

**ACTION MINUTES OF THE CITY COUNCIL**  
**Wednesday, June 20, 2001**  
**CITY HALL COUNCIL CHAMBERS**

**CALL TO ORDER/ROLL CALL**

**Mayor James Cooper** called the June 20, 2001 regular City Council meeting to order at 6:47 p.m.

Present: Mayor Cooper, Mayor Pro Tem Soares,  
Council Members Leary, Scherman, Briggs

Absent: None

Mayor Cooper led the Pledge of Allegiance.

**PUBLIC COMMENT**

**Peter Vacura** commented on McDonald's double lane drive-thru. He stated that the extra drive-thru lane is creating a traffic problem. He strongly suggested the Council reconsider their decision to allow the double drive-thru or make an alternate reconfiguration within the parking lot.

The City Manager directed Phil Carter, Planning Director, to review the situation.

**APPROVAL OF AGENDA**

***Motion: Moved by Council Member Leary, seconded by Council Member Scherman to approve the agenda. The motion carried by a 5-0 vote.***

**PRESENTATIONS/ANNOUNCEMENTS**

**Council Member Scherman** announced that she presented a proclamation honoring elementary school-aged children for their participation in the Governor's Reading Award program.

**CONSENT CALENDAR ITEMS**

***Motion: Moved by Council Member Scherman, seconded by Council Member Leary to approve the consent calendar (5.1). The motion carried by a 5-0 vote.***

**Agenda Item 5.1** – *Action minutes of June 6, 2001 Regular City Council Meeting*

**PUBLIC HEARINGS**

**Agenda Item No. 6.1** -- *Public Hearing on Proposed Municipal Budget for Fiscal Year 2001-02 and Possible Adoption*

**City Manager Jinkens and Finance Director Espinoza** reviewed the proposed budget and responded to questions by the Council.

**Mayor Cooper** opened the public hearing at 7:17 p.m. and public comment was received regarding the allocation for the following activities/organizations:

Elk Grove Library:	Gabrielle Holmes (support) Ann Ulrich (opposed to requested amount) Sandi Russell (support) Olga Batey (support) Danetta Garcia (support)
Americans Against Graffiti:	Ann Ulrich (opposed) Robert Chandler (support) Josiah Schuyler (support) Michael Monasky (opposed)
Community Promotions:	Sandi Russell (support)
Senior Center (O&M, Meals):	Therese Schultz (support)
Wildlife Care Association:	Sandy Clark (support)

**Sarah Johnson** requested the City take a measured approach to approving additional personnel requests. She cited the Economic Development Director and Business Assistance Coordinators as an example. She also questioned whether the requested Assistant Manager could also function as the Public Information Officer. She also recollected from a previous Council meeting that a request for the Disability Advisory Coordinator position had been rejected.

**George Lotz** expressed his disappointment that the Community Services Specialist Program is proposed to be removed from the budget and replaced by management staff. He commented that this program would have allowed sworn officers to be more proactive and allowed non-sworn personnel to handle low-priority calls, minor traffic accidents and traffic control.

**Michael Monasky** commented that he would like to see more social services allocations and less police. He stated that the request for graffiti removal services was too high. He reiterated his request for bikeways funding. He commented that every Council meeting should be televised and that the camera operators are paid inadequate wages with no benefits.

The public hearing was closed at 8:06 p.m.

No consensus was met on approving the positions of Economic Development Director, Public Information Officer or Assistant City Manager.

***Motion: Moved by Council Member Scherman, seconded by Council Member Briggs to approve funding for the following activities:***

<b><i>Elk Grove Chamber of Commerce</i></b>	<b><i>\$ 20,000</i></b>
<b><i>Community Promotions (Western Festival)</i></b>	<b><i>5,000</i></b>
<b><i>Elk Grove Public Library</i></b>	<b><i>122,668</i></b>
<b><i>Elk Grove Senior Center (O&amp;M)</i></b>	<b><i>90,000</i></b>
<b><i>Strauss Festival of Elk Grove</i></b>	<b><i>15,000</i></b>
<b><i>Committee for the Arts</i></b>	<b><i>5,000</i></b>
<b><i>Teen Center</i></b>	<b><i>50,000</i></b>
<b><i>Legislative Advocate</i></b>	<b><i><u>70,000</u></i></b>
<b><i>Total</i></b>	<b><i>\$377,668</i></b>

***The motion carried by a 5-0 vote.***

The Council recessed at 9:15 p.m. and reconvened at 9:19 p.m.

### **REGULAR AGENDA ACTION ITEMS/RECOMMENDATIONS**

***Agenda Item No.7.1-- Second Reading of Ordinance No. 05-2001 An Ordinance of the City Council of the City of Elk Grove to Establish 50 MPH Speed Limit on Elk Grove Boulevard between Laguna Springs Drive and Franklin Boulevard***

**Mayor Cooper** opened the public comment opportunity.

**Peter Yacura** and **Michael Monasky** spoke in opposition to increasing the speed limit due to safety concerns and questioned the benefits.

