

MINUTES OF THE CITY COUNCIL
SPECIAL AND REGULAR MEETINGS
Wednesday, February 28, 2007

CALL TO ORDER/ROLL CALL

Mayor Cooper called the special and regular City Council meetings of February 28, 2007 to order at 6:01 p.m.

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

Absent: None.

CLOSED SESSION (Special Meeting)

Pursuant to Government Code Section 54957.7(a), **Mayor Cooper** announced that the Council will adjourn to closed session to consider Agenda Item No 2A and requested the City Clerk to announce the item. At 6:03 p.m., the City Council adjourned to closed session.

2 A) EXISTING LITIGATION

Pursuant to GC 54596.9(a)
One (1) case

1. Elk Grove Community Services District v. City of Elk Grove, Sacramento Superior Court Case No. 05AS00612

At 6:53 p.m., the open session of the Special and Regular City Council meetings reconvened and pursuant to Government Code Section 54957.7(b), **Mayor Cooper** announced that no reportable action was taken in closed session.

With no additional business to conduct, the Special meeting of February 28, 2007 was adjourned at 6:54 p.m.

Note: The remainder of the minutes represent Council actions related to the regular meeting agenda.

APPROVAL OF AGENDA

Motion: M/S Leary/Scherman to approve the agenda as submitted. **The motion passed by the following vote: Ayes: 5; Noes: 0.**

PRESENTATIONS/ANNOUNCEMENTS

Agenda Item No. 4.1: A presentation was given by Keith DeVore regarding the Sacramento County Water Agency (SCWA) Program.

Mr. DeVore played a video of SCWA water management efforts and capital projects planned for continued future water service to Elk Grove and other regional areas. Mr. DeVore disclosed a planned water rate increase effective July 1, 2007 and July 1, 2008, approximating a monthly increase for flat rate users at \$7. The increase for metered customers will fluctuate according to water usage.

Mr. DeVore confirmed that a hearing will be held before the Board on March 28, 2007, 9:30 a.m., at the Sacramento County Board of Supervisor's Chambers, 700 H Street, Sacramento.

In response to questions by Mayor Pro Tem Leary, Mr. DeVore answered that area growth projections were considered when planning the rate increase. He also noted that there will be flexibility in planning for costs recovery over the next 30 years.

Council Member Scherman announced that she will attend the March 28 meeting and offered to pose questions on behalf of the public if they are unable to attend.

Agenda Item No. 4.2: Cedar Kehoe, Integrated Waste Program Manager, presented a summary of Elk Grove's E-waste events and discussed Community Outreach for long range planning of the City's solid waste infrastructure.

Ms. Kehoe thanked the Elk Grove Unified School District for use of its property for e-waste collection events. Ms. Kehoe reported that as evidenced by the overwhelming response by the public, a household hazardous waste facility for the City of Elk Grove is needed.

The first meeting on the household hazardous waste facility was held on February 22. Other meetings are scheduled at the Wackford Center on March 15 and at the Council Chamber (no date specified).

Ms. Kehoe noted that over the three-year period that Allied Waste has been providing service to the City, there has been an \$8 million savings to ratepayers. While ratepayers have enjoyed the savings, funds have not been set aside for the city's waste infrastructure. Ms. Kehoe announced that information on the proposed rate increase will be presented to the Council in April with an anticipated rate increase to be effective July 1, 2007.

PUBLIC COMMENT

Constance Conley questioned who approved, designed, and named the parks in Laguna Ridge. She expressed concern regarding the opportunity for public input (submitted a DVD of a public meeting wherein public participation was promised).

Lynn Wheat asserted a lack of vision and creativity in planning for the mall and noted the absence of transit by light rail. She also critiqued the "Cottage" subdivision and strip mall at Sheldon and Elk Grove Florin Roads.

Alisa Milner announced her new business, "Sanican", a garbage can cleaning service, unique to Elk Grove.

George Murphey promoted adoption of an ordinance to implement Community Planning Advisory Committees (CPACs) to provide the opportunity for the community to have an advisory voice in planning projects or proposals (copy filed). He requested the proposal be agendaized for future Council consideration, public input and direction to staff.

