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

City Hall
2729 Prospect Park Drive, Rancho Cordova

Monday, December 15, 2014

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

AMENDED MINUTES

1. REGULAR MEETING - CALL TO ORDER / ROLL CALL

Mayor Skoglund called the regular meeting to order in the David B. Roberts Council Chambers at 5:35 PM.

Council Members Present:	Terry, McGarvey, Skoglund, Budge, Sander
Council Members Absent:	None
Staff Members Present:	Nakamura, Lindgren, Cuppy, Abhar, Chinn, Junker, Silva, Downton, Hadley, Haven, Holt, Thomas, Goold, Peterson, Ulm, Diaz, Jordan, Snipes, George

2. METRO CABLE TV TELEVISION ANNOUNCEMENT

The City Clerk read the meetings recordings and playback schedules.

3. PLEDGE OF ALLEGIANCE

George Burnash led the pledge.

4. INVOCATION

Kyle Kerchner from First Covenant Church gave the invocation.

5. SPECIAL CEREMONIES

5.1 Swearing in of Vice Mayor Sander by Lois Sander.

5.2 Swearing in of Mayor McGarvey by Terri McGarvey.

5.3 Presentation to Outgoing Mayor Skoglund by Incoming Mayor McGarvey.

6. CELEBRATORY BREAK

AT THIS POINT: Council took a recess at 5:52 PM. The full council resumed at 6:14 PM.

7. PRESENTATIONS

NONE.

8. PUBLIC COMMENT

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

- Pamela Liu, inviting council to a local event and requesting a proclamation for the event.
- James Feci, regarding Stingray device and constitutional amendments.
- Jeff Hawkes, regarding public hearing items and Grapevine Newspaper.
- Derald Langwell, regarding recent city council meeting topics.

Mayor McGarvey closed the public comment period.

9. COUNCIL REPORTS

Council reported on events since the last meeting.

10. CONSENT CALENDAR ITEMS - ROLL CALL VOTE

Council Member Budge made a motion to move item 13.1 to the beginning of Public Hearing Items (before item 12.1), second by Terry. Carried by a 5:0 roll call vote

ACTION: Motion to approve the Consent Items 10.1-10.8 by Terry second by Budge; Carried by a 5:0 roll call vote.

10.1 **Subject:** Meeting Minutes of December 1, 2014 Regular Meeting.
Recommendation: Adopt minutes.

10.2 **Subject:** 2015 City Council Meeting Schedule.
Recommendation: Staff recommends Council approve its meeting schedule for 2015.
Result of Recommended Action: Action on this item will approve the 2014 meeting schedule for members of the Rancho Cordova City Council.
Staff Report: Mindy Cuppy, MMC, City Clerk's Office.
Advances Goals: 1, 2, 3, 4, 5, 6.

10.3 **Subject:** Approval of Council Member Appointments to Regional Boards, Commissions and Committees for 2015.
Recommendation: That Council confirms their 2015 commitments to serve on other

agency boards, commissions and committees.
Result of Recommended Action: The City Council will continue to serve in leadership roles throughout the region.
Staff Report: Mindy Cuppy, MMC, City Clerk.
Advances Goal: 4.

10.4 **Subject:** Second Reading of Ordinance No. 29-2014, Approving Amendments to the Folsom Boulevard Specific Plan to Remove a Portion of the Kassis Property, and Amending the Zoning Map to Change a Portion of the Kassis Property from Folsom Boulevard-Residential Mixed Use ("FB-RMU") to Residential, 3 Dwelling Units Per Acre ("RD-3"), and Amending the Zoning Map to Change the Plaza de Oro Site from Light Industrial ("LI") to Commercial Mixed Use.
Recommendation: Waive the second reading and adopt Ordinance No. 29-2014.
Result of Recommended Action: The proposed actions will, collectively, resolve minor issues within the General Plan and remedy minor inconsistencies between the General Plan and the Zoning Code. Where land use designations are proposed to change, such changes are intended to more accurately reflect the existing land use of the subject parcels.
Staff Report: Paul Junker, Planning Director and Pam Johns, Special Projects Manager.
Advances Goals: 2, 5, 6.

