

CITY OF RANCHO CORDOVA



CITY COUNCIL MEETING

Monday, March 20, 2023

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

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

MINUTES

1. REGULAR MEETING - CALL TO ORDER/ROLL CALL

Mayor Budge called the Regular meeting to order in the David B. Roberts Council Chambers at 5:43 p.m.

Council Members Present: Garrett Gatewood, Siri Pulipati, David Sander, Donald Terry, and Mayor Linda Budge

Council Members Absent: None

Staff Members Present: Haley Arata, Stacy Leitner, Adam Lindgren, Persephonie Riley, and Micah Runner

2. METRO CABLE TV TELEVISION ANNOUNCEMENT

The City Clerk read the meetings recordings and playback schedule.

3. PLEDGE OF ALLEGIANCE

Derald Langwell led the pledge.

4. INVOCATION

Jeff Koons with River City Christian gave the invocation.

5. PRESENTATIONS

None.

6. PUBLIC COMMENT

Mayor Budge opened the public comment period. The following individuals addressed the Council or submitted public comment via email:

1. James Garcia
2. Marilyn Metzger
3. Troy Fennel
4. Eric Winegar
5. Valerie Knippschild
6. Sara Malone
7. MJ Tornay
8. Lisa Burns
9. David Williams
10. Angel Ball
11. Mark Berry
12. Eric Winegar
13. Marilyn Metzger
14. James Garcia

Mayor Budge closed the public comment period.

7. COUNCIL REPORTS

Council reported on events since the last meeting.

8. CITY MANAGER'S REPORT

City Manager Micah Runner gave his report.

9. CONSENT CALENDAR ITEMS - ROLL CALL VOTE

Mayor Budge opened the public comment period. Seeing no speakers. Mayor Budge closed the public comment period.

ACTION: Motion to approve items 9.1 through 9.9 by Terry second by Gatewood;
Motion passed with a 5:0 vote.

- 9.1. **Subject:** Meeting Minutes from the Regular City Council Meeting of March 6, 2023.
Recommendation: Adopt the Minutes.
- 9.2. **Subject:** Treasurer's Report - December 31, 2022.
Recommendation: This report is informational only. It is recommended that the City Council receive and file the December 31, 2022 Treasurer's Report.
- 9.3. **Subject:** 2022 General Plan Annual Report to Include the Housing Element and Multi-Jurisdictional Hazard Mitigation Plan Annual Report.
Recommendation: No formal action will be taken. Staff is providing the 2022 General Plan and Housing Element Annual Report to include the Multi-Jurisdictional Hazard Mitigation Plan as required by State law.
- 9.4. **Subject:** A Resolution Authorizing the City Manager to Execute Construction Contract No. 2023-23 in an Amount not to Exceed \$3,703,509.36 with Granite Construction Company for the Mather Field Road Rehabilitation Project.
Recommendation: Adopt the Resolution.
- 9.5. **Subject:** A Resolution Authorizing the City Manager to Execute Construction Contract No. 2023-37 in an Amount not to Exceed \$1,807,580.00 with Tim Paxin's Pacific Excavation, Inc. for the Sunrise/Folsom Boulevard Safety Improvements Project.
Recommendation: Adopt the Resolution.

- 9.6. **Subject:** A Resolution Declaring the Results of a Mail Ballot Election Relating to the Imposition of the Annual Stormwater Utility Fee for the Rancho Cordova Storage Project in the City of Rancho Cordova.

Recommendation: Adopt the Resolution declaring the results of the mail ballot election relating to the imposition of the Annual Stormwater Utility Fee for the Rancho Cordova Storage project.

- 9.7. **Subject:** A Resolution Authorizing the City Manager to Execute General Services Contract No. 2020-175-3 in an Amount not to Exceed \$164,000 with Ethan Fleener Construction, for funding the Residential Beautification Program.

Recommendation: Adopt the Resolution.

- 9.8. **Subject:** A Resolution Authorizing the City Manager to Approve the Third Amendment to a Contract with BPR Consulting Group, LLC. to Increase the On-Call Contract Amount from \$750,000 to \$2,250,000.

Recommendation: Adopt the Resolution.

- 9.9. **Subject:** A Resolution Authorizing the City Manager to Execute Contract No. 44-2018-3 to an Amount not to Exceed \$3,115,534 with Tyler Technologies EnerGov through March 31, 2026.

Recommendation: Adopt the Resolution.

10. **CONSENT PUBLIC HEARING ITEMS - ROLL CALL VOTE**

Mayor Budge opened the public comment period. The following individuals addressed the Council or submitted public comment via email:

1. James Garcia

Mayor Budge closed the public comment period.

ACTION: Motion to approve item 10.1 and 10.2 by Terry second by Gatewood;
Motion passed with a 5:0 vote.

- 10.1. **Subject:** A Resolution Approving the 2022 Community Development Block Grant Consolidated Annual Performance Evaluation Report for Submittal to the U.S. Department of Housing and Urban Development.

Recommendation: Adopt the Resolution.

- 10.2. **Subject:** Sunridge Lot J Village 4 Design Review Amendment (CEQA Exempt Pursuant to Section 15182, C Residential Projects Implementing Specific Plans)- Project No. PLND-0223-0062.

Recommendation: Adopt the Resolution approving Sunridge Lot J Village 4 Design Review Amendment.