Sarah Johnson and **Steve Detrick (EGCAPP)** supported Mr. Murphey's proposal.

Sharon Anderson addressed the Lent Ranch Mall project and referred to the Promenade Mall in Natomas. She said that the Natomas mall provides little protection from the elements for customers and no quality bike and pedestrian facilities. Ms. Anderson expressed concern whether these amenities will be provided at the Lent Ranch Mall and asked that the Council direct the planners to push back the developers plan and give the community a product that will reflect what the citizens want.

Phillip Stark, trustee of the Old Town Elk Grove Foundation, a non-profit organization, thanked the City for allowing the Foundation to benefit from the sales of recycled street name signs. Mr. Stark also requested the Council reconsider instituting prayer or a moment of silence before Council meetings.

Mayor Cooper closed the public comment opportunity and called on Dylan Wiseman for an announcement.

Dylan Wiseman, Littler and Mendelson, outside legal counsel to the City Council on labor and employment matters, announced that the Mayor, the City Council and City Attorney Anthony Manzanetti, have mutually agreed to end their six-year relationship. Mr. Wiseman stated that March 12, 2007 will be Mr. Manzanetti's last day of employment. He stated that the Mayor and Council wish Mr. Manzanetti the best in his future endeavors.

CONSENT CALENDAR ITEMS

Council Member Hume announced his abstention from participation on Consent Calendar Agenda Item 6.2 due to a potential conflict of interest (Site K), and vacated the Council Chambers.

Motion: M/S Leary/Davis to approve the Consent Calendar item with the exception of Item 6.2. The motion passed by the following vote: Ayes: 4; Noes: 0; Absent: Hume.

Council Member Hume returned to the Council Chambers.

Public Comment:

Barbara Turner, in relation to Consent Calendar Agenda Item No. 6.9, expressed her appreciation for the **e-van** paratransit service. Ms. Turner noted she and her granddaughter are dependent on the service.

The following Laguna Lake Owners Association members and residents addressed Consent Calendar Item No. 6.18, opposing the approval of the call for bids for the Elk Grove Boulevard Median and Frontage Road Improvement projects: **Kent Sherwood, Bob Archer, John Reed, and Terri Briggs.**

Residents supported construction of a soundwall to mitigate the noise caused by increased traffic, questioned whether the project violates the Sacramento County General Plan Noise Element, questioned why residents were not notified about the project, expressed that there are safety concerns with changes to the median and redirection of traffic.

Council Member Davis offered to meet with the residents to discuss the matter.

In response to **Mayor Cooper's** question on notification, **City Engineer Bob Lee** reported meeting with homeowner association board representatives several times regarding the soundwall. He also related that the reconfiguration of turn lanes is a matter of safety.

Public Works Director Cheryl Creson addressed the notification issue and asked that the homeowners in attendance assist in reaching out to the community.

In response to **Council Member Davis**, **Mr. Lee** stated that a meeting will be scheduled with the homeowners. Council Member Davis asked to be included.

Motion: M/S Scherman/Leary to approve Agenda Item No. 6.2. The motion passed by the following vote: Ayes: 4; Noes: 0; Abstentions: Hume

Mayor Cooper addressed recent shootings in Sacramento which have resulted in the formation of a Federal Bureau of Investigation (FBI) task force. He stated that this is a societal and youth violence problem, with most homicides being committed by persons under the age of 21. The City of Sacramento is creating a “youth czar” with discussion of creating teen centers.

He referred to Elk Grove’s Teen Center, effectively directed by Jim Miller. The Center receives \$100,000 of funding from the City of Elk Grove. Mayor Cooper commented that growth is not the impetus of crime, and is a societal, primarily youth-based issue. He expressed his appreciation for community and staff efforts, particularly those of Mr. Miller, who reach out to youth.

Council Member Scherman expressed her appreciation to **Mayor Cooper** and **Mayor Pro Tem Leary** for being able to address these types of issues based on their professional experience and for bringing it to the attention of the Council and community.

