CITY OF RANCHO CORDOVA

RANCHO CORDOVA
PLANNING COMMISSION

PLANNING COMMISSION MEETING
Wednesday, June 8, 2022

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

City Hall
2729 Prospect Park Drive, Rancho Cordova

Pursuant to California Assembly Bill 361 amending the Ralph M. Brown Act (Govt. Code 54950-54963), the City has declared a state of emergency relating to COVID-19 and imposed measures to promote social distancing.

Join the Meeting Via Zoom Link:

https://cityofranchocordova.zoom.us/j/83175322087?pwd=U2M2YUp3L1VUNktqYk94TFFmUTVIdz09

Join the Meeting via the Zoom Phone Number
Zoom Phone Number: +1 669 900 6833, +1 253 215 8782
Webinar ID: 831 7532 2087
Password: 135714

Instructions to Make Public Comment

Submitting Public Comment via Email

Members of the public who wish to provide public comment via email will need to submit comments to PlanningClerk@cityofranchocordova.org **no later than 3:00 p.m. on Wednesday June 8, 2022**. **All comments submitted later than 3:00 p.m. will be sent to the Planning Commission for their review and may not be read during the meeting.**

Listening to a Zoom Meeting by Zoom Video Conference

To make a public comment using the Zoom platform, please use the “raise hand” feature at the

bottom center of the screen. Please make sure to enable audio controls once access has been given by the Planning Commission Clerk to speak. Please wait to be called upon by the Planning Commission Clerk.

Listening to a Zoom Meeting by Phone Only

You can join a Zoom meeting via teleconferencing/audio conferencing using a cell phone or traditional landline phone. To request to make a public comment by phone press *9 to raise your hand. Please wait to be called upon by the Planning Commission Clerk.

All public comments will be limited to three-minutes.

If you have questions related to the Planning Commission Meeting or the use of Zoom, please contact the Planning Division at (916) 851-8750 Wednesday, June 8, 2022, before 3:00 p.m.

AGENDA

1. PLANNING COMMISSION REGULAR MEETING - CALL TO ORDER ROLL CALL

Planning Commission Members - Surender Devarapalli, Sergio Diaz, Lee Frechette, Anil Reddy Kondakrindi, Robert McGarvey, Cynthia Stauss, Leroy Tripette

2. PLEDGE OF ALLEGIANCE

The Planning Commission Clerk will call on someone in attendance to lead the Pledge.

3. PUBLIC COMMENT

Citizens wishing to address the Planning Commission for any matter not on the agenda may do so at this time via teleconference or by completing and submitting a Speaker Card to the Planning Commission Clerk.

If you want to make a public comment via teleconference, please use the “raise hand” feature at the bottom center of the screen. If you are participating by telephone and you want to make a public comment, please press *9 to raise your hand. For those participating by Zoom or telephone, please wait to be called upon by the Planning Commission Clerk.

For items on the agenda, speakers will be called by the Chair at the point on the agenda when the item will be heard. Speakers are encouraged to keep comments to three minutes or less and to state name and community of residence.

Under the provisions of the California Government Code, the Planning Commission is prohibited from discussing or taking immediate action on any item not on the agenda unless it can be demonstrated to be of an emergency nature or the need to take immediate action arose after the posting of the agenda.

4. CONSENT CALENDAR ITEMS - ROLL CALL VOTE

4.1. **Subject:** Meeting Minutes from the Special Planning Commission Meeting of May 2, 2022.
Recommendation: Adopt the Minutes

5. REGULAR CALENDAR ITEMS

5.1. **Subject:** Selection of 2022 Chair and Vice Chair.
Recommendation: Nominate and make a motion to appoint one member of the Planning Commission to serve as the Planning Commission Chair and one member to serve as the Vice Chair for the remainder of the 2022 calendar year.

5.2. **Subject:** Planning Commission Training to include Roles and Responsibilities, Land Use Law and Regulations and Working with Staff.
Recommendation: No formal action will be taken. Staff will present information related to various training topics and address any questions that may arise.

6. COMMISSION COMMENTS/IDEAS/QUESTIONS

7. DIRECTOR'S REPORT

8. ADJOURNMENT

ADDITIONAL INFORMATION

SPECIAL MEETINGS LISTED BELOW ARE SUBJECT TO CHANGE/CANCELLATION WITHOUT FURTHER NOTICE.

Public documents related to items on the open session portion of this agenda, which are distributed to the Planning Commission less than 72 hours prior to the meeting, shall be available for public inspection at the time the documents are distributed to the Planning Commission. Documents are available for inspection at the Planning Office located in Rancho Cordova City Hall.

