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MINUTES OF THE CITY COUNCIL  
REGULAR MEETING  
Wednesday, February 14, 2007

**CALL TO ORDER/ROLL CALL**

**Mayor Cooper** called the regular City Council meeting of February 14, 2007 to order at 6:39 p.m.

Present: Mayor Cooper, Council Members Davis, Hume, Leary, and Scherman

Absent: None

The Pledge of Allegiance was led by Mayor Cooper.

**APPROVAL OF AGENDA**

***Motion: M/S Scherman/Leary to approve the agenda as submitted, with the exception of moving Closed Session Items 10A and C prior to Presentations/Announcements (Agenda Item 10B removed from consideration by staff). The motion passed by the following vote: Ayes: 5; Noes: 0.***

The City Council adjourned to closed session at 6:41 p.m. after agenda Items 10A and 10C were read into the record. There were no public requests to speak. The Closed Session item from the Special City Council meeting was still open at the time the closed session reconvened to discuss Items 10A and 10C.

***Council adjourned to Closed Session Items 10A and 10C at 6:41 p.m. (See Item Closed Session for description of items).***

***Council reconvened at 7:29 p.m. and Mayor Cooper announced that there was no reportable action taken in closed session.***

**Mayor Cooper** announced the Special Meeting was closed at 7:29 p.m.

**PRESENTATIONS/ANNOUNCEMENTS**

**Agenda Item No. 3.1:** Presentation by Holly Graziadei of Legion, Inc., regarding the East Stockton Boulevard Sound Wall

**Ms. Graziadei** introduced the President of Legion, Inc., Derk Wayne Schutmaat, who made the presentation on the East Stockton Sound Wall (presentation filed).

**Council Consensus:** Return this item to the Council to review remedies, including construction alternatives, realistic costs, funding, liability, property owner participation, sidewalk width, city vs. private property.

**Agenda Item No. 3.2:** City of Elk Grove “Brand Development” presentation by Public Information Officer Christine Brainerd.

Christine Brainerd, Public Information Officer, gave a presentation on the topic of “Brand Development” for the City of Elk Grove (presentation filed). Ms. Brainerd noted that staff will be working with the public, as well as the Chamber of Commerce and the Economic Development Corporation. The City will host an interactive workshop on March 6 at 6:30 p.m. to brainstorm possible slogans and provide feedback on logos. The information will return to the City Council at a future meeting.

No Council direction.

## **PUBLIC COMMENT**

**Sarah Johnson** expressed concern over no previous consideration or direction to staff on the Civic Center project. Ms. Johnson referred to a recent magazine article in which information was quoted from the City’s Request for Proposals. She questioned how the project will be financed. She felt undertaking a project such as this without public input or Council’s knowledge is unacceptable.

**Elizabeth Pinkerton** thanked the Council for allowing her to sell books in the Council Chamber lobby on “History Happened Here”, Elk Grove’s history, with the proceeds going toward student scholarships. She shared the new book “Images of America – Elk Grove”, a book of photos featuring Elk Grove dating back to the 1880’s. The book will be available in two weeks for purchase. She also encouraged new Council Members to keep a journal of their activities, for historical significance.

**Derrick Jackson** representing the University of Phoenix, announced, and invited the public to attend, the University’s Grand Opening at 9280 W. Stockton Boulevard on February 20, 2007, between 5:00 and 7:30 p.m.

**Michelle Singleton** alleged discrimination and harassment by the Elk Grove Police Department since October 2006. She stated the department is forcing her family from their home, threatening their landlord to fine her if she does not evict the family. Ms. Singleton asserted no wrong-doing or criminal activity on her family’s behalf (letter filed).

**Council Member Davis** requested this issue be reviewed.

**Mayor Cooper** noted nine calls have been placed to this residence in eight months for law enforcement for a variety of reasons. The Mayor offered to meet with Ms. Singleton and the Chief to address her concerns.