Agenda Item No. 6.1: **Ordinance No. 7-2007** adopted 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: 1) From AR-5 to RD-20 for APNs 115-0180-002, -020 (Site A); located at 8770 and 8786 Calvine Road; 2) 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; and 3) 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; Project No. EG-092 (GPA 07-001) **(Second Reading)**

Approved by Consent

Agenda Item No. 6.2: **Ordinance No. 8-2007** adopted amending the City of Elk Grove Zoning Map from LC to LC(MF) for APN 125-0050-010 (Site K) **(Second Reading)** *This item was approved as follows: Ayes: 4; Noes: 0; Abstentions: 1 (Hume)*

Agenda Item No. 6.3: **Ordinance No. 9-2007** adopted adding Chapter 16.85 to the Elk Grove Municipal Code establishing the Elk Grove Fire Fee Program **(Second Reading)**

Approved by Consent

Agenda Item No. 6.4: **Ordinance No. 10-2007** adopted repealing Chapter 16.83 of the Elk Grove Municipal Code which established the Laguna South Fire fee program **(Second Reading)**

Approved by Consent

Agenda Item No. 6.5: Ordinance No. 11-2007 adopted amending Chapter 16.91 of the Elk Grove Municipal Code relating to Park Development Impact Fees for the Eastern Elk Grove fee program (**Second Reading**)
Approved by Consent

Agenda Item No. 6.6: Ordinance No. 12-2007 adopted defining the duties of the Office of the City Clerk (**Second Reading**)
Approved by Consent

Agenda Item No. 6.7: Ordinance No.13-2007 adopted amending Ordinance 2000-9 to reflect the City Clerk as a Council appointed Office (**Second Reading**)
Approved by Consent

Agenda Item No. 6.8: Resolution No. 2007-42 adopted authorizing the City Manager, or his designee, to execute a construction contract in the amount of \$125,825 with Centerline Striping Company, Inc., for the Street Sign Replacement Project 2007
Approved by Consent

Agenda Item No. 6.9: Adopt Resolution No. 2007-43 authorizing Transit Services staff to make service and fare modifications to *e-van* paratransit service effective July 1, 2007
Approved by Consent

Agenda Item No. 6.10: Approved General Warrant No. 25434 through 27274 dated December 4, 2006 through January 31, 2007 and Electronic Fund Transfer 2007053 through 2007072
Approved by Consent

Agenda Item No. 6.11: Authorized the City Manager, or his designee, to sign a contract amendment with Sharp Public Affairs to extend the contract through June 30, 2007 for the production of three additional City community newsletters at a cost not to exceed \$43,065
Approved by Consent

Agenda Item No. 6.12: Resolution No. 2007-44 adopted authorizing the City Engineer to submit the City of Elk Grove Fiscal Year 2007-08 Measure A Expenditure Plan Request to the Sacramento Transportation Authority (STA)
Approved by Consent

Agenda Item No. 6.13: Resolution No. 2007-45 adopted authorizing expenditures not to exceed \$60,000 for calendar year 2007 (plus travel and expenses) for professional services in governmental affairs related to transportation funding and public infrastructure with California Strategies & Advocacy, LLC
Approved by Consent

Agenda Item No. 6.14: Resolution No. 2007-46 adopted authorizing the City Manager, or his designee, to execute a contract amendment to Contract No. C-03-147 with Quincy Engineering, Inc. to extend the termination date to December 31, 2007 for consultant services for the Sheldon Road Widening Project
Approved by Consent

Agenda Item No. 6.15: Approved Arbor Day proclamation and adopted Resolution 2007-47 authorizing the City Manager, or his designee, to expend \$12,900 from the Tree Mitigation Fund for the Sacramento Tree Foundation's "Native Trees in Urban and Rural Environments Program" Native Oak Planting Project in the City of Elk Grove
Approved by Consent

Agenda Item No. 6.16: Resolution No. 2007-48 adopted to approve setting aside a portion of City-owned property for public street, pedestrian, landscape and public utility purposes over Lots A and B of Sheldon Place (Subdivision No. 02-348.00)
Approved by Consent

Agenda Item No. 6.17: Resolution No. 2007-49 adopted granting to the Cosumnes Community Services District, in fee simple, Lots A and B for landscape purposes located within Elk Meadows (Subdivision No. 03-457.00)
Approved by Consent

