

CITY OF ELK GROVE

Incorporated July 1, 2000

MINUTES OF THE CITY COUNCIL REGULAR MEETINGS Wednesday, November 17, 2004 CITY HALL COUNCIL CHAMBERS

CALL TO ORDER/ROLL CALL

Mayor Scherman called the November 17, 2004 regular meeting of the City Council to order at 6:30 p.m.

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

Absent: None.

Eugene Robinson led the Pledge of Allegiance.

APPROVAL OF AGENDA

Motion: ***M/S Briggs/Cooper*** to approve the agenda to hear Presentations and Announcements prior to Public Comment, cancel the Public Hearing Agenda Item No. 6.1 pursuant to the applicant's request to withdraw his application; and continue Public Hearing Agenda Item No. 6.4 to December 1, 2004. ***The motion passed by the following vote: Ayes: 5; Noes: 0***

PRESENTATIONS/ANNOUNCEMENTS

Agenda Item No. 4.1: Proclamation of Recognition Honoring Krystle Remmen

Ms. Remmen was recognized for her academic achievement and participation in the prestigious Summer Science Program.

Agenda Item No. 4.2: Sacramento Area Council of Governments (SACOG) Blueprint Plan, presented by Michael McKeever.

Mr. McKeever presented the "preferred scenario map", scheduled for consideration by the SACOG Board of Directors for action in December, reflecting the City's general plan. In relation to how the information will be used, Mr. McKeever presented a packet (filed) considered by the SACOG Board the previous week. Unless amended by the

Housing and Land Use Committee, the map will remain in its present form for adoption by the Board in December.

Mr. McKeever responded to questions from Councilmembers relative to SACOG's land-use authority and the objective and implementation of the Blueprint Plan.

Mayor Scherman opened the public comment opportunity.

Dannetta Garcia stated that SACOG is suggesting that the City look at their recommendations from a partnership perspective. She stated that the City must be a regional player, meaning that the City may not adopt all that is laid out by the Blueprint plan, but there are aspects of the model conducive to a good environment and quality of life. She stated that while the City boasts of cutting edge advances, and referring to the **e-tran** buses, the City of Elk Grove is patting itself on the back, no one else is giving the City accolades. The Blueprint Plan serves as a model for alleviating congestion. She questioned the affordability of affordable housing in Elk Grove.

Several Councilmembers rebutted Ms. Garcia's statements by providing examples of how the City has worked to mitigate loss of Swainson's Hawk habitat, bring an improved bus system to the City, provided funding for highway interchange projects and cited funding for in-process affordable housing projects.

Mayor Scherman passed on an award presented to the City of Elk Grove from the Advancing Women in Transportation as the 2004 Employer of the Year resulting from the City's **e-tran** transit system.

PUBLIC COMMENT

Buddy Friend congratulated the incumbents on their re-election and urged consideration of a directly-elected mayor.

Mayor Scherman stated that there would be an open meeting to include a workshop for the Councilmembers to consider information on the issue of a directly elected mayor. Public notice would be provided by means of publication.

Constance Conley asked that the Council adopt a youth city-government project and commission on youth and children to advocate the involvement of youth in government.

Gene and Bette Robinson presented their annual offering of persimmon crop and fabulous persimmon cookies to Council and staff.

Phillip Stark thanked the incumbents on their campaigns and victories. He stated that he is available to the Council to assist them. He stated he was hopeful that the City would create a Historical Preservation Commission, preferably before the completion of the Old Town development plan.

The following speakers commented on the Public Hearing Item No. 6.1: **Barbara Lemar, Sharon Lynes** (letter filed), **Lisa Dixon**.

Comments and questions were regarding the issuance of a building permit prior to completion of the masonry wall prior to construction of the gas station; height of the wall; staff's oversight and enforcement of project conditions; similar situation with Bell South project oversight.

Councilmember Cooper asked for a report to the Council and to Ms. Lemar tomorrow on Ms. Lemar's assertions.

Dannetta Garcia, in reference to her earlier public comment, explained that she only suggested that the City be a regional player. She commented on gossip relative to Councilmember Briggs' confirmation to the Mayor position.

Lisa Dixon questioned when information on the Elk Grove – El Dorado corridor would be returned.

