

**MINUTES OF THE CITY COUNCIL  
REGULAR MEETING  
Wednesday, May 10, 2006**

**CALL TO ORDER/ROLL CALL**

**Mayor Soares** called the regular City Council meeting of May 10, 2006 to order at 6:31 p.m.

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

Absent: None.

**Councilmember Cooper** led the Pledge of Allegiance.

**APPROVAL OF AGENDA**

***Motion:*** M/S ***Leary/Scherman*** to approve the May 10, 2006 City Council meeting agenda. ***The motion passed by the following vote: Ayes: 5; Noes: 0***

**PRESENTATIONS/ANNOUNCEMENTS**

1. Reclaimed Water Usage, presentation by Sacramento Regional County Sanitation District, Reuben Robles  
  
Council expressed its support to extend the use of recycled water to the south Elk Grove area.
2. Quality of Life Taskforce findings (filed).  
  
Council received comments from Chairs William Wittich (Seniors) and James Miller (Teens). Committee members were recognized with the presentation of plaques.
3. Proclamation recognizing the American Cancer Society's 2006 Relay for Life; presented by Councilmember Cooper and received by Sue and Terry Griffith. Recognize the robust participation in and contribution to the program by teens and seniors from Elk Grove.
4. City of Elk Grove Police Department recruitment video;

**Kendall Flint**, Project Coordinator with the Community Development Department and Nadine Scarborough presented the award-winning video.

Ms. Flint noted that the video won the California Association of Public Information Officials as the best of its kind in state-wide competition, as well as honorable mention by the Sacramento Chapter of the Public Relations Society of America. Next week the video will receive one of two top awards from the Sacramento IABC (International Association of Business Communicators).

### **PUBLIC COMMENT** (Matters Not On The Agenda)

**Keith Coben** spoke in support of development of a BMX race track in Elk Grove (petition filed). Requested staff be instructed to conduct a feasibility study on such a race track in Elk Grove (referred to Chris Daste).

**Janet Toppenberg**, CEO of the Elk Grove Chamber of Commerce, congratulated Council on the Police Video Recruitment award, the receipt of the Preserve America designation, and on the Council meeting video streaming.

Relative to the business licensing program, Ms. Toppenberg expressed concern that some long-established businesses are reporting that application for the license is resulting in a temporary license due to zoning non-conformance. She noted the non-conformance designation may trigger a costly variance application process. She asked that existing businesses be grandfathered into the system or that the Planning Director be authorized to accept minor variances.

### **CONSENT CALENDAR ITEMS**

**Councilmember Leary** read the following statement of recusal into the record:

*"Both Mr. Cooper and I are employed by the Sacramento Sheriff's Department. Therefore, I will not be participating in **Consent Items 5.5, 5.14.** The record should reflect our recusal on each of the items and my 'abstention' from participation in this matter. In addition to my recusal here today, we have not made, participated in making, or otherwise influenced or attempted to influence this decision. "*

**Councilmember Leary** also noted that the same statement is applicable to Agenda Item No. 7.3.

**Motion:** *M/S Leary/Scherman to approve the consent calendar items with recusals (Cooper/Leary) noted on agenda item nos. 5.5, 5.14, action item no. 7.3.*  
**The motion passed by the following vote: Ayes: 5; Noes: 0**

**Agenda Item No. 5.1:** *Approve Monthly Treasurer's Report for March 2006*  
**Approved by Consent**

**Agenda Item No. 5.2:** *Approve Minutes of the March 22, 2006 Regular City Council Meeting*  
**Approved by Consent**

**Agenda Item No. 5.3:** *Ordinance No. 18-2006 adopted amending the City of Elk Grove Zoning Map from AR-5 to RD-5 for French Estates Project No. EG-05-902 – APN: 115-0170-035-0000* **Second Reading**  
**Approved by Consent**

**Agenda Item No. 5.4:** *Ordinance No. 19-2006 adopted amending the City of Elk Grove Zoning Map from AR-5 to AR-2 for Bader Road Parcel Map Project No. EG-05-812, APN: 122-0210-009-0000* **Second Reading**  
**Approved by Consent**

**Agenda Item No. 5.5:** *Resolution No. 2006-110 adopted, approving the Mitigated Negative Declaration, the Mitigation Monitoring Reporting Program, and approve the Police Vehicle Facility Project*  
**Approved by Consent vote with Councilmembers Cooper and Leary abstaining. The motion passed by the following vote: Ayes: 3; Noes: 0; Abstentions: 2 (Cooper/Leary)**