The agenda items are accessible on the City's website at www.cityofranchocordova.org on Fridays prior to the Regular Planning Commission Meeting.

UPCOMING MEETINGS

July 13, 2022	5:30 PM Regular Meeting
August 10, 2022	5:30 PM Regular Meeting
September 14, 2022	5:30 PM Regular Meeting
October 12, 2022	5:30 PM Regular Meeting
November 9, 2022	5:30 PM Regular Meeting
December 14, 2022	5:30 PM Regular Meeting

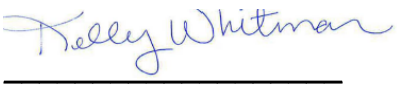
If you have any technical questions related to the agenda items, please contact City Hall at (916) 851-8700.

In compliance with the Americans with Disabilities Act, if you need a disability-related modification or accommodation, including auxiliary aids or services, to participate in this meeting, please contact the Planning Office at (916) 851-8750 at least 48 hours prior to the meeting.

CERTIFICATION OF POSTING OF AGENDA

I, Kelly Whitman, Planning Commission Clerk for the City of Rancho Cordova, declare that the foregoing agenda for the June 8, 2022 Regular Meeting of the Rancho Cordova Planning Commission was posted and available for review on June 2, 2022 at City Hall of the City of Rancho Cordova, 2729 Prospect Park Drive, Rancho Cordova, California, 95670. The agenda is also available on the city website at www.cityofranchocordova.org.

Signed June 2, 2022 at Rancho Cordova, California.



Kelly Whitman
Planning Commission Clerk

MEMORANDUM

ITEM 4.1.

DATE: June 8, 2022

TO: Planning Commission Members

FROM: Kelly Whitman, Planning Commission Clerk

SUBJECT: **MEETING MINUTES FROM THE SPECIAL PLANNING COMMISSION MEETING OF MAY 2, 2022**

RECOMMENDATION

Adopt the Minutes

ATTACHMENT(S)

1. May 2 2022 Draft Meeting Minutes

CITY OF RANCHO CORDOVA

PLANNING COMMISSION MEETING
Monday, May 2, 2022

5:30 PM –Special Meeting
Meet and Greet
David B. Roberts Council Chambers

City Hall
2729 Prospect Park Drive, Rancho Cordova

DRAFT MINUTES

1. SWEARING IN OF PLANNING COMMISSION

2. PLANNING COMMISSION REGULAR MEETING - CALL TO ORDER ROLL CALL

Planning Commission Clerk Whitman called the Special meeting to order in the David B. Roberts Council Chambers at 5:30 p.m.

Planning Commission Members Present: Surender Devarapalli, Sergio J. Diaz, Lee Frechette, Robert J. McGarvey, Anil Reddy Kondakrindi, Cynthia Stauss, Leroy Tripette

Planning Commission Members Absent: None

Staff Members Present: Darcy Goulart, Adam Lindgren, Persephonie Riley, and Kelly Whitman

3. WELCOME NEW PLANNING COMMISSION MEMBERS BY CITY MANAGER

City Manager Cyrus Abhar welcomed the Planning Commissioners to Rancho Cordova.

4. PUBLIC COMMENT

Planning Commission Clerk Whitman opened the public comment period. The following individuals addressed the Planning Commission:

1. Salina Wong
2. Helen Whelan Bashaw

Planning Commission Clerk Whitman closed the public comment period.

5. INTRODUCTION TO STAFF BY PLANNING MANAGER

Planning Manager Darcy Goulart introduced city staff to the Planning Commission.

6. REGULAR CALENDAR ITEMS - ROLL CALL VOTE

6.1. **Subject:** Planning Commission Roles and Brown Act Discussion
Recommendation: Receive a brief introduction from staff on Planning Commission Roles and the Brown Act. No action will be taken.

Planning Commission Clerk Whitman opened the public comment period. The following individuals addressed the Planning Commission:

1. Wayne Kaiser

Planning Commission Clerk Whitman closed the public comment period.

ACTION: Input was received regarding Planning Commission Roles and Brown Act Discussion.

6.2. **Subject:** Planning Commission Regular Meeting Schedule for June 2022 through December 2022.
Recommendation: Make a motion to approve the Planning Commission Regular Meeting schedule for June 2022 through December 2022.

Planning Commission Clerk Whitman opened the public comment period. The following individuals addressed the Planning Commission:

1. Angel Ball

Planning Commission Clerk Whitman closed the public comment period.