**Lynn Wheat** commented on a recent rendering of the City's mall. She noted a lot of parking space with no pedestrian or bicycle parking areas specified. She commented there was no light rail designated. She asked that the Council consider the mall planning carefully.

### **CONSENT CALENDAR ITEMS**

In response to a question by **Mayor Cooper** on when the City can expect delivery of the [Compressed Natural Gas, CNG] buses (Agenda item No. 5.10), **John Andoh**, Assistant Transit Manager, responded that the buses should be in service by June 30 of this fiscal year.

***Motion: M/S Leary/Scherman to approve the Consent Calendar items. The motion passed by the following vote: Ayes: 5; Noes: 0***

**Agenda Item No. 5.1:** **Resolution No. 2007-24** adopted accepting the R&J Irrigation Relocation Project as complete and authorizing the City Engineer to prepare a Notice of Completion and the City Clerk to file the Notice of Completion with the Sacramento County Recorder

**Approved by Consent**

**Agenda Item No. 5.2:** **Resolution No. 2007-25** adopted approving a Cooperative Agreement and authorizing the Mayor, or his designee, to execute the Cooperative Agreement with the State of California for the development of the Elk Grove Boulevard/State Route 99 Interchange Modification Project

**Approved by Consent**

**Agenda Item No. 5.3:** **Resolution No. 2007-26** adopted approving Final Map for Subdivision No. 04-784.02 Monterey Village 2

**Approved by Consent**

**Agenda Item No. 5.4:** **Ordinance No. 6-2007** adopted repealing the provisions of purchasing ordinances 04-2001 and 24-2005 and adopt a new ordinance titled purchasing ordinance (**Second Reading**)

**Approved by Consent**

**Agenda Item No. 5.5:**      **Resolution No. 2007-27** adopted authorizing the City Manager, or his designee, to execute an amendment to Contract No. C-05-618 with Martin C. Hughes, Landscape Architect for an amount not to exceed \$40,000 for additional consultant landscape services and to extend the contact for a term not to exceed six months (August 16, 2007)

**Approved by Consent**

**Agenda Item No. 5.6:**      **Resolution No. 2007-28** adopted declaring intention to annex territory to Community Facilities District No. 2006-1 (Maintenance Services) and to levy a special tax to pay for maintenance services (Annexation No. 5)

**Approved by Consent**

**Agenda Item No. 5.7:**      **Resolution No. 2007-29** adopted accepting subdivision improvements for Laguna Estates Units 1 & 2

**Approved by Consent**

**Agenda Item No. 5.8:**      Received report on City Manager approved purchases and contracts authorized by City Purchasing Ordinance, filed through February 5, 2007

**Approved by Consent**

**Agenda Item No. 5.9:**      The minutes of the January 10, 2007 Regular City Council Meeting were approved as submitted

**Approved by Consent**

**Agenda Item No. 5.10:**      **Resolution No. 2007-30** adopted authorizing the Federal Transit Administration to transfer 26 buses from South Coast Area Transit and 13 buses from Metro Regional Transit Authority and authorizing the City Manager, or his designee, to execute the \$99,500 bill of sale for the 13 Metro 1998 Orion V compressed natural gas buses

**Approved by Consent**

## **PUBLIC HEARINGS**

**Agenda Item No. 6.1:**      A continued public hearing to consider the High Density Residential General Plan Amendment and Rezone Project, which includes text revisions to the Land Use Element, amendments to land use designations of 12 sites to High Density Residential and associated rezones of the 12 sites to RD-20 or RD-30

## **RECOMMENDATION:**

1. Adopt a Resolution of the City Council of the City of Elk Grove making Findings, Adopting a Statement of Overriding Considerations, and Adopting a Mitigation Monitoring and Reporting Program and approving an Amendment to

the Elk Grove General Plan amending General Plan Land Use Element Policy LU-33 and adding Land Use Element Policy LU-40, as follows:

a. LU-33 – The following general criteria shall apply to the South Pointe Policy Area as shown in Figures LU-1 and LU-6:

