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RANCHO CORDOVA
CALIFORNIA

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, November 17, 2014

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

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 5:38 PM.

Council Members Present:	Terry, McGarvey, Skoglund, Budge, Sander
Council Members Absent:	None
Staff Members Present:	Nakamura, Lindgren, Cuppy, Chinn, Junker, Silva, Downton, Haven, Holt, Mingay, Snyder, Sander (Arrived at 5:44), Jackson, Behrends, Boyer, Bane, Goold, Jordan, Snipes, George, Sparkman

2. METRO CABLE TV TELEVISION ANNOUNCEMENT

The City Clerk read the meetings recordings and playback schedules.

3. PLEDGE OF ALLEGIANCE

Rob Fong led the pledge.

4. INVOCATION

Shadi Hayek from Capital Christian Church gave the invocation.

5. PRESENTATIONS

5.1 Certificate of Recognition from the Mayor to the New Army Enlistees of Rancho Cordova.

5.2 Introduction of New City Employee, Susana Jackson, Accountant Given by Donna Silva, Chief Financial Officer.

5.3 Recognition of Council Member Sander's Birthday on November 25, 2014.

6. PUBLIC COMMENT

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

- Carolina Ocampo, regarding South Beach Grill.
- Carlos Ocampo, regarding South Beach Grill.
- James Feci, regarding the stingray device.
- Derald Langwell, regarding his attendance of Rancho Cordova State of the City.
- Jeff Hawkes, regarding the Sales Tax Measure.

Mayor Skoglund closed the public comment period.

7. COUNCIL REPORTS

Council reported on events since the last meeting.

8. CONSENT CALENDAR ITEMS - ROLL CALL VOTE

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

8.1 **Subject:** Meeting Minutes of November 3, 2014 Regular Meeting and November 12, 2014 Special Meeting.
Recommendation: Adopt Minutes.

8.2 **Subject:** Treasurer's Report – September 30, 2014.
Recommendation: Receive and file report.
Result of Recommended Action: Provide City Council with information concerning the City's investment portfolio and to meet state code.
Staff Report: Liisa Behrends, Senior Accountant.
Advances Goal: 4.

8.3 **Subject:** Approval of Second Amended and Restated Development Disposition Agreement for Mather Veterans' Village Housing Development between the City of Rancho Cordova and the Developer Mercy Housing Specifically Making Amendments in Anticipation of the Closing of the Construction Loan and Construction Start in Late November of this Year.
Recommendation: Approve Resolution No. 116-2014.
Result of Recommended Action: : Adoption of this resolution will result in minor edits and corrections to existing documents. A Loan Agreement is now included. These updated documents will permit the construction start before the end of the year of

phase 1 of Mather Veterans' Village permanent supportive housing for homeless and disabled veterans.
Staff Report: Reed Flory, Housing Services Administrator.
Advances Goals: 1, 2, 3, 5, 6.

8.4 **Subject:** Resolution Authorizing the City Manager to Award Construction Contract No. 111-2014 in the Amount of $101,834.50 to All-American Construction, Inc., for the Sunrise Boulevard Sidewalk Improvements Project.
Recommendation: Adopt Resolution No. 130-2014.
Result of Recommended Action: Adoption of this resolution will authorize the City Manager to execute Construction Contract No. 111-2014 with All-American Construction, Inc., in the amount of $101,834.50 for the Sunrise Blvd., Sidewalk Improvements Project. Under this agreement, the contractor will install sidewalk and curb ramps along Sunrise Blvd., from Gold Country Blvd., to South Bridge Street, and will add a crosswalk at the intersection of Sunrise Blvd (on the south side of Sunrise) and Zinfandel Drive.
Staff Report: Cyrus Abhar, Public Works Director and Chris Boyer, Associate Civil Engineer.
Advances Goals: 1, 2, 5.