Agenda Item No. 6.18: Resolution No. 2007-50 adopted authorizing the City Engineer to call for bids for the Elk Grove Boulevard Median Improvements and Elk Grove Boulevard Frontage Improvements Projects
Approved by Consent

Agenda Item No. 6.19: The minutes of the January 24, 2007 and February 14, 2007 Regular City Council Meetings and the January 24, 2007 and February 16, 2007 Special City Council Meetings were approved as presented.
Approved by Consent

Agenda Item No. 6.20: Approved Comprehensive Annual Financial Report for Fiscal Year ended June 30, 2006
Approved by Consent

Agenda Item No. 6.21: Received the December 2006 Treasurer's Report
Approved by Consent

Agenda Item No. 6.22: Received report on City Manager-approved purchases and contracts authorized by City Purchasing Ordinance, filed through February 16, 2007
Approved by Consent

PUBLIC HEARINGS

Agenda Item No. 7.1 (*Request to continue*) A public hearing to consider an ordinance repealing obsolete chapters of the Elk Grove Municipal Code and adding Chapter 9.01 to Title 9 of the Municipal Code relating to Administrative Police Services Fees, and a resolution establishing fees for Administrative Police Services

RECOMMENDATION:

Staff requests that the Council continue the public hearing to a date uncertain, as additional time is needed for further fee analysis by the Finance Department.

Motion: M/S Leary/Scherman to continue the public hearing to a date uncertain.
The motion passed by the following vote: Ayes: 5; Noes: 0.

Agenda Item No. 7.2: A public hearing to consider a General Plan Amendment to change the land use designation from Light Industry to Commercial and a rezone from Light Industrial to General Commercial for the California Family Fitness GPA and Rezone Project No. EG-06-1014, APN 119-0120-075

PLANNING COMMISSION RECOMMENDATION:

1. Adopt a Mitigated Negative Declaration and MMRP for the California Family Fitness GPA and Rezone Project EG-06-1014. (5-0)
2. Adopt Resolution approving a General Plan Amendment to change the land use designation from Light Industry to Commercial for Assessor Parcel Number 119-0120-075, the California Family Fitness GPA and Rezone Project No. EG-06-1014. (5-0)
3. Introduce and waive the full reading, by substitution of title only, an Ordinance amending the City of Elk Grove Zoning Map from Light Industrial to General Commercial for APN 119-0120-075, the California Family Fitness GPA and Rezone Project No. EG-06-1014. (5-0)

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

Mayor Cooper declared the public hearing open at 8:01 p.m. and opened the public comment opportunity.

Fedolia Harris, area resident, supported the Planning Commission recommendation. He encouraged the developers to set aside adequate space for peripheral activities resulting from the core exercise objective and welcomed Cal Fit to the neighborhood.

California Fitness representative Larry Gury, current owner, was supportive of project approval.

Mayor Cooper closed the public comment opportunity and declared the public hearing closed at 8:04 p.m.

Motion #1: *M/S Leary/Scherman* to adopt the Mitigated Negative Declaration and MMRP for California Family Fitness GPA and Rezone Project EG-06-1014. ***The motion passed by the following vote: Ayes: 5; Noes: 0.***

Motion #2: *M/S Leary/Scherman* to adopt **Resolution No. 2007-51** approving a General Plan Amendment to change the land use designation from Light Industry to Commercial for Assessor Parcel Number 119-0120-075, California Family Fitness GPA and Rezone Project No. EG-06-1014. ***The motion passed by the following vote: Ayes: 5; Noes: 0.***

Motion #3: *M/S Leary/Scherman* to introduce and waive the full reading, by substitution of title only, **Ordinance No. 14-2007** amending the City of Elk Grove Zoning Map from Light Industrial to General Commercial for APN 119-0120-075, California Family Fitness GPA and Rezone Project No. EG-06-1014. ***The motion passed by the following vote: Ayes: 5; Noes: 0.***

Agenda Item No. 7.3: A public hearing to consider adoption of a resolution to amend the Laguna Ridge Specific Plan and the introduction of an ordinance amending the Elk Grove Zoning Map from Shopping Commercial to Auto Commercial for a 2.25-acre parcel in the Laguna Ridge Specific Plan area for Project No. EG-06-1135