**Mayor Cooper** closed the public comment opportunity.

**Public Works Director Clay Castleberry** explained that establishing the speed limit at 50 mph is consistent with the traffic survey results and would allow the police to institute enforcement of the posted speed limit. He noted that with the results of the recent traffic survey, without establishing the speed limit at 50 mph, violators of the current 45 mph speed limit could successfully challenge citations in the court system.

**Police Chief Ed Flint** concurred with staff's recommendation and affirmed that the action is necessary in order to use radar to enforce the traffic speed limits. He noted that speed limit evaluations will be ongoing and that a new recommended may be

made for the same roadway. He stated that increased traffic enforcement and educational efforts will be instituted.

***Motion: Moved by Council Member Scherman, seconded by Council Member Leary to waive second full reading of the ordinance by substitution of the title only; and adopt Ordinance No 05-2001, an ordinance of the City Council to Establish a 50 MPH Speed Limit on Elk Grove Boulevard between Laguna Springs Drive and Franklin Boulevard. Motion carried by a 4-1 vote; No: Briggs.***

***Agenda Item No. 7.2 – Second Reading of **Ordinance No. 07-2001**, An Ordinance of the City Council of the City of Elk Grove Amending the Elk Grove Municipal Code to Allow the Deferral of the Payment of Park Fees for Multi-Family Developments***

**Mayor Cooper** opened the public comment opportunity.

**Michael Monasky** spoke in opposition to the deferral of park fees as parks are a high priority for the community and the monies should be collected and available in the public coffers.

**Mayor Cooper** closed the public comment opportunity.

***Motion: Moved by Council Member Leary, seconded by Council Member Scherman to waive second full reading of the ordinance by substitution of the title only; and adopt Ordinance No. 07-2001, an ordinance of the City Council of the City of Elk Grove to Allow the Deferral of the Payment of Park Fees for Multi-Family Developments. Motion carried by a 5-0 vote.***

***Agenda Item No.7.3 -- Second Reading of **Ordinance No. 08-2001** An Ordinance of the City Council of the City of Elk Grove Amending the Zoning Map from AR-10 Agriculture-Residential to LC Limited Commercial, Assessor Parcel Numbers 116-0061-002***

**Mayor Cooper** opened the public comment opportunity.

**Michael Monasky** spoke in opposition to the rezoning. He stated that it would be appropriate to first adopt a general plan for Elk Grove.

**Mayor Cooper** closed the public comment opportunity.

***Motion: Moved by Council Member Leary, seconded by Council Member Scherman to approve staff's recommendation to waive the second full reading of the ordinance by substitution of title only; and adopt Ordinance No. 08-2001, an ordinance of the City Council Amending the Zoning Map from AR-10***

***Agriculture-Residential to LC Limited Commercial, Assessor Parcel Number 116-0061-002. Motion carried by a 5-0 vote.***

**Agenda Item No. 7.4** -- *Service Contract for Building Safety & Inspection Services with County of Sacramento*

**City Manager Jinkens** gave a brief summary of the scope of the agreement. He noted that the agreement will continue building-related services currently provided by the County of Sacramento for the period of July 1, 2001 through June 30, 2004. Mr. Jinkens related that all issues have been resolved with the exception of language applicable to insurance.

**Tony Manzanetti, City Attorney**, commented that the City and County have agreed in concept in regard to insurance. He noted that the City has the right to unilaterally insure for the services or to allow the County to provide through their self-insured pool. He noted that the Board of Supervisors approved the agreement the previous day with the exception of the insurance language. The Board of Supervisors directed the County Counsel and County Executive to craft appropriate language for the insurance provisions. Mr. Manzanetti stated that the City Council may consider directing the City Manager and City Attorney to act similarly.

**Mayor Cooper** opened the public comment opportunity.

**Mayor Cooper** announced **Bruce Houdesheldt** of Building Industry Association submitted a request to speak card expressing support of the agreement. Mr. Houdesheldt was not present during the public comment period.

**Mayor Cooper** closed the public comment opportunity.

**City Attorney Manzanetti** explained that resolution of the insurance provision would apply to all of the County/City services agreements.

***Motion: Moved by Council Member Scherman, seconded by Council Member Leary to approve contract for Building Safety and Inspection Services with Sacramento County and approval of Resolution No. 2001-38, authorizing the Mayor to execute the agreement and directed staff to consider using the City's insurance carrier. Motion carried by a 5-0 vote.***

**Agenda Item No. 7.5** -- *Ninety-Day Contract Extension for Municipal Services Between the County and the City of Elk Grove*

**City Manager Jinkens** noted that the interim agreement excludes the Building Safety and Inspection Services approved in Agenda Item No. 7.4. He noted that it is

not expected that finalization of service agreements will take longer than the 90-day period currently proposed in the interim agreement.

**City Attorney Manzanetti** reported that the Board of Supervisors approved the interim agreement, which did not include Code Enforcement services. He noted that the agreement for consideration by the Council does include Code Enforcement and provides law enforcement at the current service levels with the addition of traffic enforcement.

**Mayor Cooper** opened the public comment opportunity. There were no requests to speak. **Mayor Cooper** closed the public comment opportunity.