10.5 **Subject:** Resolution Authorizing the City Manager to Award Contract No. 113-2014 in the Amount of $760,000 to MCE Corporation for Maintenance of Channels and Levees.
Recommendation: Adopt Resolution No. 142-2014.
Result of Recommended Action: Adoption of this resolution will authorize the City Manager to execute Contract No. 113-2014 with MCE Corporation in the amount of $760,000 for routine maintenance of channels and levees, to include vegetation management and general levee maintenance services.
Staff Report: Cyrus Abhar, Public Works Director and Britton Snipes, Senior Engineer.
Advances Goals: 1, 2.

10.6 **Subject:** Resolution Authorizing the City Manager to Execute a Contract with Mark Thomas & Company, Inc., in the amount of $724,368 for the Zinfandel Complex Project.
Recommendation: Adopt Resolution No. 141-2014.
Result of Recommended Action: Adoption of this resolution will authorize the City Manager to execute a Contract with Mark Thomas & Company, Inc., for the Zinfandel Complex Project.
Staff Report: Cyrus Abhar, Public Works Director and Chris Boyer, Associate Civil Engineer.
Advances Goals: 1, 2, 5.

10.7 **Subject:** Mather Veterans Village Project Funding.
Recommendation: Confirm authorization given to the City Manager to pay Sacramento County permit fees for the Mather Veterans Village project in an amount not to exceed $520,000.
Result of Recommended Action: The Mather Veterans Village project will have the necessary permits to meet Tax Credit deadlines. The City will be reimbursed for the fees by the local housing trust grant by December 31, 2014.
Staff Report: Jessica Hayes, Housing and Neighborhood Services Development Analyst.
Advances Goals: 1, 2, 5.

10.8 **Subject:** Approval of Parcel Map of 3000 Sunrise, Subdivision No. DD7893.
Recommendation: Approval of Parcel Map of 3000 Sunrise Subdivision No. DD7893 of Parcel E, 56 P.M. 1 of Sacramento County Official Records; located on the west side of Sunrise Boulevard approximately 1400 feet north of White Rock Road.
Result of Recommended Action: Approval of this recommendation will result in the recording of the parcel map creating two parcels, each with an existing building.
Staff Report: Cyrus Abhar, Public Works Director.
Advances Goals: 1, 2, 5.

11. CONSENT PUBLIC HEARING ITEMS - ROLL CALL VOTE

11.1 **Subject:** Sunridge General Commercial Overlay Zoning District. Item continued from December 1, 2014 Council Meeting.
Recommendation: Introduce and waive first reading of Ordinance No. 23-2014.
Result of Recommended Action: Adoption of Ordinance No. 23-2014 would establish the Sunridge General Commercial Overlay District (SGC Overlay). Establishment of the SGC Overlay would assure that adequate commercial sites are available to accommodate commercial development needed to serve residents locate generally east of Sunrise Boulevard and south of Douglas Road by limiting certain uses on the affected properties.
Staff Report: Paul Junker, Planning Director.
Advances Goals: 1, 2, 5, 6.

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

Item 11.1 was approved separately, because council needed confirmation of a possible revised document for item 11.2.

ACTION: Motion to approve item 11.1 by Terry second by Budge;
Carried by a 5:0 roll call vote.

11.2 **Subject:** Resolution Authorizing the City Council to Adopt a Mitigated Negative Declaration for Routine Maintenance of Stream Channels and Drainage Facilities in Rancho Cordova.
Recommendation: Adopt Resolution No. 143-2014.
Result of Recommended Action: Adoption of this resolution will approve and adopt an environmental study that was required for routine maintenance activities occurring within stream channels and drainage facilities in Rancho Cordova. Adoption of the environmental study allows the City to enter into a Routine Maintenance Agreement with the California Department of Fish and Wildlife so that it can perform the needed maintenance activities.
Staff Report: Cyrus Abhar, Public Works Director and Britton Snipes, Senior Engineer.
Advances Goals: 1, 2.