PLANNING COMMISSION RECOMMENDATION:

1. Adopt a Resolution approving an amendment to the Laguna Ridge Specific Plan Figure ES-2 & Figure 3-1 (Land Use Plan) to rezone approximately 2.25 acres of land from Shopping Commercial (SC) to Auto Commercial (AC).
2. Introduce and waive full reading of an Ordinance amending the City of Elk Grove Zoning Map from SC to AC for the Elk Grove Automall Lot 13 Specific Plan Amendment Project No. EG-06-1135.

Christine Crawford, Planning Director, provided an overview of the staff report and recommendation. Ms. Crawford noted the availability of Lee Sammis and Mark Nelson, representing the Automall.

Mayor Cooper opened the public comment opportunity at 8:06 p.m.

Mark Nelson, representing the applicants and in response to Council Member Scherman's question on the type of shopping proposed, noted service/commercial services are needed to support the anticipated 1,500 automall employees.

He noted that Phase 1 is built out. Phase 2 will be built out with the completion of the BMW dealer. In Phase 3, Lincoln/Mercury, Volvo will be added with other

acreage either purchased or in escrow. The commercial portion is the last to develop.

Public Comment:

None.

Motion #1: *M/S Hume/Leary* to adopt **Resolution No. 2007-52** approving an amendment to the Laguna Ridge Specific Plan Figure ES-2 & Figure 3-1 (Land Use Plan) to rezone approximately 2.25 acres of land from Shopping Commercial (SC) to Auto Commercial (AC). ***The motion passed by the following vote: Ayes: 5; Noes: 0.***

Motion #2: *M/S Hume/Scherman* to introduce and waive full reading of **Ordinance No. 15-2007** amending the City of Elk Grove Zoning Map from SC to AC for the Elk Grove Automall Lot 13 Specific Plan Amendment Project No. EG-06-1135. ***The motion passed by the following vote: Ayes: 5; Noes: 0.***

Agenda Item No. 7.4: *(Request to continue)* A public hearing to consider the Elk Grove Boulevard and Waterman Road Pharmacy application for a Design Review for two retail buildings and a Special Planning Area (SPA) amendment to amend the Old Town Elk Grove SPA to allow a drive-through on this site for Project No. EG-06-1022 located at the southwest corner of Elk Grove Boulevard and Waterman Road

RECOMMENDATION:

Per applicant's request, continue the public hearing to a date uncertain to allow time to resolve project issues.

Planning Director Christine Crawford deferred to Mr. Petrovich, project developer, to clarify his request for continuance.

Mr. Petrovich stated that his request to continue was contingent on meeting with representatives of the Old Town [Merchant's] Association. He noted he is prepared to present the project, or for Council to continue the hearing to March 14. He acknowledged that the issue of the pharmacy pick-up window is unresolved. Mr. Petrovich suggested that the Council hear the item and to return unresolved issues to the Planning Commission.

Ms. Crawford pointed out that based on the applicant's request to continue, the matter was not agendaized for action nor was agenda material submitted for Council review.

Public Comment:

Sarah Johnson, Phillip Stark, and Howard Sihner noted that the plan as presented by the developer is completely different from that considered by the Planning Commission and questioned the process; issues other than the drive-up window are unresolved. Continuance of the hearing was supported by the speakers.

Mr. Stark stated that consistent with the provisions of the Special Planning Area, the Old Town Elk Grove Foundation is adamantly opposed to the drive-up window at the project site. He projected that deviation from the policy will encourage requests by others for exemption.

Motion: *M/S Leary/Hume to continue the public hearing to the next regularly scheduled City Council meeting on March 14, 2007.*

Substitute Motion: *M/Davis to return the item to the Planning Commission. The motion died for lack of a second.*

After Council discussion on alternative actions, Ms. Crawford noted staff has not yet had access to the new plans and will be prepared to make a presentation at the March 14, 2007 meeting.