ACTION: Motion to approve item 6.2. by Frechette second by Tripette; Motion passed with a 7:0

7. ADJOURNMENT

Planning Commission Clerk Whitman adjourned the meeting at 6:15 p.m.

_____
Kelly Whitman
Planning Commission Clerk

MEMORANDUM

ITEM 5.1.

DATE: June 8, 2022

TO: Planning Commission Members

FROM: Darcy Goulart, Planning Manager

SUBJECT: **SELECTION OF 2022 CHAIR AND VICE CHAIR**

RECOMMENDATION

Nominate and make a motion to appoint one member of the Planning Commission to serve as the Planning Commission Chair and one member to serve as the Vice Chair for the remainder of the 2022 calendar year.

RESULT OF RECOMMENDED ACTION

Upon nomination and a motion, one member of the Planning Commission will serve as the Chair and one will serve as the Vice Chair for the remainder of the 2022 calendar year.

BACKGROUND

The Planning Commission will need to nominate a Chair and Vice Chair to serve for the remainder of the 2022 calendar year. In many jurisdictions, these nominations occur in January, during the first meeting of the calendar year. Since the Planning Commission was only recently formed, the Chair and Vice Chair would only serve through the end of this calendar year. At the first regular meeting of January 2023, a new Chair and Vice Chair will be nominated and voted upon.

The responsibilities of the Chair include procedural duties, such as presiding over meetings. It is the Chair's responsibility to run an orderly meeting and conduct the Planning Commission's business in a fair and timely manner. The Chair also maintains order of the meeting, manages public comment, keeps the agenda moving and often summarizes what has been heard by the public and fellow commissioners prior to calling for a motion on a particular item. The responsibility of the Vice Chair is to fill in for the Chair when he or she is unable to attend the meeting or participate in a particular item.

For purposes of this meeting, the Planning Commission will need to nominate a Chair and Vice Chair. The person nominated will need to accept the nomination and then a motion and roll call vote can be made.

ATTACHMENT(S)

None

MEMORANDUM

ITEM 5.2.

DATE: June 8, 2022

TO: Planning Commission Members

FROM: Darcy Goulart, Planning Manager

SUBJECT: **PLANNING COMMISSION TRAINING TO INCLUDE ROLES AND RESPONSIBILITIES, LAND USE LAW AND REGULATIONS AND WORKING WITH STAFF**

RECOMMENDATION

No formal action will be taken. Staff will present information related to various training topics and address any questions that may arise.

RESULT OF RECOMMENDED ACTION

No formal action will be taken. Staff will present information related to various training topics and address any questions that may arise.

BACKGROUND

In order to prepare the Planning Commission for the various roles and responsibilities they have been tasked with, staff will take the next few months to present various topics and materials during the regular meetings. This first training session will focus on Land Use Law, Roles and Responsibilities and Working with Staff. Attached to this staff report is the presentation outlining the three training topics that will be discussed.

ATTACHMENT(S)

1. PC Training Presentation

PLANNING COMMISSION

June 8, 2022

TONIGHT'S AGENDA

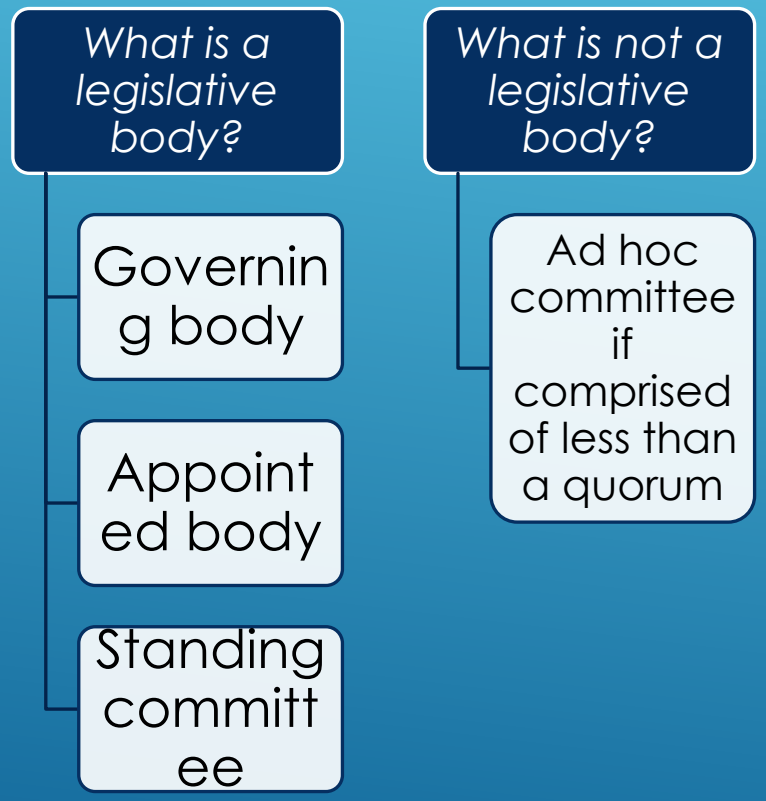
- Land Use Law & Regulations
- Roles & Responsibilities
- City Staff and Planning Commission: Working Together