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

Item 11.2 did not need a revised document and was approved as is.
ACTION: Motion to approve by Budge second by Sander; Carried by a 5:0 roll call vote.

12. PUBLIC HEARING ITEMS

12.1 **Subject:** American Health Services Conditional Use Permit Large Residential Care Home Conditional Use Permit; Project No. DD8495 – Located at 10087 Terra Loma Drive.
Recommendation: Adopt Resolution No. 104-2014.
Result of Recommended Action: Adoption of Resolution No. 104-2014 would grant the applicant's request for a Conditional Use Permit from the City of Rancho Cordova to operate a large residential care home with up to 20 beds that would provide treatment for alcohol and substance dependency within an existing 10-bedroom house. Approval of this resolution would allow the applicant to apply for a business license and establish a residential care home that could accommodate more than six clients.
Staff Report: Paul Junker, Planning Director.
Advances Goals: 2, 5.

Applicants, Catherine Sanders M.D., Sabrina Fendley, and Rebecca Lira, addressed council's questions.

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

- Katherine Weedman Cox, in opposition of item 12.1.
- Carol Limbaga, in opposition of item 12.1.
- Delmacio Viega, in support of item 12.1.
- Mary Nesel, in opposition of item 12.1.
- Amy Hiramoto, in opposition of item 12.1.
- Meada Cashatt, in opposition of item 12.1.
- Rick Maness, in opposition of item 12.1.
- Elizabeth Gomez, in support of item 12.1.
- Wallace Morgan, in opposition of item 12.1.
- Anna Vanderveen, in opposition of item 12.1.
- James Feci, in support of item 12.1.
- Steven Sequeira, in support of item 12.1.

Mayor McGarvey closed the public comment period.

AT THIS POINT: Council took a recess at 8:45 PM. The full council resumed at 9:11 PM.

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

- Mary Nesel, in opposition of item 12.1.
- Ana Vanderveen, in opposition of item 12.1.
- Lupe, in opposition of item 12.1.

Mayor McGarvey closed the public comment period.

ACTION: Motion to approve item 12.1 with modifications and additions to Conditions of Approval by Budge second by Terry;
Restated motion to approve item 12.1 with the following modifications to Conditions of Approval:

- Condition of Approval #7 - Maximum of 16 clients;
- Condition of Approval #17 – For the first year of operation the facility shall not exceed 10 clients;
- Condition of Approval #23 – AHS will conduct criminal background checks on employees;
- Condition of Approval #24 – Security guard will be on duty 24 hours per day/7 days per week;
- Condition of Approval #25 – Video cameras will monitor full exterior/perimeter coverage at both facilities.

by Budge second by Terry;

AT THIS TIME: The applicant indicated that the modifications to Conditions of Approval were acceptable.

Defeated by a 2:3 roll call vote. (McGarvey, Skoglund, Sander dissenting)

Council discussion resumed and the Mayor called for a substitute motion.

ACTION: Motion to approve item 12.1 with the following modifications to Conditions of Approval:

- Condition of Approval #7 - Maximum of 16 clients;
- Condition of Approval #17 – For the first year of operation the facility shall not exceed 10 clients;
- Condition of Approval #23 – AHS will conduct criminal background checks on employees;
- Condition of Approval #24 – Security guard will be on duty 24 hours per day/7 days per week;
- Condition of Approval #25 – Video cameras will monitor full exterior/perimeter coverage at both facilities.

by Budge second by Terry;
Passed by a 3:2 roll call vote. (Skoglund, Sander dissenting)

AT THIS POINT: Council took a recess at 10:38 PM. The full council resumed at 10:53 PM.