**Agenda Item No. 5.6:** *Resolution No. 2006-111 adopted authorizing the City Manager, or his designee, to execute a contract with David Ford Consulting Engineers, Kimley-Horn and Associates, Mark Thomas & Company, Nolte Associates, TRS Consultants, and West Yost & Associates for on-call engineering services*  
**Approved by Consent**

**Agenda Item No. 5.7:** *Resolution No. 2006-112 adopted authorizing the City Manager, or his designee, to execute a contract with Teichert Construction for the Asphalt Concrete Overlay and Curb Ramp Improvements 2006 project*  
**Approved by Consent**

**Agenda Item No. 5.8:** *Resolution No. 2006-113 adopted accepting the Laguna Gateway Landscaping Project at State Route 99 and Laguna/Bond Road Interchange as complete and authorize City Engineer to file a Notice of Completion with the Sacramento County Recorder*  
**Approved by Consent**

**Agenda Item No. 5.9:** *Resolution No. 2006-114 adopted authorizing the City Engineer to call for bids for the Laguna West Park and Ride Project*  
**Approved by Consent**

**Agenda Item No. 5.10:** *Resolution No. 2006-115 adopted approving Parcel Map No. 05-843.03 Laguna Village Plaza Phase 3*  
**Approved by Consent**

**Agenda Item No. 5.11:** *Resolution No. 2006-116 adopted accepting the Grant Line Road at Sheldon Road Intersection Improvements Project as complete and authorize the City Engineer to file a Notice of Completion with the Sacramento County Recorder*  
**Approved by Consent**

**Agenda Item No. 5.12:** *Resolution No. 2006-117 adopted authorizing the City Manager or his designee to execute a Reimbursement Agreement for Property Acquisition with Corinthian Homes for Reimbursement of City's costs associated with the acquisition of property, DiBenedetto Acres subdivision*  
**Approved by Consent**

**Agenda Item No. 5.13:** *Resolution No. 2006-118 adopted rejecting all bids received for construction of the Grant Line Road/State Route 99 Interchange Project and authorize the City Engineer to re-advertise for bids*  
**Approved by Consent**

**Agenda Item No. 5.14:** *Resolution No. 2006-119 adopted declaring the City Council's intention to levy assessments and to levy a special tax to pay for police services in Community Facilities District 2003-2 (Police Services) Annexation 11*  
**Approved by Consent with Councilmembers Cooper and Leary abstaining;**  
**The motion passed by the following vote: Ayes: 3; Noes: 0; Abstentions: 2 (Cooper, Leary)**

**Agenda Item No. 5.15:** *Resolution No. 2006-120 adopted declaring the City Council's intention to levy street maintenance assessments by annexing certain properties located in the eastern area in Street Maintenance District No.1, Zone 3; Annexation 9*  
**Approved by Consent**

**Agenda Item No. 5.16:** *Resolution No. 2006-121 adopted declaring the City Council's intention annex territory to Community Facilities District No. 2006-1 (Maintenance Services) and to levy a special tax to pay for certain maintenance services (Annexation No. 2)*  
**Approved by Consent**

## **PUBLIC HEARINGS**

**Agenda Item No. 6.1:** *A public hearing to consider application for East Crossing Pointe, a rezone from AR-2 to Limited Commercial (LC) and a East Elk Grove Specific Plan Amendment from Residential to Commercial and approve the project Design Review; Location: Northwest corner of Elk Grove Boulevard/Bradshaw Road, APN 127-0150-027*

### **PLANNING COMMISSION RECOMMENDATION:**

1. Adopt a Mitigated Negative Declaration and MMRP for East Crossing Pointe, Project No. EG-03-411.
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 the City of Elk Grove Zoning Map from AR-2 to LC and amending the East Elk Grove Specific Plan from Residential to Commercial for East Crossing Pointe Project No. EG-03-411.
3. Approve a Resolution of the City Council of the City of Elk Grove approving a Design Review for East Crossing Point Project No. EG-03-411, subject to the Findings and Conditions of Approval/MMRP

**Mayor Soares** declared the public hearing open at 7:26 p.m.

**Nina Stevens**, Project Planner provided an overview of the staff report and the Planning Commission's recommendation.

No statement was made by the applicant.

