

CITY OF ELK GROVE

Incorporated July 1, 2000

**MINUTES OF THE CITY COUNCIL
REGULAR MEETING
Wednesday, December 3, 2003
CITY HALL COUNCIL CHAMBERS**

CALL TO ORDER/ROLL CALL

Mayor Scherman called the December 3, 2003 regular City Council meeting to order at 6:42 p.m.

Present: Mayor Scherman, Mayor Pro Tem Soares, Councilmembers Briggs, Cooper, and Leary

Absent: None

Assistant City Manager Terry Fitzwater led the Pledge of Allegiance.

PUBLIC COMMENT

There were no public requests to speak on matters not on the agenda.

APPROVAL OF AGENDA

Before approving the agenda, staff was provided with the following comments from Councilmembers relative to the Laguna Ridge Specific Plan: ensure planning efforts clearly and accurately reflect the general plan's intent; return the Laguna Ridge Specific Plan to staff and development community to make sure the proposed project is the best possible plan before Council's consideration; consider the balance of land uses, in particular, parks; work with CSD to obtain the best possible parks in the City; impose Phase 1, 2, 3 park improvements on developers; allow the city to exercise its land-use authority by means of a nexus study.

Motion: *M/S Briggs/Soares to approve the agenda, continuing Agenda Item No. 6.2 (Laguna Ridge Specific Plan), and pulling Agenda Item No. 7.1. **The motion passed by the following vote: Ayes: 5; Noes: 0***

PRESENTATIONS/ANNOUNCEMENTS

Agenda Item 4.1: *Presentation on West Nile Virus by Lynn Hawkins (City representative to Sacramento-Yolo Mosquito and Vector District) and David Brown, Sacramento-Yolo Mosquito and Vector District, General Manager*

Lynn Hawkins thanked the Council for the opportunity to serve on the District's Board, and for the Council's recognition of he and his wife, Lynn, as Elk Grove Citizens of the Year.

Mr. Hawkins introduced **David Brown**, General Manager to make the presentation.

Mr. Brown provided an update on the District's efforts to prepare for a potential West Nile Virus outbreak (presentation filed).

In response to an inquiry by **Councilmember Cooper** relative to routing plans to the District for review, particularly those with stormdrain or wetland features, **Assistant City Manager David Storer**, confirmed that staff will include the District in the review and notification process.

CONSENT CALENDAR ITEMS

Motion: *M/S Soares/Briggs to approve the consent calendar items. **The motion passed by the following vote: Ayes: 5; Noes: 0***

Agenda Item 5.1: *Approve Warrant Listing through November 19, 2003 (Warrants 007607 through 007721)
Approved by Consent*

Agenda Item 5.2: *Approve Monthly Treasurer's Report for October 2003
Approved by Consent*

Agenda Item 5.3: *Approve Minutes of the October 1, 2003 and the November 5, 2003 Regular City Council Meeting Minutes
Approved by Consent*

Agenda Item 5.4: *Adopt **Ordinance No. 42-2003**, an ordinance of the City Council of the City of Elk Grove amending the Elk Grove Zoning Map from AR-5 to AR-2 the Shires, Project No. EG-03-418 (**Second Reading**)
Approved by Consent*

Agenda Item 5.5: ***Resolution 2003-236** accepting the Asphalt Concrete Overlay 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 5.6: *Resolution 2003-237 accepting the Slurry Seal 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 5.7: *Resolution 2003-238 approving the final map for Cresleigh Ranch Village E and authorize 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 2003-239 approving the final map for Cresleigh Ranch Village G 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 5.9: *Resolution 2003-240 authorizing the City Manager to execute a contract with Dowling Associates, Inc. for on-call traffic and transportation services*

Approved by Consent

Agenda Item 5.10: *Resolution 2003-241 authorizing the City Manager to execute a contract with Code Publishing, Inc. for the recodification of the Elk Grove Municipal Code and to provide periodic supplements to the Code over five years*

Approved by Consent

Agenda Item 5.11: *Resolution 2003-242 adopting the proposed General Fund budget adjustments for the annexation of Laguna West for the 2003-2004 Fiscal Year*

Approved by Consent

PUBLIC HEARINGS

Agenda Item 6.1: Public Hearing: Stoecker, Ranch Project No. EG-03-449: to consider a Rezone of 14.3 acres from AG-80 to RD-5 and RD-7, Tentative Subdivision Map to create 67 single family lots and Design Review for subdivision layout

Location: *East of Franklin Boulevard, south of Poppy Ridge Road and north of Bilby Road*

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

1. Adopt a Mitigated Negative Declaration for Stoecker Ranch, Project No. EG-03-449
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 AG-80 to RD-5 and RD-7 for Stoecker Ranch, Project No. EG-03-449

3. Adopt a resolution approving a Tentative Subdivision Map and Design Review, for Stoecker Ranch, Project No. EG-03-449, subject to the Findings and MMRP/Conditions of Approval

Mayor Scherman declared the public hearing open at 7:24 p.m.

Craig Hoffman, Project Planner, provided an overview of the applicant's request. He noted that a mitigated negative declaration was circulated for the project. The Planning Commission recommended approval of the mitigated negative declaration and approval of the project.

Timothy Denham of Wood-Rodgers, representing the applicant, made himself available for Council questions.

With no questions from the Council, **Mayor Scherman** opened the public comment opportunity.

Catherine Hooper and John Rusmore requested the realignment of Bilby Road for safety reasons and to restrict the building on Lot 22 to one story.