12.2 **<u>Subject:</u>** Clear Channel Outdoor Digital Freeway Sign Conditional Use Permit and Operating Agreement; Project No. DD8480 – Located at 12137 Folsom Boulevard. Item continued from November 17, 2014 City Council Meeting.
<u>Recommendation:</u> Conduct the continued public hearing for this item, and Item regarding the Sierra Outdoor/CBS Outdoor application, simultaneously. Consider the Conditional Use Permit and Operating Agreement request by Clear Channel Outdoor; receive comments from the public and project applicants; provide direction to staff as determined appropriate by the City Council; and continue the public hearing to a date certain.
<u>Result of Recommended Action:</u> This continued public hearing will provide the City Council with further opportunity to discuss the two proposals currently seeking approval of two separate digital freeway signs to be located adjacent to Highway 50. In light of the competing request by Sierra Outdoor/CBS Outdoor, staff is requesting direction from the City Council on this item, and to continue the public hearing so that staff may return with a Council Resolution reflecting the preferred direction. Holding the continued public hearing on this item and Sierra Outdoor/CBS Outdoor item simultaneously will allow staff to address all questions related to the competing

applications during the hearing. The application does not fully adhere to the physical development standards included in the Code but, as allowed through an Operating Agreement, the applicant has proposed alternative community benefits for the Council's consideration. The City Council may direct staff to prepare a Resolution to approve this item, deny this item, or otherwise alter this item as desired.

Approval of the project as currently proposed would allow the Applicant to construct a new digital freeway sign at 12137 Folsom Boulevard, immediately adjacent to the Highway 50 corridor. The action would also require the removal of two existing traditional billboards located at 2300 Mine Shaft Lane and 2286 Sunrise Boulevard. Additionally, the Operating Agreement would provide the City with alternative community benefits. Approval of this application would also very likely prevent Council from approving the competing application from Sierra Outdoor/CBS Outdoor, as RCMC Section 23.743.150(C)(3) requires that Council only approve a billboard operating agreement if it achieves community benefits equivalent to those achieved through strict compliance with the development standards in the code (including the requirement that digital billboards be located at least 2,500 feet apart).
Staff Report: Jessica Jordan, Principal Planner.
Advances Goals: 1, 6.

12.3 **Subject:** Sierra Outdoor/CBS Outdoor Digital Freeway Sign Conditional Use Permit and Operating Agreement; Project No. DD8490 – Located at 12125 Folsom Boulevard (APN: 069-0160-021-0000). Item continued from November 17, 2014 City Council Meeting.
Recommendation: Conduct the continued public hearing for this item, and Item regarding the Clear Channel Outdoor application, simultaneously. Consider the Conditional Use Permit and Operating Agreement request by Sierra Outdoor/CBS Outdoor; receive comments from the public and project applicants; provide direction to staff as determined appropriate by the City Council; and continue the public hearing to a date certain.
Result of Recommended Action: This continued public hearing will provide the City Council with further opportunity to discuss the two proposals currently seeking approval of two separate digital freeway signs to be located adjacent to Highway 50. In light of the competing request by Sierra Outdoor/CBS Outdoor, staff is requesting direction from the City Council on this item, and to continue the public hearing so that staff may return with a Council Resolution reflecting the preferred direction. Holding the continued public hearing on this item and Clear Channel Outdoor item simultaneously will allow staff to address all questions related to the competing applications during the hearing. The application does not fully adhere to the physical development standards included in the Code but, as allowed through an Operating Agreement, the applicant has proposed alternative community benefits for the Council's consideration. The City Council may direct staff to prepare a Resolution to approve this item, deny this item, or otherwise alter this item as desired.

Approval of the project as currently proposed would allow the Applicant to construct a new digital freeway sign in the parking lot area of Naturwood Home Furnishings at 12125 Folsom Boulevard. The action would also require the removal of two existing traditional billboards located at 11373 Folsom Boulevard and near 9847 Folsom Boulevard. Additionally, the Operating Agreement would provide the City with alternative community benefits. Approval of this application would also very likely prevent Council from approving the competing application from Clear Channel Outdoor, as RCMC Section 23.743.150(C)(3) requires that Council only approve a billboard operating agreement if it achieves community benefits equivalent to those achieved

through strict compliance with the development standards in the code (including the requirement that digital billboards be located at least 2,500 feet apart).
Staff Report: Jessica Jordan, Principal Planner.
Advances Goals: 1, 6.