At least 5.5 percent of the total land area shall be designated high density residential development.

b. LU-40 - Fifteen acres within APNs 116-0012-047, -050, -059 located on the south side of Sheldon Road, east of Bruceville Road, and north of Big Horn Boulevard shall be designated high density residential development. (Site F)

And amending the General Plan Land Use Map as follows:

c. From Low Density Residential to High Density Residential for APNs 115-0180-002, -020 (Site A); located at 8770 and 8786 Calvine Road.

d. From Commercial to High Density Residential for APN 125-0010-003 (Site J); located at the northeast corner of East Stockton Boulevard and State Route 99.

e. From Light Industrial to High Density Residential for a 15 acre portion of APN 134-0182-001 (Site M); located at the southwestern corner of Mosher and Grant Line Roads.

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 East Elk Grove Specific Plan to modify Section 4.3.3(a) and add Section 4.3.3(d) to require 15 acres of High Density Residential uses in a portion of APN 134-0182-001 (Site M) and amending the City of Elk Grove Zoning Map as follows:

a. From AR-5 to RD-20 for APNs 115-0180-002, -020 (Site A); located at 8770 and 8786 Calvine Road.

b. From LC to RD-30 for APN 125-0010-003 (Site J); located at the northeast corner of East Stockton Boulevard and State Route 99.

c. From MP to RD-20 for a 15 acre portion of APN 134-0182-001 (Site M); located at the southwestern corner of Mosher and Grant Line Roads.

3. Adopt a Resolution of the City Council of the City of Elk Grove approving an amendment to the Elk Grove General Plan Amending the General Plan Land Use Map for APN 125-0050-010 (Site K) from commercial to commercial/office/multi-family.

4. 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 LC to LC(MF) for APN 125-0050-010 (Site K).

**Note: Public testimony on this continued public hearing was concluded on January 24, 2007.**

**Jessica Shalamunec**, Planner, was available for questions on the items presented for Council consideration and adoption.

**Mayor Cooper** opened the public comment opportunity at 8:15 p.m.

**City Clerk Peggy Jackson** noted receipt of correspondence dated January 29, 2007 from Jim Gillum, JA Gillum, Inc., clarifying his comments at the public hearing of January 24, 2007, were made on behalf of the Jon Gibson Company, a neighboring property owner to Site L.

**John Ferguson** voiced his support for approval [Site M].

**Mayor Cooper** closed the public comment opportunity at 8:16 p.m.

***Motion #1: M/S Leary/Scherman to adopt Resolution No. 2007-31*** making Findings, Adopting a Statement of Overriding Considerations, and Adopting a Mitigation Monitoring and Reporting Program and approving an Amendment to the Elk Grove General Plan amending General Plan Land Use Element Policy LU-33 and adding Land Use Element Policy LU-40, as indicated in items 1a through 1e (read into the record as part of the motion) of the recommendation. ***The motion passed by the following vote: Ayes: 5; Noes: 0.***

***Motion #2: M/S Leary/Scherman to introduce Ordinance No. 7-2007*** amending the East Elk Grove Specific Plan to modify Section 4.3.3(a) and add Section 4.3.3(d) to require 15 acres of High Density Residential uses in a portion of APN 134-0182-001 (Site M) and amending the City of Elk Grove Zoning Map as indicated in items 2a through 2c (read into the record as part of the motion) of the recommendation. ***The motion passed by the following vote: Ayes: 5; Noes: 0.***

**Council Member Hume** read a statement of recusal into the record and excused himself from the Council dais at 8:20 p.m. during consideration of the following two items on Site K. Council Member Hume returned at 8:21 p.m. after the vote was taken on the two items.

