

## **CITY OF ELK GROVE**

*Incorporated July 1, 2000*

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### **MINUTES OF THE CITY COUNCIL REGULAR MEETING Wednesday, October 15, 2003 CITY HALL COUNCIL CHAMBERS**

#### **CALL TO ORDER/ROLL CALL**

**Mayor Pro Tem Soares** called the October 15, 2003 regular City Council meeting to order at 6:31 p.m.

Present: Mayor Pro Tem Soares, Councilmembers Briggs and Cooper

Absent: Mayor Scherman, Councilmember Leary

Mayor Pro Tem Soares announced that Mayor Scherman and Councilmember Leary are in attendance at a conference and their absences are excused.

Mayor Pro Tem Soares led the Pledge of Allegiance.

#### **PUBLIC COMMENT**

**Lisa Dixon** addressed Swainson's Hawk habitat mitigation and noted that there is a large vacant parcel of land adjacent to her property on the east side of Bradshaw Road in the rural residential area that may be a potential site. She encouraged mitigation sites within the city limits.

**Todd Sperber** of Vanguard Vaults, located at the old Gibson Winery, stated that he is in the process of constructing an additional 42,000 sf building on the site with plans currently under review. He explained that while his building cost is \$1.1 Million, the fees will equate to \$108,499, with another \$175,000 for the roadway fee. He noted that the fees come to 26% of the building costs.

Mr. Sperber stated that the project is at the end of an unimproved, dead end street, that he will be required to improve the street, with curbs and gutters, and to also dedicate the street back to the city, at a cost of more than \$580,000. He asked that the Council waive the traffic mitigation fee. Mr. Sperber stated that in absence of the waiver, he will have to cancel the project and look to another location. Mr. Sperber cited instances of his support of the community.

## **APPROVAL OF AGENDA**

**Motion:** *M/S Cooper/Briggs to approve the agenda, continuing public hearing item 6.1, The Shires to 11/19/03. The motion passed by the following vote: Ayes: 3; Noes: 0; Absent: Scherman, Leary*

## **PRESENTATIONS/ANNOUNCEMENTS**

**Agenda Item No. 4.1:** *Joint Regional Transit/Elk Grove Study Presentation - J Kaplan*

**Michael Kashiwagi**, Manager of Building and Engineering, introduced Jerry Kaplan and noted the availability of Azadeh Doherty, representing Sacramento Regional Transit.

Mr. Kashiwagi noted that since incorporation, public transit service has been provided by Regional Transit in accordance with an interim agreement signed in October, 2001 and due to expire on June 30, 2004. In anticipation of the pending expiration, and the City's consideration of a new transit contract, Regional Transit, in conjunction with the City of Elk Grove, agreed to jointly fund an independent evaluation to identify, review and assess current levels of transit service and costs in Elk Grove.

Mr. Kashiwagi introduced Jerry Kaplan, a professional engineer with a specialty in transit operations and planning, the consultant selected to conduct the review. Mr. Kashiwagi cited Mr. Kaplan's credentials and experience.

**Mr. Kaplan** reviewed the study purpose and his findings (PowerPoint presentation filed).

Mr. Kaplan stated that the purpose of the study was to provide information on services provided by Regional Transit in Elk Grove; determine the service costs and the amount paid by the City of Elk Grove; and to evaluate reasonableness of costs paid for service provided.

Mr. Kaplan's report provided a history of service provided to Elk Grove since the mid-1990's through June 2000, noting that no service changes were offered between June 2000 and June 2003.

Relative to costs for fixed-route service, Mr. Kaplan reported that between the period of June 2000 and June 2003, the operating costs for 13,180 hours was approximately \$1.5 Million. Adding the cost of vehicles of \$490,000, the annual total cost for fixed-route services was approximately \$2 Million.

For Paratransit services, during Fiscal Year 2001-02, approximately 6,600 trips were provided within or originating from Elk Grove, the cost was approximated at \$165,000, and with capital costs added, the annual Paratransit costs was \$250,000.

The combined fixed-route and Paratransit costs were approximated at \$2.25 Million.

Mr. Kaplan reported that the potential amount of funding from various sources totals \$5,230,000 annually. He stated that as the sales tax revenue increases, the amount of local transportation funds available to Elk Grove should also increase. In addition to local transportation funds, Mr. Kaplan identified other funding sources as Measure A, Federal funds, Local Impact fees, passenger fares and the city general fund.

Mr. Kaplan stated that should Laguna West become annexed, additional transportation funds will be allocated to the City of Elk Grove.

In reviewing the amount paid by the City of Elk Grove for the service provided during the years of 2000 through 2002, Mr. Kaplan concluded that the calculated value of service combined for fixed-route and Paratransit services was \$2,250,000. The total funding from the City of Elk Grove transferred to Regional Transit for 2000 through 2002, is \$5,230,000.