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

**Motion 1:** *M/S **Cooper/Leary** to adopt a Mitigated Negative Declaration and MMRP for East Crossing Pointe, Project No. EG-03-411. **The motion passed by the following vote: Ayes: 5; Noes: 0***

**Motion 2:** *M/S **Cooper/Scherman** to introduce and waive the full reading, by substitution of title only, an Ordinance (**Ordinance No. 20-2006**) of the City Council of the City of Elk Grove amending the City of Elk Grove Zoning Map from AR-2 to LC and amending the East Elk Grove Specific Plan from Residential to Commercial for East Crossing Pointe Project No. EG-03-411. **The motion passed by the following vote: Ayes:5 ; Noes: 0***

**Motion 3:** *M/S **Leary/Briggs** to adopt a Resolution (**Resolution No. 2006-122**) approving a Design Review for East Crossing Point Project No. EG-03-411,*

subject to the Findings and Conditions of Approval/MMRP. **The motion passed by the following vote: Ayes: 5; Noes: 0**

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

**Agenda Item No. 7.1:** Approve the suspension of the Housing Stock Conservation Fee

**RECOMMENDATION:** Introduce and waive the full reading by substitution of title only, an Ordinance suspending Article 9, Chapter 16.20 of the Elk Grove Municipal Code

**Joe Chinn**, Finance Director, provided an overview of the staff report and recommendation.

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

**Motion:** **M/S Leary/Scherman** to introduce and waive the full reading by substitution of title only, an Ordinance (**Ordinance No. 21-2006**) suspending Article 9, Chapter 16.20 of the Elk Grove Municipal Code. **The motion passed by the following vote: Ayes: 5; Noes: 0**

**Agenda Item No. 7.2:** Establish speed limits on roadway segments for Auberry Drive, Elk Grove Boulevard, Laguna Park Drive, Power Inn Road, Stonebrook Drive, Terazzo Drive, Willard Parkway [p. 1-19]

**RECOMMENDATION:** Introduce and waive the full reading by substitution of title only, an Ordinance establishing speed limits for various roadway segments

**Bob Lee**, City Engineer, provided an overview of the staff report and recommendation.

**Mayor Soares** opened and closed the public comment opportunity.

**Motion:** **M/S Briggs/Scherman** to introduce and waive the full reading by substitution of title only, an Ordinance (**Ord. 22-2006**) establishing speed limits for various roadway segments. **The motion passed by the following vote: Ayes: 5; Noes: 0**

**Fred Mansen** provided comment on Laguna Park Drive traffic concerns, requesting the speed limit be reduced to 30 mph, stop signs and crosswalks placement.

**Agenda Item 7.3:** Transmittal of the Proposed (Draft) Police Services Budget for Fiscal Year 2006-07

Note: Prior to consideration of this item, Councilmember Cooper announced that he and Councilmember Leary were recusing themselves from participation in the item due to their employment with the Sacramento County Sheriff's Department. Each vacated the Council dais and Chamber at 7:41 p.m.

**RECOMMENDATION:** This report transmits the Police Proposed Budget for Fiscal Year 2006-2007. No Council action is required for this transmittal.

**Joe Chinn**, Finance Director, provided an overview of the staff report and proposed 2006-07 fiscal year budget for police services.

No direction was provided to staff on changes to the budget.

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

This was an informational item only in preparation for the Public Hearing on adoption of the budget for police services scheduled for May 24, 2006.

**Note:** Councilmembers Cooper and Leary returned to the Council dais at 7:49 p.m.

**Agenda Item No. 7.4:** Proposed (Draft) Municipal Budget for Fiscal Year 2006-2007

**RECOMMENDATION:** This report transmits the Proposed Budget for Fiscal Year 2006-2007. No Council action is required for this transmittal

**Joe Chinn**, Finance Director, provided an overview of the staff report and proposed 2006-07 fiscal year municipal budget.

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

By Council consensus, staff was directed to budget the Senior Center and Teen Center as line items subject to the \$100,000 cap provided by the community service grant guideline.

This was an informational item only in preparation for the Public Hearing on the budget scheduled for May 24.

**Agenda Item No. 7.5: Community Service Grant Guidelines**

**RECOMMENDATION:** Staff recommends the City Council adopt a resolution approving guidelines for the annual award of community service grants.

**Katy Baumbach**, Management Analyst, provided an overview of the staff report and recommendation.

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

Discussion confirmed the general Council consensus to require accountability that the granting of funds will directly benefit Elk Grove residents.

**Motion:** *M/S Cooper/Briggs to adopt a resolution (Res. 2006-123) approving guidelines for the annual award of community service grants. The motion passed by the following vote: Ayes: 5; Noes: 0*

**GENERAL ADMINISTRATION INFORMATION**

None.

**COUNCIL COMMENTS/FUTURE AGENDA ITEMS**

**Councilmember Cooper**

- Reported attending a very productive Cap(itol) to Cap(itol) trip to Washington, D.C. with an estimated forty other councilmembers, networking with representatives on Capitol Hill.
- Reported attending the Folsom, Rancho Cordova, Elk Grove, El Dorado Hills connector meeting wherein formation of a joint powers authority (JPA) between Folsom, El Dorado Hills and Rancho Cordova was discussed for the purpose of building that region's segment (in that location) of the connector first. Representatives expressed concern that the construction may be delayed due to the Sheldon area uncertainty. Councilmember Cooper reported that he and Public Works City Engineer Bob Lee voiced their opposition to that approach.