ACTION: Motion to continue the meeting past 11:00 PM by Budge second by Terry;
Carried by a 5:0 roll call vote.

The applicant, Tim Taron, representing Sierra Outdoor/CBS addressed council.

The applicant, Michael Wagener, representing Clear Channel addressed council.

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

- Derald Langwell, in support of item 12.3.
- Stephen Green, in opposition of items 12.2 and item 12.3.
- Mary Nesel, in opposition of items 12.2 and item 12.3.
- Darryl Schmidt, in opposition of items 12.2 and item 12.3.
- Warren Truitt, in opposition of items 12.2 and item 12.3.
- James Kangas, in opposition of items 12.2 and 12.3.
- Lupe Hernandez, in opposition of item12.2 and item 12.3.
- Ginger Enrico, regarding item 12.2 and 12.3.
- James Worsnap, regarding item 12.2 and item 12.3.
- Lisa Keyes, in support of item 12.3.

Tim Taron, the applicant representing Sierra Outdoor/CBS, readdressed council.

Michael Wagener, the applicant representing Clear Channel, readdressed council.

Mayor McGarvey closed the public comment period.

ACTION: Motion to continue item 12.2 and item 12.3 to January 20, 2015 meeting and direction to staff to write findings to approve Sierra Outdoor/CBS Outdoor (Item 12.3) proposal by Terry second by Budge.
Carried by a 5:0 roll call vote.

13. REGULAR CALENDAR ITEMS

13.1 **Subject:** Resolution to Extend the Finance Agreement for Entertainment Center.
Recommendation: Adopt Resolution No. 144-2014.
Result of Recommended Action: Adoption of Resolution No. 144-2014 will allow the Rancho Cordova Entertainment Center Group LLC to continue to obtain financing to construct and open the Rancho Cordova Entertainment Center located on Kilgore Blvd.
Staff Report: Curt Haven, Director of Economic Development.
Advances Goals: 1, 2, 6.

ACTION: Motion to approve by Budge second by Skoglund;
Carried by a 5:0 roll call vote.

13.2 **Subject:** Authorization of City Manager to Renegotiate, Renew and Extend Existing Police Services Contract with the Sacramento County Sheriff's Department through

December 2017.
Recommendation: That the City Council authorize the City Manager to renegotiate its current contract with the Sacramento County Sheriff's Department through 2017.

Staff Report: Brian S. Nakamura, City Manager.
Advances Goals: 1, 2, 3, 5.

ACTION: Motion to approve by Terry second by Budge;
Carried by a 5:0 roll call vote.

14. COUNCIL REQUESTS FOR FUTURE AGENDA ITEMS

15. CITY MANAGER'S REPORT

16. ADJOURNMENT

Mayor McGarvey adjourned the meeting to closed session in memory of Brian Richter at 1:09 AM.

17. CLOSED SESSION - CALL TO ORDER/ROLL CALL

Mayor McGarvey called the closed session to order in the Community Board Room at 1:12 AM.

Council Members Present:	Terry, McGarvey, Skoglund, Budge, Sander
Council Members Absent:	None
Staff Members Present:	Lindgren, Chinn, Nakamura

18. CLOSED SESSION

CONFERENCE WITH LEGAL COUNSEL--ANTICIPATED LITIGATION
Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Section 54956.9: (Number of potential cases: 1).

19. OPEN SESSION - REPORT FROM CLOSED SESSION

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

20. ADJOURNMENT

Mayor McGarvey adjourned the meeting at 1:25 AM.

Mindy Cuppy

Mindy Cuppy, MMC, City Clerk