***Motion #3: M/S Scherman/Leary to adopt Resolution No. 2007-32*** approving an amendment to the Elk Grove General Plan Amending the General Plan Land Use Map for APN 125-0050-010 (Site K) from commercial to commercial/office/multi-family. ***The motion passed by the following vote: Ayes: 4; Noes: 0; Abstain: 1 (Hume)***

***Motion #4: M/S Scherman/Leary to introduce Ordinance 8-2007*** amending the City of Elk Grove Zoning Map from LC to LC(MF) for APN 125-0050-010 (Site K). ***The motion passed by the following vote: Ayes: 4; Noes: 0; Abstain: 1 (Hume)***

**Agenda Item No. 6.2:** A public hearing to consider establishing a citywide Fire Development Impact Fee Program

**RECOMMENDATION:**

- Introduce and waive the full reading, by substitution of title only, an Ordinance adding Chapter 16.85 to the Elk Grove Municipal Code establishing the Elk Grove Fire Fee Program; and
- Adopt a Resolution levying fees for the Elk Grove Fire Fee Program to be effective in 60 days Monday, April 16, 2007; and
- Introduce and waive the full reading, by substitution of title only, an Ordinance repealing Chapter 16.83 of the Elk Grove Municipal Code which established the Laguna South Fire fee program; and
- Introduce and waive the full reading, by substitution of title only, an Ordinance amending Chapter 16.91 of the Elk Grove Municipal Code removing references to separate fire fees in the Eastern Elk Grove fee program.
- Adopt a Resolution removing the fire fee component from development impact fees levied in the Eastern Elk Grove fee program.

**Mayor Cooper** declared the public hearing open at 8:20 p.m.

**Kate Rosenlieb**, Senior Management Analyst, provided a brief overview of the item and introduced Victor Irzyk, Goodwin Consulting, principal consultant for the Cosumnes Community Services District (formerly Elk Grove Community Services District) who provided an overview of the staff report and recommendation.

Mr. Irzyk confirmed at Council Member Leary's request, that the fees collected will remain and be expended within the area levied.

With no public requests to speak, **Mayor Cooper** closed the public comment opportunity at 8:25 p.m.

**Motion:** *M/S Scherman/Leary to:*

- *Introduce **Ordinance 9-2007** adding Chapter 16.85 to the Elk Grove Municipal Code establishing the Elk Grove Fire Fee Program.*
- *Adopt **Resolution 2007-33** levying fees for the Elk Grove Fire Fee Program to be effective in 60 days Monday, April 16, 2007.*
- *Introduce **Ordinance 10-2007** repealing Chapter 16.83 of the Elk Grove Municipal Code which established the Laguna South Fire fee program.*
- *Introduce **Ordinance 11-2007** amending Chapter 16.91 of the Elk Grove Municipal Code removing references to separate fire fees in the Eastern Elk Grove fee program.*
- *Adopt **Resolution 2007-34** removing the fire fee component from development impact fees levied in the Eastern Elk Grove fee program.*

***The motion passed by the following vote: Ayes: 5; Noes: 0.***

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

**Agenda Item No. 7.1:** Adopt a resolution authorizing the Mayor, or his designee, to execute a Joint Exercise of Powers Agreement for Human Rights / Fair Housing Commission and designate appropriate members

### **RECOMMENDATION:**

1. Consider the request by Human Rights/Fair Housing to adopt a Resolution authorizing the Mayor, or designee, to execute a Joint Exercise of Powers Agreement for Human Rights/Fair Housing Commission; and
2. Appoint a Governing Board member Director and Governing Board Member alternate Director and appoint an Advisory Board member to the Commission; or
3. Take no action on this request at this time.

**Kara Myers**, Management Analyst, provided an overview of the staff report and recommendation.

**Council consensus:** Staff to bring back at the next regularly scheduled City Council meeting the matter of appointing a Governing Board member Director, a Governing Board Member alternate Director and an Advisory Board member to the Commission.

**Barbara Lehman**, Executive Director of the Human Rights / Fair Housing Commission, supported the proposed action and was available for Council questions.