### **Councilmember Briggs**

- Announced an STA meeting on 05/11/06 to discuss Sacramento Metropolitan Air Quality Management District (SMAQMD), Measure A expenditure plan/allocations for participating cities; A new measure will be drafted (Measure A Plan) for what will be financed.
- Repeated his request for a Council item to address a potential pedestrian/bicycle overcrossing for trail connectivity and to diminish traffic flow impacts to Laguna Boulevard.
- Asked staff look at the bus stop on northbound Bruceville past Big Horn across the street from the Wackford Aquatic Center and urged the expedited installation of a bus shelter at that location. He asked for a report back.
- Urged the traveling public to slow their pace and to practice driver courtesy.

**Mayor Soares** asked that when the report on bus stops is returned, that a city-wide overview be done to show what phases are occurring now, identify areas.

### **Councilmember Leary**

- Reported speaking with Bob Lee, City Engineer, regarding Poplar Hollow Lane. The street sign and irrigation system impacted with the widening of Bond Road should be reinstalled.
- Council should consider a master plan and annexation of the area west of St. Rt. 99, south of Kammerer Road.

**Mayor Soares** added that the area east of 99 and south of Grant Line Road should also be considered for annexation.

- Councilmember Leary reported going to the Cap to Cap event and assignment to two committees--Homeland Security and Cable Commission. He met with representatives from the offices of Congresswoman Feinstein, Congresswoman Boxer and with Toby Burke, Special Assistant to the President for Intergovernmental Affairs. There was good discussion on the impacts to the community which may result from current legislature proposals relative to cable television.

### **Mayor Pro Tem Scherman**

- Reported attending the Cap to Cap event. Congressional staffers were well informed relative to local concerns. Visited the State Park Authority and took a fieldtrip to a local park. The park has a visitor's center and is located in a wetlands area. A boardwalk meanders through the park to enable visitors to enjoy the park without impact to the park. Offered Stonelake as an area at which the same approach might be used.
- Reported that the State Park Commission is considering locating a park in the Elk Grove area, contingent upon availability of funds.
- Reported that bus shelters are being reviewed for placement in Old Town.
- Reminded residents that fire season started yesterday and warned that abatement of weeds on private property may result in fines.

### **Mayor Soares**

- Reported attending the Cap to Cap event and meeting with the Army Corp of Engineers. He noted they are supportive of extending the provision to enable contracting with the Corp with dedicated staff for permit review.
- Addressing the "quiet zone", warned residents that horns will not be eliminated entirely. It will eliminate the prolonged, repetitive horn warnings. Should there be a hazard, the horns will still be used. Horns may also be heard from Galt.

**Councilmember Briggs** requested the meeting be closed in memory of Carl Amundson. The Council observed a moment of silence.

### **CLOSED SESSION**

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

After identifying the closed session business, the Council adjourned the open session of the May 10, 2006 Council meeting to closed session at 8:46 p.m. to consider the following:

## CONFERENCE WITH REAL PROPERTY NEGOTIATORS

Pursuant to GC Sec. 54956.8

Property: 134-0600-034, 134-0650-067, 134-0220-040, 134-0600-012, 134-0650-004, 134-0600-035, 036, 134-0600-039, 134-0600-041, 134-0220-072, 134-0600-016, 134-0600-013, 134-0220-054, 134-0510-034, 134-0600-011, 134-0600-029, 134-0220-069, 134-0650-003, 134-0650-006, 134-0600-031, 134-0600-032, 134-0520-021, 134-0220-055, 134-0220-078, 134-0600-006, 134-0220-049, 134-0510-035, 134-0510-032, 134-0220-055, 134-0510-023, 125-0142-005

Agency Negotiators: John Danielson, Anthony Manzanetti, Allison Daniels and Julie Cline

Negotiating parties: Multiple Parties

Under negotiation: Price and terms of payment for purchase, sale, exchange, or lease

The open session of the regular May 10, 2006 City Council meeting reconvened at 8:52 p.m.

The Mayor announced no reportable action from the closed session.

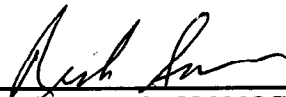
**ADJOURNMENT**

Prior to adjourning to closed session, at Mayor Briggs' request, a moment of silence was observed and the meeting was adjourned in the memory of Carl Amundson.

With no additional business to conduct, the regular May 10, 2006 City Council meeting was adjourned at 8:52 p.m.

  
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**PEGGY JACKSON, CITY CLERK**

**ATTEST:**

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