Phil Carter responded that SACOG has continued the corridor issue for further discussion. Staff is organizing a community meeting to be held in mid-December to receive additional public input.

John Scribner asked that dialogue be promoted relative to the plan of the Elk Grove Unified School District to close down its transportation in areas other than those defined "rural", and the District's plan on where the students will be attending. They are proposing that if parents want their children to attend the same schools together, the older student must be pulled from their current school of attendance and placed on the tract that the younger student is attending.

CONSENT CALENDAR ITEMS

Councilmember Briggs announced that due to a financial interest, he was recusing himself from participating on the approval of the warrant to Frontier Communications (Consent Calendar Item No. 5.1).

Councilmember Cooper announced that he and Councilmember Leary would not be participating on approval of Consent Calendar Item No. 5.4 as a result of their employment with the Sacramento County Sheriff's Office.

Motion: *M/S Cooper/Leary to approve the consent calendar items except items 5.1, 5.4. The motion passed by the following vote: Ayes: 5; Noes: 0*

Agenda Item 5.1: *Approve Warrant Listing through October 21, 2004 (Warrants 10568 through 10648)*

Motion: M/S **LearyCooper** to approve consent calendar item No. 5.1 (Note: Councilmember Briggs recused himself from approving the warrant to Frontier Communications due to his financial interests in the company). The motion passed by the following vote: **Ayes: 5; Noes: 0**

Agenda Item 5.2: **Resolution 2004-275** authorizing the City Manager or his designee to execute a contract with Goodwin Consulting Group for services to review the Laguna Ridge Financing Plan and prepare a Nexus Study for the Laguna Ridge Area
Approved by Consent

Agenda Item 5.3: Adopt **Ordinance No. 33-2004**, an ordinance of the City Council of the City of Elk Grove amending the Elk Grove Zoning Map from AG-80 and AR-5 to AR-2 for Ermandarold Estates Project No. EG-02-340 (**Second Reading**)
Approved by Consent

Agenda Item 5.4: Adopt **Ordinance No. 34-2004**, an ordinance of the City Council of the City of Elk Grove amending the Elk Grove Municipal Code by creating Section 10.24.075, entitled "Prohibition of Parking Specified Vehicles in the Public Right-of-Way" (**Second Reading**)

Motion: M/S **Soares/Briggs** to approve consent calendar item No. 5.4 (Note: Councilmembers Cooper and Leary recused themselves from voting on the item due to their employment with the Sacramento County Sheriff's Department); **Ayes: 3; Noes: 0**

Agenda Item 5.5: **Resolution 2004-276** approving the final map for Laguna Big Horn, Subdivision No. 03-525.00 in connection with Laguna Big Horn LLC, a Delaware Limited Liability Company
Approved by Consent

Agenda Item 5.6: **Resolution 2004-277** accepting Subdivision Improvements for Sheldon Pacific Unit 3
Approved by Consent

Agenda Item 5.7: **Resolution 2004-278** receiving and ratifying the November 9, 2004 election results as certified by the City Clerk and levying the storm drainage fees to additional properties within the City limits.
Approved by Consent

PUBLIC HEARINGS

Agenda Item 6.1: Public Hearing: Wilton Gas Station Project No. EG-04-691: to consider a Conditional Use Permit (CUP) Amendment to remove the condition requiring a masonry wall from a previous approval EG-01-219 Wilton Gas Station
Location: intersection of Grant Line and Wilton Road within the Sheldon Community

Note: **Agenda Item No. 6.1 was canceled at the approval of the agenda pursuant to the applicant's request.**

Agenda Item 6.2: *Public Hearing: Sacramento Natural Food Co-op EG-04-668: to consider a Public Convenience and Necessity (PCN) Letter to allow a Type 20 Off-sale (beer and wine) alcohol license
Location: 8517 Bond Road*

RECOMMENDATION: Adopt a resolution approving the request for a Public Convenience and Necessity Letter for Sacramento Natural Foods Co-op for a Type 20 Off-sale (beer and wine) alcohol license Project No. EG-04-668

Mayor Scherman declared the public hearing open at 7:56 p.m.

Darcy Goulart provided the staff report overview.

Applicant **Paul Culrera** requested Council approval.

The following public comment was provided:

Constance Conley expressed concern for the number of establishments licensed to sell alcoholic beverages, particularly in relation to recent deaths resulting from drivers under the influence.