BROWN ACT

- "All meetings of the legislative body of a local agency shall be open and public, and all persons shall be permitted to attend any meeting of the legislative body of a local agency." (Gov. Code § 54953)

BROWN ACT

Legislative Bodies



BROWN ACT

Brown Act Definition of "Meetings"

- A congregation of a majority of the members at the same time and place to hear, discuss, or deliberate on an item of business within the agency's subject matter jurisdiction
- Exceptions:
  - Conferences
  - Community meetings
  - Social or ceremonial occasions
  - Individual contacts
  - Standing committees
  - Meetings of other legislative bodies

BROWN ACT

Brown Act— Avoiding "Serial Meetings"

- A majority may not, outside a meeting, use a series of communications to discuss, deliberate, or take action on any item of business
  - Does not prevent employees and officials from engaging in separate conversations outside of a meeting provided that the comments or positions of other members are not communicated

BROWN ACT

Brown Act— Avoiding "Serial Meetings"

- A majority may not, outside a meeting, use a series of communications to discuss, deliberate, or take action on any item of business
  - Does not prevent employees and officials from engaging in separate conversations outside of a meeting provided that the comments or positions of other members are not communicated

BROWN ACT

Brown Act— Examples of "Serial Meetings"

- "Hub & Spoke"
  - A staff member (the hub) communicates with members of a legislative body (the spokes) one-by-one for input on a proposed action and in the process reveals members' positions to other members.
- Daisy Chain
  - Member A contacts Member B, Member B contacts Member C, Member C contacts Member D and so on, until a quorum has discussed, deliberated or taken action on an item within the legislative body's subject matter jurisdiction.
- Emails
  - Informal nature of email communication is ripe for inadvertent Brown Act violations

???
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QUIZ!
???
???

SCENARIO 1

- A Commissioner e-mails a newspaper article pertaining to an upcoming agenda item to the other four Commissioners.
- The Commissioner indicates support for the agenda item based on the article and three members respond back to the email and indicate that they also support the item, and that the information was very helpful.

Was this a Brown Act violation?

SCENARIO 1

- A Commissioner e-mails a newspaper article pertaining to an upcoming agenda item to the other four Commissioners.
- The Commissioner indicates support for the agenda item based on the article and three members respond back to the email and indicate that they also support the item, and that the information was very helpful.

Was this a Brown Act violation?

The Commissioners participated in a discussion of an item within the jurisdiction of the body that was not noticed, open or public.

SCENARIO 2

- During public comment for items not listed on the agenda, a speaker requests that the Planning Commission write a letter of support on behalf of his cause.
- The Planning Commission proceeds to vote on writing the letter and it passes unanimously.

Was this a Brown Act violation?