Jon Hobbs, Planning Commission Legal Counsel, clarified that the recommendation that will be brought forward on March 14 will be consistent with the Planning Commission's recommendation for denial. The Council, at that time, may deny the project by accepting the Commission's recommendation, review and approve the revised plans and direct staff to return with the appropriate environmental review and authorizing documents, or to return the project to the Planning Commission. Council also may take action tonight to return it to the Planning Commission.

Council Member Davis also noted that it is his understanding that the applicant requested a continuance by the Planning Commission to permit the opportunity to work with the community and his request was denied. He expressed his strong opinion that public input is critical and that willing applicants should be afforded that opportunity.

Main Motion: *M/S Leary/Hume to continue the public hearing to the next regularly scheduled City Council meeting on March 14, 2007. The motion passed by the following vote: Ayes: 5; Noes: 0.*

REGULAR AGENDA ACTION ITEMS/RECOMMENDATIONS

Agenda Item No. 8.1 Adopt resolution authorizing the City Manager, or his designee, to sign a Memorandum of Understanding with the Elk Grove Economic Development Corporation, Inc., including a \$750,000 funding commitment over the next five years, and designate a Director and Alternate to serve on the Board of Directors

RECOMMENDATION:

Adopt resolution authorizing the City Manager, or his designee, to sign a Memorandum of Understanding with the Elk Grove Economic Development Corporation, Inc. and designate a Director and Alternate to serve on the Board of Directors.

Cody Tubbs, Director of Communications, provided an overview of the staff report and recommendation. Mr. Tubbs reviewed aspects of the Memorandum of Understanding (MOU) relative to the mission and the City's funding obligation. The Council will have oversight as a member will be appointed to the Board of Directors.

Tim Moran, President of Methodist Hospital, and **Janet Toppenberg**, Chief Executive Officer of the Elk Grove Chamber of Commerce, voiced support of the item approval.

Public Comment:

Linda Ford and **Constance Conley** supported the Corporation creation and expressed concern that the agreement does not provide for a public member.

Davies Ononiwu voiced his support for staff's recommendation for the City to enter into the MOU with the Elk Grove Economic Development Corporation, Inc.

Mr. Tubbs clarified that staff's recommendation for the City's monetary contribution is \$750,000 over a five-year period, or in-kind contributions as reviewed and accepted by the Board of Directors.

Mayor Cooper closed the public comment opportunity.

Council Members were supportive of the recommendation.

Motion: **M/S Leary/Scherman** to adopt **Resolution No. 2007-53** authorizing the City Manager, or his designee, to sign a Memorandum of Understanding with the Elk Grove Economic Development Corporation, Inc., designating **Council Member Davis** as a Director and **Council Member Scherman** as an Alternate to serve on the Board of Directors. ***The motion passed by the following vote: Ayes: 5; Noes: 0.***

Agenda Item No. 8.2

Conceptual approval of Red Light Photo Enforcement Program

RECOMMENDATION:

1. Conceptually approve implementation of a Red Light Photo Enforcement program;
2. Authorize the City Manager, or his designee, to negotiate a professional services contract with Redflex Traffic Systems to provide Red Light Photo Enforcement, maintenance and related services;
3. Direct staff to return to the City Council within 60 days with:
 - a. A public outreach/education plan related to red light photo enforcement.
 - b. A resolution approving a contract with Redflex Traffic Systems for a Red Light Photo Enforcement program.

Police Chief Bob Simmons, provided an overview of the staff report and recommendation and responded to questions by Council Members. He also noted Wade Bettensworth from Redflex is available for questions. A short video was shown.

Chief Simmons noted public outreach is planned, including a 30-day grace period once the system is online, and intersections are signed.

Mayor Cooper questioned why a different system than that used by the Highway Patrol and Sacramento County is recommended.

Chief Simmons reported that the technology offered by the Redflex system is more advanced than that used by other regional agencies. Sacramento County has requested information on the system as they are considering an upgrade to its system.

In response to **Mayor Cooper's** question whether the contract might be less if other regional agencies participate, **Chief Simmons** explained the contract rate structure, noting that the price does not change per intersection [\$5,000 per intersection, per month]. Each contracting agency would have to establish its own contract.