11. **PUBLIC HEARING ITEMS**

- 11.1. **Subject:** An Ordinance Amending Title 4 Business Regulation, Chapter 4.07 Tobacco Retailer License and Chapter 4.50 Other Businesses; Title 8 Animals, Chapter 8.03 General Provisions and Chapter 8.09 Procedures; Title 16 Buildings and Construction, Chapter 16.05 Historical Building Code, Chapter 16.10 Existing Building Code, Chapter 16.20 Housing Code and Chapter 16.26 Energy Code; Title 22 Land Development, Chapter 22.40 Park and Recreation Dedication and Fees and Chapter 22.170 Local Parks and Recreational Facilities; Title 23 Zoning Code, Chapter 23.310 Residential Zoning Districts and the Folsom Boulevard Specific Plan table 2-2 Use Table for Mixed

Use Classifications (CEQA Exempt Section 15061(b)(3), 15301 and 15324).

Recommendation: Waive the first reading and introduce the Ordinances.

Mayor Budge opened the public comment period. Seeing no speakers. Mayor Budge closed the public comment period.

ACTION: Motion to approve item 11.1 by Sander second by Gatewood;
Motion passed with a 5:0 vote.

12. REGULAR CALENDAR ITEMS

- 12.1. **Subject:** Mobile Home Park Draft Space Rent Stabilization Memorandum of Understanding Discussion.

Recommendation: Receive presentation, provide feedback and direction to return to the City Council for approval of the draft memorandum of understanding.

Mayor Budge opened the public comment period. The following individuals addressed the Council or submitted public comment via email:

1. Jill Fellows
2. Saulo Londono
3. Mike Patterson
4. Jan Krueger
5. Cheryl Cass

Mayor Budge closed the public comment period.

ACTION: Motion to move forward with option one, finalize and approve the draft MOU and bring it back for City Council Adoption, by Terry second by Gatewood;
Motion passed with a 5:0 vote.

- 12.2. **Subject:** Naming of a Room Located at the Rancho Cordova Youth Center.

Recommendation: The Naming Committee recommends that the City Council approve the re-naming of the Recreation/Game Room at the Rancho Cordova Youth Center to honor both retired City Manager Cyrus Abhar and Bishop Lovelace, Jr.

Mayor Budge opened the public comment period. Seeing no speakers. Mayor Budge closed the public comment period.

ACTION: Motion to approve item 12.2 by Terry second by Sander;
Motion passed with a 5:0 vote.

- 12.3. **Subject:** Mine Shaft Digital Freeway Signs Discussion

Recommendation: No formal action will be taken. Staff is seeking input on proposed digital freeway signs on the Mine Shaft property.

Mayor Budge opened the public comment period. The following individuals addressed the Council or submitted public comment via email:

1. James Garcia
2. Helen Whelan-Bashaw

Mayor Budge closed the public comment period.

ACTION: Input was received regarding Mine Shaft Digital Freeway Signs.

- 12.4. **Subject:** Discussion Regarding Expanding the 2023 Council Member Appointments to Regional Boards, Commissions, and Committees to Include Two Appointments to the Cordova Recreation and Park District Ad-hoc Committee.

Recommendation: Discuss and confirm two Council Member appointments to the Cordova Recreation and Park District Ad-hoc Committee.

Mayor Budge opened the public comment period. Seeing no speakers. Mayor Budge closed the public comment period.

ACTION: Motion to appoint Garrett Gatewood and Siri Pulipati to the Cordova and Recreation and Park District Ad-hoc Committee by Terry second by Gatewood;

Motion passed with a 4:1 vote.

AYES: Gatewood, Pulipati, Terry, and Sander

NOES: Budge

ABSENT: None

ABSTAIN: None

13. **COUNCIL REQUESTS FOR FUTURE AGENDA ITEMS**

None.

14. **ADJOURN TO CLOSED SESSION**

Mayor Budge adjourned the meeting to closed session at 8:20 p.m.

15. **CLOSED SESSION - CALL TO ORDER/ROLL CALL**

Mayor Budge called closed session to order at 8:20 p.m.

Council Members Present: Garrett Gatewood, Siri Pulipati, David Sander, Donald Terry, and Mayor Linda Budge

Council Members Absent: None

Staff Members Present: Adam Lindgren and Micah Runner

16. **CLOSED SESSION**

Council met in closed session to discuss the following item:

- 16.1. **CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION:** Significant Exposure to Litigation Pursuant to Government Code Section 54956.9(d)(2) (Two cases, one relating to Notice and Alleged Default Under Development Agreement and 60-Day Period to Cure; Logisticenter Project at Corner of N. Mather Blvd. and Bear Hollow Drive from Arthur Coon, January 25, 2023, and a second relating to an oral threat of litigation from representatives of Elliott Homes that the potential City action on the Logisticenter Project will result in litigation by Elliott Homes against the City relating to certain of its Stone Creek properties).

17. **OPEN SESSION - REPORT FROM CLOSED SESSION**

Adam Lindgren, City Attorney:

"This evening, the City Council met in closed session with legal counsel and litigation counsel and directed the City Attorney to report out of closed session the following:

'The City Council has received highly credible threats of litigation from Dermody

and Elliott Homes relating to the City Council's direction on March 6th to have staff draft findings of denial for the Logisticenter warehouse project in Stone Creek for consideration at a future City Council meeting. If it goes to trial, the combined litigation could expose the City to in excess of 100 million dollars of total liability.

The City is continuing to prepare findings of denial on the Logisticenter project, but it must take very seriously these threats of litigation and the potentially significant impacts that the litigation could have on programs and services throughout the City. The City Council expects the hearing on Logisticenter to resume in April for possible final action. At that time, the City will also be exploring options for potential voluntary acquisition of one or more of the properties owned by these developers.'

That concludes my report out."

18. ADJOURNMENT

Mayor Budge adjourned the meeting in memory of Marjorie Boulton and Ronnie Rom at 10:21 p.m.



Stacy Leitner, CMC
City Clerk