8.5 **Subject:** Resolution Awarding Construction Contract No. 112-2014 in the Amount of $845,835 to Tennyson Electric, Inc. for the Coloma Road Traffic Signal Interconnect and the Aramon Drive/ Studarus Drive and Coloma Road Traffic Signal Improvement Project.
Recommendation: Adopt Resolution No. 131 -2014.
Result of Recommended Action: Adoption of this resolution will award construction contract no. 112-2014 in the amount of $845,835.00 to Tennyson Electric, Inc., for the Coloma Road Traffic Signal Interconnect and Aramon Drive/Studarus Drive and Coloma Road Traffic Signal Improvement Project.
Staff Report: Cyrus Abhar, Public Works Director and Chris Boyer, Associate Civil Engineer.
Advances Goals: 1, 2, 5.

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.

City Clerk, Mindy Cuppy, reported that there were no property owner protests.

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

9.1 **Subject:** Resolution Declaring Results of a Protest Hearing and Authorizing the Mailing of Property Owner Ballots Relating to the Imposition of the Annual Stormwater Utility Fee for the North Douglas Project.
Recommendation: Adopt Resolution No. 128-2014 declaring the results of the property owner protest, authorizing the mailing of property owner ballots, and setting December 1, 2014 as the date of the ballot tabulation in collection with imposition of an annual Stormwater utility fee, and approving procedures in connection wherewith.
Result of Recommended Action: Action on this item will declare the results of the property owner protest, and if there exists less than a majority protest, authorize the

mailing of ballots to the property owners to approve the levy of the fee to pay for storm drainage and flood protection services for the North Douglas Project, and sets 1:00 p.m. on December 1, 2014, as the time and date for the ballot tabulation for the matter.
Staff Report: Elizabeth Sparkman, Senior Engineer.
Advances Goal: 5.

10. PUBLIC HEARING ITEMS

10.1 **Subject:** Clear Channel Outdoor Digital Freeway Sign Conditional Use Permit and Operating Agreement; Project No. DD8480 – Located at 12137 Folsom Boulevard.
Recommendation: Open the public hearing for this item, and Item 10.2 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.
Result of Recommended Action: This initial discussion and public hearing will provide the City Council with a clear understanding of two current proposals 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 (Agenda Item 14.2), 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. Opening the public hearings on this item and Item 14.2 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.

10.2 **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).
Recommendation: Open the public hearing for this item, and Item 10.1, 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 initial discussion and public hearing will provide the City Council with a clear understanding of two current proposals seeking approval of two separate digital freeway signs to be located adjacent to Highway 50. In light of the competing request by Clear Channel Outdoor (Agenda Item 14.1), 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. Opening the public hearings on this item and Item 14.1 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.

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

- Mary Nesel, in opposition of items 10.1 and 10.2
- Lisa Keyes, in support of item 10.2

Applicants addressed council:

- Clear Channel - Michael Wagener
- Sierra Outdoor/CBS - Tim Taron

Mr. Hansen, property owner, supporting Clear Channel, addressed council.

Kevin Johnson, CBS Outdoor, addressed council's questions.

ACTION: Motion to Continue item 10.1 and item 10.2 to December 15, 2014 by Terry second by Budge.
Carried by a 5:0 roll call vote.

10.3 **Subject:** Anatolia IV Rezone, Large Lot Tentative Subdivision Map, Small Lot Tentative Subdivision Map, Development Agreement Amendment.
Recommendation: Introduce and waive the first reading of Ordinance No. 28-2014 and Adopt Resolution No. -1292014.
Result of Recommended Action: Anatolia IV is a previously approved residential

development bordered by Chrysanthy Boulevard to the north and Rancho Cordova Parkway to the east within the Sunridge Specific Plan. Approval of the project would allow reconfiguration of the previous approved residential subdivision and removal of the neighborhood park feature, increased residential lot size resulting in overall reduction in units from 203 single family lots to 139 single family lots. Additionally, approval of the project would allow for amendments to the previously adopted Development Agreement to address the removal of the park feature and infrastructure requirements. These modifications reflect the recent updates to the City's open space/park standards and public works improvement timing and standards.
Staff Report: Matthew Diaz, Associate Planner.
Advances Goals: 1, 2, 6.