Mayor Scherman closed the public comment opportunity at 7:30 p.m.

Mr. Denham commented that there is adequate distance, 80 to 90 feet, between any house built on Lot 22 and the Rusmore home, with the Rusmore garage between their home and Lot 22. The walnut tree will also provide additional screening.

Councilmember Cooper requested a condition be placed on the project to require single-story homes on Lots 21 and 22. On behalf of the applicant, Mr. Denham, concurred with the condition.

After discussion on the realignment request, no Council direction was provided to realign the roadway.

Motion 1: *M/S Cooper/Briggs to adopt a Mitigated Negative Declaration for Stoecker Ranch, Project No. EG-03-449. The motion was passed by the following vote: Ayes: 5; Noes: 0*

Motion 2: *M/S Cooper/Briggs to introduce and waive the full reading, by substitution of title only, Ordinance 44-2003, an ordinance of the City Council of the City of Elk Grove amending Elk Grove Zoning Map from AG-80 to RD-5 and RD-7 for Stoecker Ranch, Project No. EG-03-449. The motion was passed by the following vote: Ayes: 5; Noes: 0*

Motion 3: *M/S Cooper/Briggs to adopt Resolution 2003-243 approving a Tentative Subdivision Map and Design Review, for Stoecker Ranch, Project No. EG-03-449, subject to the Findings and MMRP and amended Conditions of Approval to require single-story homes on lots 21 and 22. The motion was passed by the following vote: Ayes: 5; Noes: 0*

Mayor Scherman recognized and welcomed a number of students from Florin and Sheldon High Schools in attendance.

Agenda Item No. 6.2 continued to an unspecified date at the approval of the agenda.

Agenda Item 6.2: Public Hearing: Laguna Ridge Specific Plan, Project No. EG-00-062 to consider a General Plan Amendment to modify the General Plan Land Use map consistent with the Laguna Ridge Specific Plan, Specific Plan adoption and Rezone of various parcels consistent with the Laguna Ridge Specific Plan land use map

Location: *Laguna Ridge Specific Plan (LRSP) encompasses approximately 1,900± acres and is located in the southwestern portion of the City of Elk Grove, west of Highway 99, south of Elk Grove Boulevard, east of Bruceville Road and the East Franklin Specific Plan area, and north of Bilby Road and the area referred to as the "Southeast Policy Area"*

RECOMMENDATION: Staff is recommending that the public hearing on the Laguna Ridge Specific Plan be continued in order to ensure that the specific plan is made consistent with the recently adopted Elk Grove General Plan. Staff is also recommending that a Workshop/Action Item be held to address this item at the December 17, 2003 City Council meeting

REGULAR ACTION ITEMS/RECOMMENDATIONS

Agenda Item No. 7.1 was continued at the approval of the agenda:

Agenda Item 7.1: *Resolution supporting the revision of the composition of the Board of Directors of the Sacramento Regional County Sanitation District (SRCSD); and appoint an alternate to the SRCSD governing Board*

Agenda Item 7.2: *Roadway Fee relief for James Hardie Building Products*

RECOMMENDATION: Staff recommends that the City Council consider the request being made by the James Hardie Building Products Company and provide direction as deemed appropriate

Phil Carter noted that staff was directed by Council to discuss relief alternatives to the roadway fees imposition with a James Hardie representative. A fee comparison was available for Council's use.

Joan Crepeau, James Hardie representative, proposed the Council consider utilizing the City's sewer fee credits and a reduction of the roadway fee, with payment of \$2.08 or \$2.73 cents per square foot for the initial building phase.

There were no public requests to speak.

Motion: *M/S Briggs/Soares to direct staff to negotiate a fee deferral program and return to the Council for approval. The motion was passed by the following vote: Ayes: 5; Noes: 0*

GENERAL ADMINISTRATION INFORMATION

None.

COUNCIL COMMENTS/FUTURE AGENDA ITEMS

Mayor Pro Tem Soares

- Requested staff agendaize an action item to consider growth-slowing measures up to and including a building moratorium prior to action on the Laguna Ridge Specific Plan.

There was general Council consensus that the requested item be returned in April for consideration.

Councilmember Briggs

- Announced Breakfast with Santa would be held at Applebee's on December 13, 8 a.m. to 10:30 a.m. Ticket proceeds will benefit the Teen Center.

Councilmember Cooper

- Several cities have expressed concern and questioned whether cities are at risk of losing transit funding if their general plans are incongruent with the SACOG "Blueprint" plan. Councilmember Cooper, a SACOG Board member, confirmed that transit funding would not be lost for this reason.

CLOSED SESSION

After providing the opportunity for public comment, the Council adjourned to closed session at 8:23 p.m.

A) CONFERENCE WITH LEGAL COUNSEL – Anticipated Litigation

Pursuant to Subdivision (b) of Section 54956.9
Two (2) Potential Cases.

B) CONFERENCE WITH LEGAL COUNSEL – Existing Litigation

1 Case
Pursuant to Subdivision (a) of Section 54956.9

1. State of California et al. v. Unocal Corporation et al.
Sacramento Superior Court Case No. 03AS05452

The regular City Council meeting reconvened at 8:46 p.m. Mayor Scherman reported no reportable action during closed session.

ADJOURNMENT

With no other business for the Council to consider, the meeting was adjourned at 8:47 p.m. in the memory of Bill Hughes, Mayor of the City of Citrus Heights.

PEGGY E. JACKSON
CITY CLERK

ATTEST:

SOPHIA SCHERMAN, MAYOR
CITY OF ELK GROVE