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

**Council Member Scherman** and **Mayor Cooper** each expressed their interest on serving as the City's representative to the Governing Board Member

**Motion:** *M/S **Leary/Scherman** to adopt **Resolution 2007-35** authorizing the Mayor, or his designee, to execute a Joint Exercise of Powers Agreement for Human Rights/Fair Housing Commission. **The motion passed by the following vote: Ayes: 5; Noes: 0.***

**Agenda Item No. 7.2:** Human Rights / Fair Housing Commission request for office space

**RECOMMENDATION:**

1. Consider the request by Human Rights/Fair Housing for office space;
2. If so desired, authorize the City Manager to prepare and execute a license agreement related to the office space with Human Rights/Fair Housing; or
3. Take no action on this request at this time.

**Kara Myers**, Management Analyst, provided an overview of the staff report and recommendation.

**Barbara Lehman**, Executive Director of the Human Rights/Fair Housing Commission, was available for questions. No questions were posed to Ms. Lehman.

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

***Motion: M/S Leary/Scherman to authorize the preparation and execution of a license agreement related to the office space with Human Rights/Fair Housing. The motion passed by the following vote: Ayes: 5; Noes: 0.***

**Agenda Item No. 7.3:** Sacramento Public Library Authority Facility Master Plan 2007-25

**RECOMMENDATION:**

Receive a presentation by Sacramento Public Library Authority staff regarding their Facility Master Plan 2007-2025 and

1. Adopt the resolution of endorsement; or
2. Provide staff further direction; or
3. Take no action at this time.

**Kara Myers**, Management Analyst, provided an overview of the staff report and introduced Anne Marie Gold, Director of the Sacramento Public Library, who reviewed the proposed facility master plan.

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

***Motion: M/S Hume/Davis to adopt Resolution No. 2007-36 endorsing the Sacramento Public Library Facility Master Plan 2007-25. The motion passed by the following vote: Ayes: 5; Noes: 0.***

**Agenda Item No. 7.4:** Introduce Ordinances: 1) Defining the duties of the Office of the City Clerk, and 2) Amending Ordinance 2000-9; Adopt a Resolution appointing the City Clerk; and create a Council Ad-Hoc Committee

**RECOMMENDATION:**

1. Introduce and waive the full reading, by substitution of title only, an ordinance defining the duties of the Office of the City Clerk; and
2. Introduce and waive the full reading, by substitution of title only, an ordinance amending Ordinance 2000-9 to reflect the City Clerk as an appointed Office; and
3. Adopt a resolution appointing a City Clerk; and
4. Create a Council ad-hoc committee to negotiate an employment agreement with the City Clerk.

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

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

**Motion: M/S Leary/Scherman to:**

- *Introduce **Ordinance No. 12-2007** defining the duties of the Office of the City Clerk.*
- *Introduce **Ordinance No. 13-2007** amending Ordinance 2000-9 to reflect the City Clerk as an appointed Office.*
- *Adopt **Resolution No. 2007-37** appointing *Peggy E. Jackson as the City Clerk.**
- *Create a Council Ad-Hoc Committee comprised of Mayor Cooper and Mayor Pro Tempore Leary to negotiate an employment agreement with the City Clerk.*

**The motion passed by the following vote: Ayes: 5; Noes: 0.**

**Agenda Item No. 7.5:** Discussion/direction to establish a Council Ad-Hoc Committee to define the scope of a City Charter Committee

**RECOMMENDATION:**

Appoint a Council Ad-Hoc Committee to work with legal staff to define the scope of a Council-appointed citizen's committee assembled to study the Charter City concept.