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

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

10.4 **Subject:** Ordinance No. 27-2014, Amending Title 1, Title 16, and Title 23 of the Municipal Code to Establish Procedures for Imposing Special Assessments and Recording Liens Against Properties with Delinquent Code Enforcement Fees, Charges, Penalties and Related Costs.
Recommendation: Introduce and read by title only Ordinance No. 27-2014.
Result of Recommended Action: Ordinance No. 27-2014 will come back to the City Council for a second reading and adoption at the next regular meeting. If approved, this Ordinance will establish procedures for the City to collect delinquent code enforcement fees (including fees for nuisance abatement, rental housing inspections, zoning code enforcement, weed and graffiti abatement) by recording liens and imposing special assessments (tax liens) against properties, allowing the City to be made whole for such costs. This will help shift the cost of enforcement of these laws to those who violate them.
Staff Report: Adam Lindgren, City Attorney's office; Donna Silva, Finance Director; and Kerry Simpson, Neighborhood Services Manager.
Advances Goals: 1,2,3, 5.

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

- Mary Nesel, in support of item 10.4
- Meada Cashatt, in support of item 10.4
- Catherine Cox, in support of item 10.4

Mayor Skoglund closed the public comment period.

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

11. REGULAR CALENDAR ITEMS

NONE.

12. COUNCIL REQUESTS FOR FUTURE AGENDA ITEMS

Mayor Skoglund requested looking into replacing city logo on Capital Village tower with new city logo.

13. CITY MANAGER'S REPORT

Adam Lindgren, City Attorney, introduced Leticia Ramirez, Assistant City Attorney.

Chief Goold read the following statement from Sheriff Jones to clarify the Stingray issue brought up by members of the community:

Since the topic of "Stingray technology" became newsworthy some weeks ago, I have wanted to hold true to my demonstrated commitment to transparency and discuss it. However, the use of such technology—even the acknowledgement of its use or ownership—is strictly forbidden by a signed confidentiality agreement with the federal government, through which the technology is obtained. This has enabled a local news source to repeatedly and knowingly disseminate false information and fear about its use, since I have not been able to respond.

However, through ongoing conversations with the federal government throughout this period, I have recently been authorized to make the following statement:

> *"The Sacramento County Sheriff's Department currently possesses and utilizes such a device, which is a cell-site simulator. The device is used to locate a person's KNOWN cellular device, pursuant to and in full compliance with the law, to further the Department's investigative and public safety responsibilities. The capability of this technology does NOT collect content such as voice, text, or data, and does not retain ANY data or other information from other than the target device. It is used infrequently in special cases, following department policies and procedures, to locate felony suspects and/or missing or kidnapped persons."*

Because this technology—like many of our investigative techniques and capabilities—could be rendered ineffective if criminals and adversaries used such details to diminish or defeat the department's lawful responsibilities, I cannot provide ANY additional information or make myself available for on-camera interviews like I have historically been accustomed to providing.

Sincerely, Sheriff Scott R. Jones

14. ADJOURNMENT

Mayor Skoglund adjourned the meeting to closed session in honor of Maria Burgess at 8:17 PM.

15. CLOSED SESSION - CALL TO ORDER/ROLL CALL

Mayor Skoglund called the closed session to order in the Community Board Room at 8:24 PM.

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

16. CLOSED SESSION

Council adjourned to closed session to discuss the following items:

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: 2).

CONFERENCE WITH LEGAL COUNSEL--EXISTING LITIGATION
Pursuant to Paragraph (1) of subdivision (d) of Section 54956.9: Debra Thomas v. City of Rancho Cordova, Case No. 34-2012-00136943.

17. OPEN SESSION - REPORT FROM CLOSED SESSION

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

18. ADJOURNMENT

Mayor Skoglund adjourned the meeting at 9:54 PM.

Mindy Cuppy

Mindy Cuppy, MMC, City Clerk