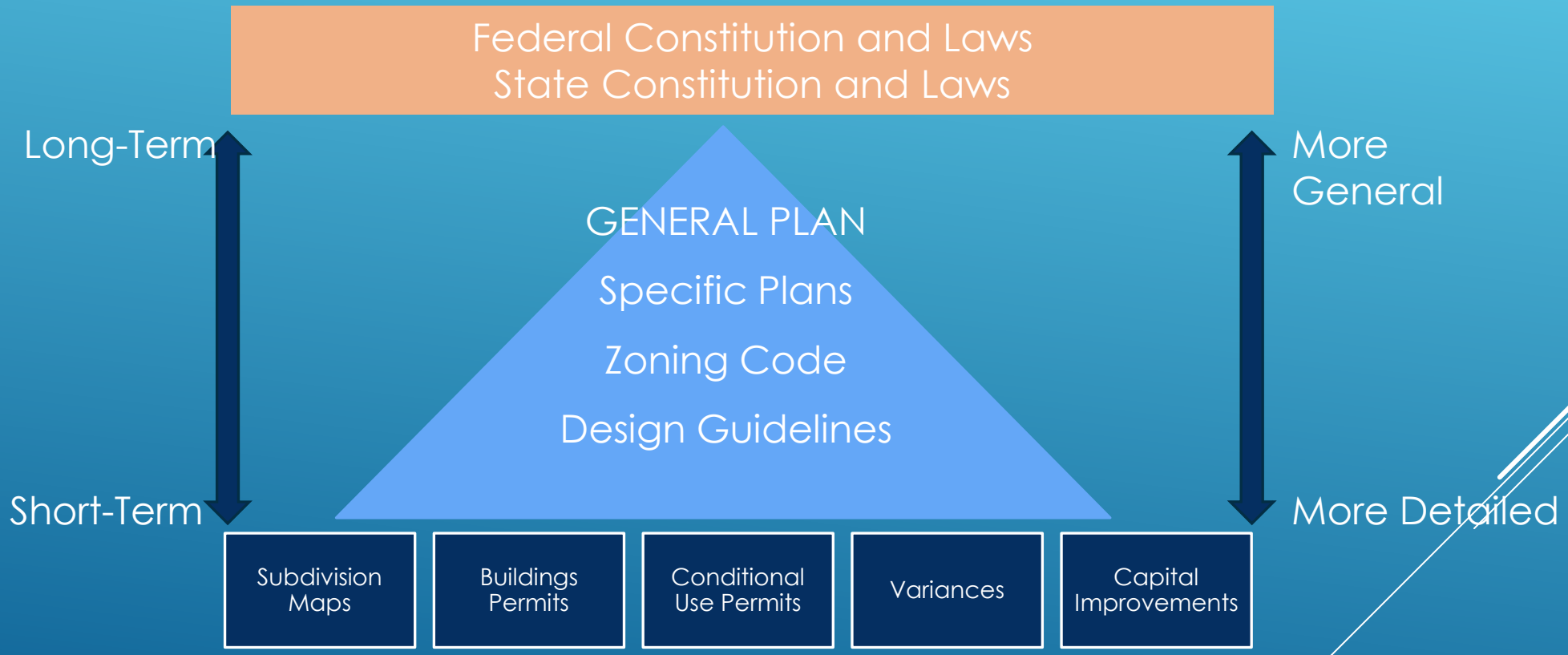
SCENARIO 2

- During public comment for items not listed on the agenda, a speaker requests that the Planning Commission write a letter of support on behalf of his cause.
- The Planning Commission proceeds to vote on writing the letter and it passes unanimously.

Was this a Brown Act violation?

The Planning Commission has taken action on an item that was not noticed on the agenda. Before taking action, the Planning Commission should have directed staff to put the item on the agenda for a future Planning Commission meeting for consideration/action.

EVERYTHING YOU NEED TO KNOW ABOUT LAND USE ON ONE SLIDE! (ALMOST)



ROLES & RESPONSIBILITIES

- Know your community and bring your expertise and knowledge to the Commission
- Identify potential conflicts of interest
- A Planning Commissioner:
  - Keep an open mind to listen to new ideas.
  - Demonstrates an ability to see both the strengths and weaknesses of proposals.
  - Uses critical thinking skills leading toward finding solutions.
  - Practices willingness to spend the time required to study materials and
  - attend regularly.
  - Commits to making the process consistent and fair to all.

ROLES & RESPONSIBILITIES

- Role of the Planning Commission
  - Long Range Planning (recommendations)
    - Creation and amendment of plans and regulations
  - Current Planning (decisions)
    - Project Review
    - CEQA Review
    - Project Approval

CITY STAFF & PLANNING COMMISSION: WORKING TOGETHER

- Before Planning Commission Meetings
  - Planning Commission
    - Review the staff report
    - Read the public comments
    - Understand the findings
    - Contact City staff and/or City attorney with project-specific questions
  - City Staff
    - Reviews the project and prepares the staff report

CITY STAFF & PLANNING COMMISSION: WORKING TOGETHER

- During Planning Commission Meetings
  - Planning Commission
    - Provide any comments on the project
    - Ask City staff questions about the project
    - Hear public comment on the project
    - Make a recommendation to the City Council
  - City Staff
    - Provide a presentation that summarizes the key components of a project, including findings
    - Answer Commission questions
    - City Attorney answers legal questions and assists Chair with meeting procedures

CITY STAFF & PLANNING COMMISSION: WORKING TOGETHER

- What Planning Commission & Staff DO NOT DO
  - Make and/or communicate decisions on projects before public hearing
  - Communicate or deliberate (with a quorum) outside of meetings
  - Come unprepared to meetings
  - Depart from the order of discussion and deliberation (debating with the public)
  - Raise major issues or conflicts that staff could have assisted with and/or resolved prior to the meeting