**Peggy Jackson**, City Clerk, provided an overview of the staff report and recommendation.

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

**Council Consensus:** *To prepare and return a resolution establishing a City Charter/Election Reform Committee to research and enumerate the advantages or disadvantages of the General Law and City Charter forms of government, also looking at election reform (identified at the January 24, 2007 Council meeting: selection/election of the Mayor, district elections, instant run-off voting [ranked-choice voting], election by 50% plus one, primary/general elections, campaign reform)]; Appointing authority: Each Council member shall appoint one member of the five-member ad-hoc committee; committee members shall be Elk Grove residents, at least 18 years of age, registered voters; the City Manager shall designate staff support; the Committee members will determine the time, frequency and location of the meetings; the task of the committee will be completed six months from committee member appointment; staff to return the resolution for adoption and to identify funding. The Committee may benefit from the services of a professional facilitator similar to that used for the Quality of Life Task Force; legal support may also be necessary.*

**Agenda Item No. 7.6:** Consider amending the City Council rules of procedure for the conduct of Council meetings, fixing the time of the meeting

**RECOMMENDATION:**

Consider adopting resolutions: 1) Amend the City Council Rules of Procedure for the conduct of City Council meetings by placing a time limitation after which no new business may be considered, and other cleanup language as directed by Council, repealing Council Resolution No. 2002-161; and/or 2) amending the time fixed for regular meetings of the City Council, rescinding Resolution No. 2005-30.

**Peggy Jackson**, City Clerk, provided an overview of the staff report and recommendation.

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

**Motion:** *M/S Leary/Scherman to:*

- **Adopt Resolution No. 2007-38** repealing Resolution No. 2002-161 and amending the City Council Rules of Procedure for the conduct of City Council meetings by placing a 10:00 p.m. time limitation after which no new business may be considered, amending the order of business to indicate that minutes will be submitted for approval under the consent calendar, and that Closed Sessions will be conducted at the beginning of each meeting (prior to regular business); and
- **Adopt Resolution No. 2007-39** amending the time fixed for regular meetings of the City Council to begin at 6:00 p.m., and rescinding Resolution No. 2005-30.

***The motion passed by the following vote: Ayes: 5; Noes: 0.***

**Agenda Item No. 7.7:** Consent to request for waiver by the City of Elk Grove to permit Cox, Castel & Nicholson, LLP to represent the City in regard to all matters including but not limited to those relating to general growth properties, M & H Realty Partners, the Lent Ranch Mall and all related matters

**RECOMMENDATION:**

Consent to the representation of the City by Cox, Castle & Nicholson, LLP for general representation and specifically for all matters relating to General Growth Properties, M & H Realty Partners, the Lent Ranch Mall and all related matters and authorize the Mayor to execute a written agreement to waive the conflict of interest and permit Cox, Castle & Nicholson, LLP to represent the City.

**Jim Estep**, Assistant City Manager, provided an overview of the staff report and recommendation.

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

**Motion: M/S Hume/Leary** to consent to representation of the City by Cox, Castle & Nicholson, LLP for general representation and specifically for all matters relating to General Growth Properties, M & H Realty Partners, the Lent Ranch Mall and all related matters and authorize the Mayor to execute a written agreement to waive the conflict of interest and permit Cox, Castle & Nicholson, LLP to represent the City. ***The motion passed by the following vote: Ayes: 5; Noes: 0.***

**Agenda Item No. 7.8:** Discussion/direction regarding the loan application process for the Affordable Housing Fund and Very Low Income Housing Trust Fund

**RECOMMENDATION:**

Review the City's current loan process for the Affordable Housing Fund and Very Low Income Housing Trust Fund and direct staff to meet with affected stakeholders including the Building Industry Association, affordable housing builders and affordable housing advocates to review the City's current process and explore alternative approaches to providing AHF and VLIHTF loans to affordable housing projects.

**Christine Crawford**, Planning Director, was available for questions on the staff report and introduced Jennifer Estrella, Sr. Finance Analyst, lead staff on the affordable housing process.