In response to **Mayor Cooper**, Chief Simmons was unsure whether the Courts are rejecting cases wherein the vehicles have no front license plate. Also, Redflex will do an intersection survey in order to make a recommendation on which ten intersections to fit.

In response to **Council Member Scherman**, Chief Simmons noted that because the equipment is installed above ground, the equipment can be relocated to another intersection.

There was Council discussion on the financial impact to the City.

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

Motion: *M/S Leary/Scherman to 1) conceptually approve the implementation of a Red Light Photo Enforcement program, and 2) authorize the City Manager, or his designee, to negotiate a professional services contract with Redflex Traffic Systems to provide Red Light Photo Enforcement, maintenance and related services; and 3) direct staff to return to the City Council within 60 days with: (a) A public outreach/education plan related to red light photo enforcement, and (b) A resolution approving a contract with Redflex Traffic Systems for a Red Light Photo Enforcement program. **The motion passed by the following vote: Ayes: 5; Noes: 0.***

Agenda Item No. 8.3: Request for policy direction regarding implementation of the Laguna Ridge Specific Plan

RECOMMENDATION:

The Planning Commission is seeking City Council policy direction regarding implementation of the Laguna Ridge Specific Plan to clarify the manner in which future projects should be analyzed and conditioned to comply with the plan.

Christine Crawford, Planning Director, displayed an aerial map of the Laguna Ridge Specific Plan demonstrating infrastructure constructed to date. Staff believes that the Planning Commission is implementing the Specific Plan consistent with the original intent and policies of the Plan as infrastructure is provided in advance of or concurrent with demand.

Assistant City Manager Jim Estep concurred with Ms. Crawford's explanation and asked that if the Council is in agreement, staff recommends the Council direct the Planning Commission to analyze and condition future projects in a similar manner as with the last project.

Public Comment:

Constance Conley, Tom Shine, and Steve Detrick provided comment for Council consideration. Comments offered were that there should be no deviation from the General Plan or policy on the issuance of building permits prior to infrastructure completion.

Mr. Shine forewarned against creating a similar situation [referenced Britschgi Homes] necessitating the builder (KB Homes, 10-26-05 Council minutes) to request the Council to relax a project condition to allow occupancy for a limited number of homes although the infrastructure had not been completed.

Council Member Scherman concluded that 95% of the hard infrastructure is constructed. Development cannot occur south of Poppy Ridge Road pending completion of infrastructure.

In response to **Council Member Davis** on whether all infrastructure would be completed prior to occupancy, **Mr. Estep** projected that he was confident that it would be, absent any unforeseen event occurring. He explained caps placed on building permit issuance coincide with any impacts resulting from the development. Mr. Estep also identified the widening of the improvements of the off-ramp at Elk Grove Boulevard as the project that is moving the slowest toward completion of the infrastructure. The project is currently under review by CalTrans with projected completion by September. The project is capped at 300 DUEs (dwelling unit equivalents) prior to completion of the widening project. There may also be wetland permits that have not yet been issued.

Council Member Hume clarified that this is Phase 2 of the project with Phase 1 being the high school and middle schools. He recognized the significant amount of commitment to the project as evidenced by the infrastructure now in place. Council Member Hume projected that the intent was to make sure the infrastructure was in place to absorb the new growth demand so that the existing infrastructure was not impacted beyond capacity. He added that from his perspective, the demand comes at the point of occupancy rather than at building permit issuance.

Mayor Pro Tem Leary concurred with comments made by other Council Members and felt that the intent is being met.

Mayor Cooper recognized the amount of infrastructure constructed and was comfortable with the interpretation concluded at the Planning Commission.

Council Member Davis stressed that the infrastructure should be completed prior to occupancy of the residential units.

Council consensus (unanimous) with the February 1, 2007 Planning Commission's interpretation that specific infrastructure requirements in the Laguna Ridge Specific Plan may be deemed satisfied as long as the identified impact threshold is not exceeded.

Agenda Item No. 8.4: Adopt resolution authorizing the City Manager, or his designee, to exercise the Option to Purchase and to execute the Purchase and Sale Agreement for the property located at 8401 Laguna Palms Way, Elk Grove, Sacramento County APN 116-0860-048

RECOMMENDATION:

Adopt resolution authorizing the City Manager, or his designee, to exercise the Option to Purchase, and execute the Purchase and Sale Agreement with Jackson II, LLC, on the building located at 8401 Laguna Palms Way, Elk Grove.