Mr. Kaplan reviewed new services to be provided by Regional Transit: 1) routing changes planned in concert with the opening of the new South Line light rail; 2) a new commute Route 66 and an all day Route 65 on Franklin Boulevard from Laguna West to Florin Road light rail station, six days a week; 3) major expansion in frequency and span of service trunk Route 56; and a new local area shuttle within Elk Grove. Mr. Kaplan estimated that the expanded services will total 33,100 service hours at an estimated cost of \$4.3 Million.

Mr. Kaplan summarized as follows:

- ▶ \$3.05 million was paid by Elk Grove to Regional Transit in the last three years (Transportation Development Act and Sacramento Transportation Authority)
- ▶ \$1.1 million was apportioned annually to Elk Grove by Regional Transit (Measure A funds)
- ▶ \$500,000 was sent to Regional Transit by Elk Grove each year from collected development fees
- ▶ The total amount provided to Regional Transit during the last three years is approximately \$5.23 Million.

Mr. Kaplan concluded that it appears that for past and future planned services, Elk Grove over-contributed funds to Regional Transit.

**Mr. Kashiwagi** thanked the cooperating agencies for making the information available to Mr. Kaplan during the report preparation.

**Councilmember Cooper** questioned what will be done about the past and current overpayment of funds. He stated he felt staff should meet with Regional Transit to resolve, if possible.

**Councilmember Briggs** stated that there are no real interior services provided for commuters. He stated he feels Council should consider what future services are required for residents.

**Mayor Pro Tem Soares** echoed Councilmember Briggs' statement of improving service to residents. He recommended to Council that staff be directed to prepare a competitive procurement process that includes Regional Transit and other transit providers.

***Motion:*** *M/S Cooper/Briggs to direct staff to pursue transit services through the competitive procurement process. **The motion passed by the following vote: Ayes: 3; Noes: 0; Absent: Scherman, Leary***

### **CONSENT CALENDAR ITEMS**

**Mayor Pro Tem Soares** provided an opportunity for public comment, with none submitted.

***Motion:*** *M/S Briggs/Cooper to approve the consent calendar, with an amendment to the map for Agenda Item No. 5.9. **The motion passed by the following vote: Ayes: 3; Noes: 0; Absent: Scherman, Leary***

**Agenda Item 5.1:** *Approve Warrant Listing through October 1, 2003 (Warrants 007228 through 007327)*  
**Approved by Consent**

**Agenda Item 5.2:** *Approve Minutes of the September 3, 2003 Regular City Council Meeting*  
**Approved by Consent**

**Agenda Item 5.3:** ***Ordinance No. 39-2003** finally adopted, an ordinance of the City Council of the City of Elk Grove amending Elk Grove Zoning Code Title III, Chapter 30 (off street parking), section 330-81 (compact car spaces) to reduce the allowed percentage and increase the width of compact parking spaces **(Second Reading)***  
**Approved by Consent**

**Agenda Item 5.4:** *Approve and authorize the solicitation of a Request for Proposals (RFP) for professional Website Services for the City of Elk Grove*  
**Approved by Consent**

**Agenda Item 5.5:** ***Resolution 2003-194** adopted approving the final map for Bilby Meadows Unit 1 and authorize the Mayor to execute a subdivision improvement agreement between the City of Elk Grove and DR Horton, Inc.-Sacramento, a California Corporation*  
**Approved by Consent**

**Agenda Item 5.6:** *Resolution 2003-195* adopted approving the final map for South Meadows Unit 1 and authorizing the Mayor to execute a subdivision improvement agreement between the City of Elk Grove and WL Southmeadow Associates, LP, a California Limited Partnership  
**Approved by Consent**

**Agenda Item 5.7:** *Resolution 2003-196* adopted approving the final map for Cresleigh Ranch Village F2 and authorizing the Mayor to execute a subdivision improvement agreement between the City of Elk Grove and Cresleigh Homes Corporation, a California Corporation  
**Approved by Consent**

**Agenda Item 5.8:** *Resolution 2003-197* adopted approving the Michel parcel map for Subdivision No. 02-312.00 between the City of Elk Grove and Paul J. Michel and Susan M. Michel  
**Approved by Consent**

**Agenda Item 5.9:** *Resolution 2003-198* adopted approving the Fuller parcel map for Subdivision No. 00-096.00 between the City of Elk Grove and Patricia Fuller  
**Approved by Consent**

**Agenda Item 5.10:** *Resolution 2003-199* adopted authorizing the Mayor to execute an agreement with the State of California, Department of Transportation for landscape maintenance at the Laguna/Bond and State Route 99 Interchange  
**Approved by Consent**

**Agenda Item 5.11:** *Resolution 2003-200* adopted accepting the Curb Ramp Improvements 2003 Project as complete and authorizing the City Engineer to file a Notice of Completion with the Sacramento County Recorder  
**Approved by Consent**

