CITY OF Rancho Cordova
Incorporated July 1, 2003

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

City Hall
2729 Prospect Park Drive, Rancho Cordova

Tuesday, July 5, 2011

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

MINUTES

1. REGULAR MEETING – CALL TO ORDER / ROLL CALL

Mayor McGarvey called the regular meeting to order in the David B. Roberts Council Chambers at 5:34 p.m.

Council Members Present:	Budge, Skoglund, Cooley (in at 5:38 p.m), and Mayor McGarvey
Council Members Absent:	Sander
Staff Present:	Gaebler, Lindgren, Cuppy, Kellerman, Abhar, Diamond, Garcia, Haven, Blair, Mingay, Hadley, McCoy, Chinn, Dumford, Campbell, and Holt

2. METRO CABLE TV TELEVISION ANNOUNCEMENT

The Clerk announced the meetings video recording and playback schedules.

3. PLEDGE OF ALLEGIANCE

The Mayor called on Larry Stafford to lead the Pledge.

4. INVOCATION

Larry Stafford, Cordova Church of Christ, gave the invocation.

5. PRESENTATIONS

5.1 Coach Cody and some of his Team Members of the Colorado Rockies Rancho Cordova Little League Team presented a plaque to the City of Rancho Cordova.

5.2 Environmental Compliance Program Coordinator Cindel Pena, Rental Housing Association, presented on Rancho Cordova Multi-Family Recycling Grant Received in 2008 from CalRecycle.

6. PUBLIC COMMENT

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

- Chris Holbrook, Sacramento Metro Fire on Operation River Safe and River Gone Wild

Mayor McGarvey 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 Cooley and carried by a 4:0 (Sander absent) roll call vote; Council approved the Consent Calendar.

8.1 **Subject:** June 20, 2011 Regular Meeting Minutes
Recommendation: Adopt Minutes.

8.2 **Subject:** Reappointment of Board Members to the Building Board of Appeals
Recommendation: Reappoint the following people, for the recommended terms: Gary Hatfield, Michael McDermott, David Richter, Marion Smith, Kevin Wilcox and Steven Trout as Members to the Building Board of Appeals
Result of Recommended Action: Members will be reappointed to serve on the Building Board of Appeals.
Staff Report: Cyrus Abhar, Building and Safety Department and Mindy Cuppy, City Clerk's Office
GROWING STRONG NEIGHBORHOODS

8.3 **Subject:** Resolution Designating Voting Delegate and Alternates for the 2011 League of California Cities Annual Conference to be Held September 21-23 in San Francisco, CA
Recommendation: Adopt Resolution No. 66-2011.
Result of Recommended Action: The Voting Delegate or Alternate will be able to represent the City by voting at the Annual Business Meeting at the League of California Cities Conference.
Staff Report: Mindy Cuppy, City Clerk's Department

8.4 **Subject:** Resolution Authorizing the City Manager to Execute an On-Call Contract with Psomas for Construction Management and Inspection Services
Recommendation: Adopt Resolution No. 67-2011.
Result of Recommended Action: Adoption of this resolution would authorize the City Manager to execute a two year on-call contract with Psomas, Inc. in the amount of $800,000 for on-call construction management and inspection services.
Staff Report: Cyrus Abhar, Public Works Department

8.5 **Subject:** Resolution of Intention to Transfer Delinquent Refuse Service Charges to the Property Tax Rolls
Recommendation: That Council:
a) Adopt Resolution No. 68-2011; and
b) Set a Public Hearing for August 15, 2011.
Result of Recommended Action: Adoption of this resolution will begin the process to allow delinquent refuse service charges to be collected on the property tax rolls.
Staff Report: Donna Silva, Finance Department

8.6 **Subject:** Resolution Authorizing the City Manager to Execute a Contract Change Order with Biondi Paving, Inc., for the 2010 Paving Rehabilitation Project
Recommendation: Adopt Resolution No. 69-2011.
Result of Recommended Action: Adoption this resolution will allow the City Manager to execute Change Order number 1 with Biondi Paving in the amount of $ 78,174. This change order will increase the Construction Contract No. 50-2011 from $1,603,742 to $1,681,916.
This change order includes the cost associated with repairing unsuitable sections of roadway, the conflicts encountered during the placement of storm drain lines and modifications needed to provide bike detection at the intersection of Folsom Boulevard and Horn Road.
Staff Report: Cyrus Abhar, Public Works Department

9. CONSENT PUBLIC HEARING ITEMS

None.

At this point Council reordered the agenda to take Agenda Item 11.1 prior to the Public Hearing Items.

ACTION: Motion by Cooley second by Skoglund; Council moved to reorder the agenda to take Agenda Item 11.1.

At this point Council reordered the agenda to take Agenda Item 10.2 prior to the Public Hearing Items.

ACTION: Motion by Cooley second by Budge; Council moved to reorder the agenda to take Agenda Item 10.2 prior to Agenda Item 11.1.