***Motion: Moved by Council Member Leary, seconded by Council Member Scherman to approve Resolution No. 2001-39 authorizing the Mayor to execute the Interim Agreement for Services between the County of Sacramento and City of Elk Grove. Motion carried by a 5-0 vote.***

**Agenda Item No. 7.6** -- Law Enforcement Contract for Services

**City Manager Jinkens** reported that the City and County representatives have reached consensus on all issues with the exceptions of overhead issues and insurance.

After Council discussion, Council Members Briggs, Scherman and Mayor Pro Tempore Soares, concluded that the terms of the agreement were acceptable to the City.

**Mayor Pro Tempore Soares** opened the public comment opportunity.

**Michael Monasky** expressed concern that the public did not have the opportunity to review the proposed contract. Mr. Monasky critiqued the use of Sacramento County deputies as the Elk Grove Police officers (filed).

**Mr. Jinkens** noted that the agreement under consideration has been made available to the public and that staff has been working to resolve five issues. Mr. Jinkens noted that four of the issues have been resolved and that direction on the insurance provision is now being sought as a part of Council's consideration.

**Eric Maness** encouraged increasing the police staffing levels for the Elk Grove Police Department to implement the team policing concept.

**Sandi Russell** questioned the use of police vehicles while not in service.

**Mayor Pro Tempore Soares** closed the public comment opportunity.

**Chief Deputy Drummond** noted that the current agreement for consideration provides for 69 personnel with 39 officers (35 for patrol, 4 for problem-oriented policing), at a cost of approximately \$9.1 million. Regarding the use of vehicles, the marked vehicles are pooled for service and none are taken home. He noted that the Police Chief will address the take-home vehicle policy.

In response to **Council Member Briggs, John Hammargren**, consultant on law enforcement services, concurred with the contract proposal submitted for approval.

***Motion: Moved by Council Member Scherman, seconded by Council Member Briggs to approve the Law Enforcement Agreement; authorizing Staff to draft language in the contract for the County to provide insurance or the City may unilaterally provide insurance through its own insurance provider. Motion passed by a 3-0 vote. Abstained: Mayor Cooper and Council Member Leary***

#### **GENERAL ADMINISTRATION INFORMATION**

- a) Update on Wayside Horn Project a RR Crossings in Elk Grove  
– Information Only

**Public Works Director Clay Castleberry** reported that the City is continuing with its application for the Wayside Horn Project. He noted that an objection was filed with the Public Utilities Commission by staff members of the PUC for use of the horns at Elk Grove Boulevard, Bond Road and Sheldon Road, noting that the City of Elk Grove would likely be required to finance upgrades at the railroad crossings.

He noted that legislation is under consideration to bring the “horn on a stick” into compliance with existing requirements. An agreement with Union Pacific Railroad will also be necessary to allow installation. He also explained that union railroad employees are named as interested parties to the issue and their consent to the application is required.

In response to **Council Member Leary’s** inquiry on the status of the PUC 130 application, Mr. Castleberry noted that PUC staff is considering the circumstances and possible solutions for the crossings. Mr. Castleberry further explained that the PUC field staff will determine if additional protection is necessary and if funds will be allocated.

- a) Funding for Sheldon Road Interchange

**City Manager Jinkens** reported that the Board of Supervisors has approved an allocation of \$4 million for the Sheldon Road project. Although this is a positive gesture, the project is \$6 million short in funding.

**Mr. Castleberry** reported that recent appraisals for real property right-of-way acquisitions has approximated those costs above \$8 million. The estimated cost for construction of the project is \$28 million. Mr. Castleberry reported on the possible use of STIP funds. He noted that an application for funds will be brought back to the Council for consideration. Application for federal funding will increase the complexity and time necessary to complete the environmental evaluation.

**Mr. Jinkens** reported approaching the City of Sacramento for project participation wherein that part of the interchange is within their jurisdictional boundary.

**Council Member Scherman** recommended contacting State representatives to secure support for the project. She also recommended CSD Fire Chief Meaker be included in project planning.

### **COUNCIL COMMENTS/FUTURE AGENDA ITEMS**

**Council Member Briggs** requested the following:

- a report on pedestrian crosswalk timers for roadway crossings
- consideration for Council Meetings to be changed to twice a month and look at a different day of the week if it does not conflict with meetings of another jurisdiction.

**Mayor Pro Tem Soares** suggested the scheduled City Attorney evaluation be held at a special Council meeting on Tuesday, June 26, 2001, 6 p.m. Council Members indicated their consensus.

**Council Member Scherman** requested clarification whether the Contract for Law Enforcement included the City having the right to its own logo.

**City Manager Jinkens** interjected it is included and he has not heard any different from the Sheriff.

**Mayor Cooper** concurred with Council Member Brigg's consideration that Council meetings be changed to twice a month.

### **CLOSED SESSION**

No items scheduled.

### **ADJOURNMENT**

With no other business pending on the agenda, the City Council adjourned at 11:00 p.m.

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PEGGY E. JACKSON, CITY CLERK

ATTEST:

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JAMES COOPER, MAYOR  
CITY OF ELK GROVE