**Agenda Item 5.12:** *Resolution 2003-201* adopted authorizing the City Manager to execute an agreement with Martin, Rivett & Olson, Inc for on-call traffic/transportation services not to exceed \$300,000 annually  
**Approved by Consent**

**Agenda Item 5.13:** *Approving the Monthly Treasurer's Report for July 2003*  
**Approved by Consent**

**Agenda Item 5.14:** *Authorizing the City Manager to execute an agreement with Frontier Telecommunications Company of California for enhanced telecommunications service*  
**Approved by Consent**

**Agenda Item 5.15:** *Approving the position of Information Technology Administrator to direct and manage information technology services, salary range M155*

**Approved by Consent**

**Agenda Item 5.16:** *Resolution 2003-202 adopted approving the Application Fee to cover the costs associated with the formation of and future annexations to the Community Facilities District (CFD) No. 2003-2 (Police Services)*

**Approved by Consent**

**Agenda Item 5.17:** *Resolution 2003-203 adopted recognizing Jean and Lyndon Hawkins as the 2003 Elk Grove Citizens of the Year*

**Approved by Consent**

## **PUBLIC HEARINGS**

**Agenda Item 6.1:** *Continued Public Hearing: The Shires, Project No. EG-03-418: to consider a Rezone of 29.10 acres from AR-5 to AR-2, Tentative Subdivision Map to create 12 single family lots, and Design Review for subdivision layout*

Location: *Northeast corner of Bader Road and Bond Road*

**This public hearing was continued to November 19, 2003 at the Approval of the Agenda.**

**RECOMMENDATION:** At the conclusion of the public hearing, consider the Planning Commission's recommendation as follows:

1. Adopt a Mitigated Negative Declaration for The Shires, Project No. EG-03-418
2. Introduce and waive the full reading, by substitution of title only, an ordinance of the City Council of the City of Elk Grove amending Elk Grove Zoning Map from AR-5 to AR-2 for The Shires, Project No. EG-03-418
3. Adopt a resolution approving a Tentative Subdivision Map, for The Shires, Project No. EG-03-418, subject to the Findings and MMRP/Conditions of Approval

**Agenda Item 6.2:** *Public Hearing: Supplemental Law Enforcement Services Fund for Fiscal Year 2003-2004 Allocation*

**Police Chief Ed Flint** reported that last year was Elk Grove's first opportunity to participate in this program, receiving approximately \$161,000. He noted that should the Council vote to approve the 2003-04 allocation request, staff estimates that the City should receive approximately \$172,000. Chief Flint referred to those items identified in the staff report for allocation should the funding request be granted.

**RECOMMENDATION:** Adopt by resolution the State Supplemental Law Enforcement Services Fund (SLESF) appropriation for supplies and equipment for the Elk Grove Police Department

With no requests to speak, **Mayor Pro Tem Soares** closed the public comment opportunity.

**Motion:** *M/S Briggs/Soares adopting Resolution 2003-204 approving the Supplemental Law Enforcement Services Fund appropriation for supplies and equipment for fiscal year 2003-04 allocation. The motion was passed by the following vote: Ayes: 3; Noes: 0; Absent: Scherman, Leary*

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

None.

### **GENERAL ADMINISTRATION INFORMATION**

**City Manager Danielson** announced that the tenant improvements for the administration building located at 8380 Laguna Palms Way are 75% complete and staff anticipates moving into the building in November.

Mr. Danielson also reminded the Council and public that a special City Council meeting will be held on October 29 to consider adoption of the General Plan.

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

**Councilmember Briggs** read the resignation letter submitted by Planning Commissioner George C. Lotz into the record, citing poor health as his reason for resignation.

### **CLOSED SESSION**

After providing an opportunity for public comment, the Council recessed to Closed Session at 7:36 p.m. to discuss the following items:

**a) CONFERENCE WITH LEGAL COUNSEL – Existing Litigation**

(1) Case

Pursuant to Subdivision (a) of Section 54956.9

State of California and South County Citizens for Responsible Growth v. M&H Development, City of Elk Grove. California District Appellate Report (3rd) Case No. C 042302 (Appeal from Sacramento Superior Court, J. Connelly)

- b) CONFERENCE WITH LEGAL COUNSEL – Anticipated Litigation**  
Pursuant to Subdivision (b) of Section 54956.9  
Two (2) Potential Cases

The Council reconvened the regular session at 7:43 p.m. Mayor Pro Tem Soares stated that no reportable action was taken during closed session.

**ADJOURNMENT**

With no other business for the Council to consider, the meeting was adjourned at 7:44 p.m.

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**PEGGY E. JACKSON**  
**CITY CLERK**

**ATTEST:**

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**RICK SOARES, MAYOR PRO TEM**  
**CITY OF ELK GROVE**