and all required certifications and forms to the Department of Housing and Urban Development (HUD), and allows staff to make technical modifications to the Action Plan to correct minor errors or as required by HUD.
Staff Report: Reed Flory, Economic Development Department and Sarah Bontrager, Planning Department

9.6 **Subject:** Community Redevelopment Agency Resolution Approving a Relocation Plan for Tenants of Woodberry Gardens Apartments Located at 2728 Woodberry Way
Recommendation: Adopt Agency Resolution No. CRA-10-2009.
Result of Recommended Action: Residents of Woodberry Gardens Apartments will be assisted and compensated for permanently vacating their residency.
Staff Report: Reed Flory, Economic Development Department

THE FOLLOWING ITEMS WERE PULLED FOR SEPARATE DISCUSSION:

9.4 **Subject:** Resolution Adopting the 2008-2013 Housing Element and Addendum to the General Plan Environmental Impact Report (EIR)
Recommendation: Adopt Resolution No. 122-2009.
Result of Recommended Action: Adoption of this resolution will approve the 2008-2013 Housing Element and Addendum to the General Plan EIR.
Staff Report: Reed Flory, Economic Development Department

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

- Shamus Roller in support of the item
- Valerie Feldman in support of the item
- Dennis Rogers in opposition of the item

Mayor Skoglund closed the public comment period.

ACTION: Motion by Sander second by Budge and carried by a 5:0 vote Council adopted Resolution No. 122-2009 with a recommendation that staff return in six months to report back to Council on clarification of language, and big picture discussion of development of Rancho Cordova Community.

9.7 **Subject:** Resolutions Determining the Public Interest and Necessity Require the Acquisition of Certain Real Property Interests, and Directing the Filing of Four Eminent Domain Proceedings for the Folsom Boulevard Enhancement Project
Recommendation: That Council make the findings and adopt the below Resolutions of Necessity authorizing eminent domain actions to acquire real property for minor road widening, public utility easements, and temporary construction easements for the Folsom Boulevard Enhancement Project:
a) Resolution No. 114-2009 - Assessor Parcel 058-0280-010 – Dickenson Revocable Trust, et al Fee Simple, Access Rights, and Temporary Construction Easement
b) Resolution No. 115-2009 - Assessor Parcel 058-0291-004 – Kogos Family Trust Public Utility Easement, and Temporary Construction Easement
c) Resolution No. 116-2009 - Assessor Parcel 058-0280-009 – Ramesh Pitamber Temporary Construction Easement – received agreement
d) Resolution No. 117-2009 - Assessor Parcel 058-0291-003 – Bill & Helen Kwong, et al Public Utility Easement, and Temporary Construction Easement
Result of Recommended Action: Adoption of the resolutions of necessity 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 ensure the property owners receive just compensation as determined by court. Attempts to negotiate voluntary purchase agreements with property owners or their representatives will continue after the adoption of the resolutions of necessity. No other residents or buildings will be taken. No person or business is being displaced, or will need to relocate and there are no associated relocation expenses.
Staff Report: Cyrus Abhar, Public Works Department and Adam Lindgren, City Attorney's Office

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

- Andrew Skinner in opposition of the item
- Dimitrios Kogos in opposition of the item

Mayor Skoglund closed the public comment period.

ACTION: Motion by Budge second by Cooley and carried by a 5:0 vote Council adopted Resolution No. 114-2009, Resolution No. 115-2009, and Resolution No. 117-2009. Resolution No. 116-2009 was not adopted because the Public Works Department has settled the case and reached an agreement with the property owner.

AT THIS POINT: Council took a brief recess. The full Council reconvened at 8:40 p.m.

10. PUBLIC HEARING ITEMS

NONE

11. REGULAR CALENDAR ITEMS

11.1 **Subject:** Discussion of Mather Bungalows Emergency Shelter
Recommendation: Consider presentation by proponents for the Mather Bungalows Emergency Shelter and determine adequacy and appropriateness of the proposed emergency shelter program.
Result of Recommended Action: Council comments will be provided to the Mather Bungalows Emergency Shelter proponents and to County of Sacramento staff charged with reviewing and overseeing the proposed emergency shelter. Council approval is not required for the implementation of this proposal.
Staff Report: Paul Junker, Planning Department, and Curt Haven, Economic Development Department

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

- Eugene Morris in opposition of the item
- Pat Wilcox in support of the item
- Jana Perry in support of the item
- Trina Wachope in support of the item
- Jessica Lee in support of the item
- Tim Brown in support of the item

ACTION: Discussion item only; no action taken by Council. Motion by McGarvey and second by Cooley and carried by a 2:2:1 (Cooley and McGarvey in favor, Sander and Skoglund opposed, Budge abstained) the vote failed to support the below five recommendations to the Sacramento Board of Supervisors and Council's concern for treatment of play area:

1. County shall conduct complete and detailed assessments of each dwelling prior to occupancy, including determination of risks related to mold, lead based paints and asbestos. Assessments reports shall be forwarded to City of Rancho Cordova for review.
2. Fencing shall be installed around the project and the associated playground area Entry to the facility shall be located to facilitate surveillance of access and to maximize site security.
3. County shall provide written commitment that the winter shelter program will close June 1 (30?) 2010 and shall not reopen pending approval of the City Council, working in conjunction with the County Board of Supervisors or their representatives.
4. An oversight committee of City and County staff shall meet monthly to monitors and resolve any problems or issues that arise during Project operation.
5. An exit strategy for the families and individuals leaving the shelter shall be prepared and shall ensure that the Rancho Cordova community is not impacted by transfers to surrounding motels within the community.

11.2 **Subject:** 2010 City Council Meeting Schedule
Recommendation: Staff recommends Council approve its meeting schedule for 2010.
Result of Recommended Action: Action on this item will approve the 2010 meeting schedule for the members of the Rancho Cordova City Council.
Staff Report: Ted Gaebler, City Manager's Office

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

ACTION: Motion by Cooley second by McGarvey and carried by a 5:0 vote Council approved the 2010 City Council Meeting Schedule.

11.3 **Subject:** Selection of 2010 Mayor and Vice Mayor
Recommendation: That Council selects its next Mayor and Vice Mayor in 2010.
Result of Recommended Action: Council will appoint its leadership officers, per Resolution No. 5-2004. The ceremonial seating of the new Mayor and Vice Mayor will take place at the next Council Meeting on December 21, 2009.
Staff Report: Mindy Cuppy, City Clerk's Department

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

ACTION: Motion by Budge second by Skoglund and carried by a 5:0 vote Council selected Council Member Cooley as next Mayor.

ACTION: Motion by Sander second by Cooley and carried by a 5:0 vote Council selected Council Member McGarvey as next Vice Mayor.

12. COUNCIL REQUESTS FOR FUTURE AGENDA ITEMS

NONE

13. CITY MANAGER'S REPORT

City Manager Ted Gaebler thanked the Council for their support of the City Manager and Department annual review on November 17, 2009.

14. ADJOURNMENT

Mayor Skoglund adjourned the regular meeting at 10:17 p.m. in honor of the veterans who fought at Pearl Harbor, HI, on December 7, 1941.

Mindy Cuppy

Mindy Cuppy, City Clerk