10.2 **Subject:** Resolution Approving Conditional Use Permit for American River Brewing Company, Project No. DD7258, Located at 11151 Trade Center Drive
Recommendation: Adopt Resolution No. 70-2011.
Result of Recommended Action: Adoption of this resolution will bring in a new business into this area that can support other businesses in the area and specifically the Event Center on the adjoining parcel. In the future, the owner will provide a tasting room

and be able to sell retail, according to the license issued by the State Alcohol Beverage Control Board, which in turn will bring in additional customers into the Convention District as the area transitions from light industrial. The granting of this Conditional Use Permit will not be detrimental to the City or surrounding businesses, due to adequate conditions crafted and the small scale of operation.
Staff Report: William Campbell, Planning Department

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

ACTION: Motion by Budge second by Cooley and carried by a 4:0 (Sander absent) vote; Council adopted Resolution No. 70-2011.

11.1 **Subject:** Discussion of Options for the Regulation of Medical Marijuana Collectives
Recommendation: That Council provide direction as to whether the Council wishes to allow medical marijuana collectives and cooperatives in the City, or whether the City Council wishes to continue prohibiting medical marijuana collectives and cooperatives.
Result of Recommended Action: City Council direction is needed in order for Staff to continue analyzing issues related to medical marijuana collectives and cooperatives during the moratorium period on such use. Staff will use City Council input and direction to draft appropriate ordinances to implement the Council's direction as to whether to allow or continue prohibiting medical marijuana collectives in the City.
Staff Report: Adam U. Lindgren, City Attorney's Office, Doug Diamond, Ranch Cordova Police Department, Curt Haven, Economic Development Department, and Donna Silva, Finance Department
GROWING STRONG NEIGHBORHOODS

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

- Stephen Serrott, neutral on this item
- Caleb Counts in support of this item
- Robbie Waters in support of this item
- Kevin Fereira in opposition of this item
- Catherine Weidman-Cox, neutral on this item
- Bryan Davies in support of this item

Mayor McGarvey closed the public comment period.

ACTION: Motion by Budge second by Cooley and carried by a 4:0 (Sander absent) roll call vote; Council gave direction to the City Attorney to draft an ordinance to continue to prohibit Medical Marijuana Collectives.

10. PUBLIC HEARING ITEMS – ROLL CALL VOTE

10.1 **Subject:** An Urgency Ordinance of the City Council of the City of Rancho Cordova Extending a Temporary Moratorium on the Establishment and Operation of Medical Marijuana Dispensaries for a Period of Ten (10) Months and Fifteen (15) Days, to Become Effective Immediately
Recommendation: Waive the reading and adopt Urgency Ordinance No. 9-2011. **(Roll Call Vote)**
Result of Recommended Action: Adoption of this Urgency Ordinance will extend a temporary moratorium, for a period of ten (10) months and fifteen (15) days, prohibiting the establishment and operation of medical marijuana dispensaries in Rancho Cordova. This extension is necessary for the City to continue (1) analyzing and addressing the community concerns regarding the establishment and operation of medical marijuana dispensaries; (2) studying the potential impacts the medical marijuana dispensaries may have on public health, safety, and welfare; (3) studying possible alternatives to marijuana dispensaries ranging from highly regulated use in a limited number of zoning districts, to a full and continuing permanent ban.
Staff Report: Adam U. Lindgren, City Attorney's Office and Doug Diamond, Rancho Cordova Police Department
GROWING STRONG NEIGHBORHOODS

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

Motion by Budge second by Skoglund and carried by 4:0 (Sander absent) roll call vote; Council waived the reading and adopted Urgency Ordinance No. 9-2011.

11. REGULAR CALENDAR ITEMS

11.2 **Subject:** Strategy for Sacramento County Redistricting
Recommendation: Discuss a strategy to recommend to Sacramento County Supervisors as the County considers the issue of Supervisorial redistricting.
Result of Recommended Action: Council will discuss a strategy to recommend to Sacramento County Supervisors as they consider the issue of Supervisorial redistricting.
Staff Report: Joe Chinn and Troy Holt, City Manager's Office

ACTION: Council directed City staff to prepare a letter and a new map to the County regarding the City Council's preference on redistricting.

12. COUNCIL REQUESTS FOR FUTURE AGENDA ITEMS

None.

13. CITY MANAGER'S REPORT

Assistant City Manager Joe Chinn reported on Purity Oil Site Remediation.

14. ADJOURNMENT

Mayor McGarvey adjourned the regular meeting to closed session in the Community Board Room at 9:04 p.m.

15. CLOSED SESSION – CALL TO ORDER/ROLL CALL

Mayor McGarvey called the Closed Session to order in the Community Board Room at 9:07 p.m.

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

Council Members Absent: Sander

Staff Present: Gaebler, Lindgren, Chinn, Haven, and Diamond

16. PUBLIC COMMENT

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

17. CLOSED SESSION

Council may adjourn to Closed Session to discuss the following item(s):

Conference with legal council: existing litigation (Government Code Section 54956.9(a)). City of Rancho Cordova vs. All Natural, Inc., case number 34-2011-80000874.

Conference with legal council: anticipated litigation ((Government Code Section 54956.9(b)), one (1) potential case.

18. OPEN SESSION – REPORT FROM CLOSED SESSION

City Attorney Adam Lindgren reported that there was no reportable action taken in closed session.

19. ADJOURNMENT

Mayor McGarvey adjourned the Closed Session at 9:33 p.m.

Mindy Cuppy

Mindy Cuppy, CMC, City Clerk