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

**Motion:** *M/S Scherman/Leary* to direct staff to meet with affected stakeholders including the Building Industry Association, affordable housing builders and affordable housing advocates to review the City's current process and explore alternative approaches to providing AHF and VLIHTF loans to affordable housing projects. ***The motion passed by the following vote: Ayes: 5; Noes: 0.***

**Agenda Item No. 7.9:** Receive the Fiscal Year 2006-07 Midyear Financial Review and amend the 2006-07 budget

**RECOMMENDATION:**

Receive the fiscal year 2006-07 midyear budget review and adopt resolution approving midyear budget adjustments (*as identified in Exhibit A of the resolution*) and authorizing the Budget Manager to adjust the 2006-07 Operating Budget from various department's savings to the Police Budget to fund the Street Crimes Unit.

**Michael McGrane, Budget Manager**, provided an overview of the staff report and recommendation.

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

**Motion:** *M/S Leary/Scherman* to adopt **Resolution No. 2007-40** approving midyear budget adjustments (*as identified in Exhibit A of the resolution*) and authorizing the Budget Manager to adjust the 2006-07 Operating Budget from various department's savings to the Police Budget to fund the Street Crimes Unit. ***The motion passed by the following vote: Ayes: 5; Noes: 0.***

**Agenda Item No. 7.10:** Adopt resolution approving the addition of five non-sworn personnel in the Police Department and amending the Police Department 2006-07 budget by \$66,000 for the purchase of two unmarked vehicles

**RECOMMENDATION:**

Adopt resolution approving the addition of the following positions to the Police Department: Police Records Technician (1), Administrative Assistant (1), Police Dispatcher (1), IT Analyst (2); and amending the 2006-07 Police Department budget by \$66,000 for the purchase of two unmarked vehicles.

**Chief of Police Robert Simmons** provided an overview of the staff report and recommendation.

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

**Constance Conley** was supportive of the proposed action and suggested a review to affirm that the City has the needed number of officers.

***Motion: M/S Hume/Scherman to adopt Resolution No. 2007-41*** approving the addition of the following positions to the Police Department: Police Records Technician (1), Administrative Assistant (1), Police Dispatcher (1), Information Technology Analyst (2); and amending the 2006-07 Police Department budget by \$66,000 for the purchase of two unmarked vehicles. ***The motion passed by the following vote: Ayes: 5; Noes: 0.***

#### **GENERAL ADMINISTRATION INFORMATION**

**City Manager John Danielson**, in response to concerns expressed about the Civic Center planning process, stated that the entire complex, land and related facilities, still in the conceptual stage, is a result of a multi-year negotiation with the property owners, including the Council approving funding sources and setting aside reserves. Staff has placed an expansive call for qualifications to the architectural community resulting in a variety of responses. Regardless of media reports, no commitment has been made. To date, efforts have been to screen for qualifications. There have been no commitments and no design competition thus far. Mr. Danielson noted that in his discussions with Mayor Cooper, the Mayor has asked that these items be brought back for Council consideration. The matter of the Civic Center will return to the March 14, 2007 agenda.

**Assistant City Manager Jim Estep** welcomed **Cheryl Creson** to City staff. She will assume responsibility of the Public Work Director, with Mike Kashiwagi acting as liaison on other projects.

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

##### ***Travel/Training Expenditures Disclosure (in accordance with Government Code § 53232.3(d))***

**Mayor Cooper** reported that he and Council Member Davis traveled to Washington, D.C., last week with staff member Cody Tubbs for the purpose of lobbying members of Congress. Mayor Cooper was highly complimentary of Mr. Tubbs' role. Mayor Cooper stated there are no earmarks this year but may be next year.

**Council Member Davis** added that the trip was compact, meeting with representatives of Senators Feinstein and Boxer and with the Chief of Staff for Congresswoman Matsui. They also met with Congressman Lundgren. They also met with representatives of the Federal Transit Administration. The meetings were very productive, focusing on funding for new transit buses and high-speed wireless network for emergency vehicles, funds for a creek study and the I-5/Franklin Interchange and Kammerer Road extension project.

## **Board/Commission/Committee Reports and Other Reports**

### **Council Member Leary**

- Noted attending the Sacramento Metro Cable Commission meeting wherein concepts were discussed, including participation of the Elk Grove Unified School District in an innovative program.
- Requested a report on vacant positions indicating when these positions are expected to be filled.