The public comment opportunity was closed at 8:03 p.m.

Motion: *M/S Cooper/Leary to adopt Resolution 2004-279 approving the request for a Public Convenience and Necessity Letter for Sacramento Natural Foods Co-op for a Type 20 Off-sale (beer and wine) alcohol license Project No. EG-04-668. The motion was passed by the following vote: Ayes: 5; Noes: 0*

Agenda Item 6.3: *Public Hearing: to change the name Old Calvine Road to Geneva Pointe Drive between East Stockton Boulevard and Auberry Drive*

RECOMMENDATION: Adopt a resolution changing the name of Old Calvine Road to Geneva Pointe Drive between East Stockton Boulevard and Auberry Drive

Mayor Scherman declared the public hearing open at 8:05 p.m.

Bob Lee provided the staff report overview.

There were no public requests to speak.

Motion 1: *M/S Cooper/Briggs adopting Resolution 2004-280 changing the name of Old Calvine Road to Geneva Pointe Drive between East Stockton Boulevard and Auberry Drive. The motion was passed by the following vote: Ayes: 5; Noes: 0*

Agenda Item No. 6.4: *Public Hearing: Continuation of Public Hearing relative to Multi-Family Rezone Project No. EG-062 Zoning Code Amendment, Rezone*

Note: *Agenda Item No. 6.4 was continued to the December 1, 2004 City Council meeting at the Approval of the Agenda.*

Tom Shine provided the following comment on the continued hearing item: GRESHA has provided considerable information to the Planning Commission on the item expressing concern relative to Area 3, approximately 31 acres bounded on the north by Sheldon Road, on the East by Elk Grove-Florin Road, west to southwest, by the Union Pacific Railroad. He questioned how children would co-exist with the attractive nuisance of the railroad tracks, a major intersection with speed limits between 45 and 50 mph, and the natural attraction of a park adjacent to the parcel.

Mr. Shine noted that the Planning Commission restricted occupancy of the project to seniors only. He questioned whether the project would contain the age restriction when returned for Council consideration.

REGULAR ACTION ITEMS/RECOMMENDATIONS

None.

GENERAL ADMINISTRATION INFORMATION

At City Manager Danielson's request, **Phil Carter** reported that in response to Mayor Scherman's request from the November 3, 2004 City Council meeting for a status report on establishing a Historical Preservation Committee, staff anticipates presenting options to the Council prior to the end of the year.

COUNCIL COMMENTS/FUTURE AGENDA ITEMS

Councilmember Cooper

- ? Return discussion to the December 1 Council meeting regarding the Javanifard project relative to staff oversight of projects.
- ? Requested solicitation of applications to fill vacancy created by the resignation of Planning Commissioner Gary Winuk.

Councilmember Briggs

- ? Commented that the earlier public comments relative to splitting siblings to disallow attending successive schools was troubling.

- ? Announced the 7th Annual Breakfast with Santa at Applebee's on December 11, 8 a.m. – 10 a.m. Tickets are \$8 for children, \$10 for adults and may be obtained by calling 684-2472. Receipts are donated to the Elk Grove Teen Center. The event is sponsored by the Rotary Club with food donated by Applebee's.

Councilmember Leary

- ? Commented on the construction at Elk Grove-Florin/Bond Road. The construction has been a nightmare and suggested to public works' staff that for future projects, if construction along major thoroughfares do does not confirm to timelines, the contractor is required to work night shifts to get it finished.

Mayor Scherman

- ? Passed on information to staff relative to a constituent's observation of a train blocking emergency vehicle passage on Elk Grove Boulevard. The reporting party noted that the train crew made no effort to clear the track to allow the emergency vehicle to pass.
- ? Responded to public comment relative to the appointment of Councilmember Briggs to the mayoral position. Mayor Scherman noted misinformation was conveyed. She stated her support for Councilmember Briggs' appointment to be Mayor.

CLOSED SESSION

None.

ADJOURNMENT

With no other business scheduled for the Council to consider, the regular and special City Council meetings were adjourned at 8:23 p.m.

PEGGY JACKSON, CITY CLERK

ATTEST:

SOPHIA SCHERMAN, MAYOR
CITY OF ELK GROVE