### **Council Member Scherman**

- The Senior Center is going through the marketing process to change the logo, and various other aspects.
- Regarding the litigation, 2 x 2 meeting with the Cosumnes Community Services District (CCSD) is going very well. Two additional meetings have been scheduled.
- Requested staff provide a report on Old Town parking.

**Cheryl Creson**, Public Works Director, reported that information had been emailed to Council Members, noting that staff is looking at real property available through Union Pacific (UP) as well as private property behind the IOOF Building. Staff is also looking at potential funding mechanisms.

**Council Member Scherman** offered information on a potential buyer for the purpose of designating the area for parking.

### **Council Member Davis**

- Agreed with Council Member Scherman's comments on the CCSD litigation.
- Reported that the street racing legislation is moving forward with Senator Steinberg sponsoring Senate Bill 266.
- Regarding Elk Grove crime, warned to keep the finger on the pulse of the City's crime rates. He requested a quarterly report breaking down the type of crime in the city with a quarter to quarter comparison. He requested the information come back to the Council.

## **Council Member Hume**

- Reported attending his first Sacramento Transportation Authority (STA) meeting, wherein the vote on Measure A projects was delayed due to a last minute submittal by the City of Sacramento. He noted that the Sheldon/SR 99 and Grant Line/SR 99 projects are proceeding. The traffic relief sign identifying the Grant Line/SR 99 project was approved.
- Reported attending his first Regional Transit (RT) Board meeting. He reported that the light rail extension to Lent Ranch is plugged in RT's 35-year, \$18 billion expenditure, master plan. In the year 2019, the cost will be \$440 million, \$55 million per mile, noting that the item may be severely amended and/or dropped. An aggressive sales tax proposal will be considered.
- Stated he has a meeting tomorrow (February 15) with the Laguna Creek Collaborative, with the City of Rancho Cordova, City of Sacramento, County of Sacramento, and the City of Elk Grove, with other stakeholders.
- Requested staff look into how sensors for street lights are impacted when streets are repaved and how to mark for bicyclists waiting for the traffic light to change.

## **Mayor Cooper**

- Reported that SACOG has learned that more money has been identified additional funding for the Sheldon/SR 99 Interchange as the Grant Line Road/SR 99 interchange (widening project).

**Mike Kashiwagi**, Public Works, noted that a total of \$13 million has been identified, \$7 million for one, \$6 million for the other. He clarified that the funding for the Grant Line Road project is for the widening project.

**Note: Closed Session items 10A and 10C were considered at the beginning of the Council meeting.**

## **CLOSED SESSION**

- A) CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION**  
Pursuant to Government Code § 54596.9(a); One (1) case; People v. Krayne Lau (Pitchess Motion), Sacramento County Superior Court , Case No. 06M07016

**B) CONFERENCE WITH LEGAL COUNSEL -- ANTICIPATED LITIGATION (NOT CONSIDERED AT STAFF'S REQUEST)**

One (1) Case

Pursuant to GC 54956.9(b)

**C) CONFERENCE WITH LEGAL COUNSEL -- ANTICIPATED LITIGATION**

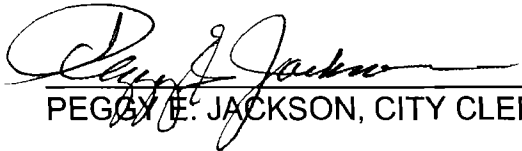
Significant exposure to litigation

One (1) case

Pursuant to GC 54956.9(b)

**ADJOURNMENT**

With no additional business to conduct, the February 14, 2007 City Council meeting was adjourned at 9:39 p.m.

  
\_\_\_\_\_  
PEGGY E. JACKSON, CITY CLERK

ATTEST:

  
\_\_\_\_\_  
JAMES COOPER, MAYOR