Mike McGrane, Budget Manager, provided an overview of the recommendation.

Public Comment:

None.

Motion: M/S Leary/Scherman to adopt **Resolution No. 2007-54** authorizing the City Manager, or his designee, to exercise the Option to Purchase, and execute the Purchase and Sale Agreement with Jackson II, LLC, on the building located at 8401 Laguna Palms Way, Elk Grove. ***The motion passed by the following vote: Ayes: 5; Noes: 0.***

Agenda Item No. 8.5: Adopt resolution establishing a Charter Exploratory and Election Reform Committee

RECOMMENDATION:

Consider adoption of the proposed resolution establishing the structure of the Charter Exploratory and Election Reform Committee and authorize the expenditure of funding not to exceed \$75,000 without the approval of the City Council.

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

There were no public requests to speak.

Motion: M/S Leary/Scherman to adopt **Resolution No. 2007-55** establishing the structure of the Charter Exploratory and Election Reform Committee striking the verbiage "City-owned facility" from Section 7 of the proposed resolution and authorizing the expenditure of funding not to exceed \$75,000 without the approval of the City Council. ***The motion passed by the following vote: Ayes: 5; Noes: 0.***

Agenda Item No. 8.6: Council representative appointment to the Regional Human Rights/Fair Housing Commission

RECOMMENDATION:

Adopt resolution designating one Council Member to serve as Governing Board Director and one Council Member to serve as the Governing Board alternate to the Regional Human Rights / Fair Housing Commission.

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

Council Member Scherman withdrew her interest to serve on the Board as expressed at the February 14, 2007 Council meeting due to her recent appointment to WEAVE, Women Escaping a Violent Environment.

Motion: ***M/S Leary/Scherman*** to adopt ***Resolution No. 2007-56*** designating Mayor Cooper to serve as Governing Board Director and Mayor Pro Tempore Leary to serve as the Governing Board alternate to the Regional Human Rights / Fair Housing Commission. ***The motion passed by the following vote: Ayes: 5; Noes: 0.***

Agenda Item No. 8.7: Appointment of members to the Planning Commission, Elk Grove Committee for the Arts, and the Elk Grove Trails Committee

RECOMMENDATION:

Receive information from Council Member Davis on his appointment of representatives to the Planning Commission, Elk Grove Committee for the Arts, and the Elk Grove Trails Committee. Council confirmation of appointees is not required.

Peggy Jackson, City Clerk, introduced the item and deferred to Council Member Davis for appointment announcements.

Council Member Davis recognized the significant number of qualified candidates and announced the following appointments:

Planning Commission – George Murphey

Elk Grove Committee for the Arts – Nan Mahon

Elk Grove Trails Committee – Appointment continued to the next regularly scheduled City Council meeting on March 14, 2007.

GENERAL ADMINISTRATION INFORMATION

Chief Simmons, in response to Council Member Davis' request to prepare a report on police activity, requested Council Members review the sample report submitted and provide feedback on preferred content.

The Chief announced and invited the Council to attend a promotional ceremony on March 9 in the Council Chambers, 2 p.m. to promote the first Captain in the Police Department. Mayor Cooper requested the Chief send Council information on the event.

Council Member Hume requested whether the statistics can be delineated to reflect adult / juvenile for other categories as done for sex crimes.

Chief Simmons noted that with the Records Management System coming on-line in July or August, the data will be more easily manipulated.

COUNCIL COMMENTS/FUTURE AGENDA ITEMS

Reports on Regional Boards, Commissions, Committees

Mayor Pro Tem Leary

- Requested staff to identify and report back on projects that are moving forward and those delayed pending an environmental assessment, in the vicinity of intersections that are rated F or worse.
- Stated that commercial projects, such as the Kohl's planned for at Elk Grove Florin and Calvine Roads are being delayed pending approval of permits by the County and the Cosumnes Community Services District. He stated these are projects that are beneficial to the community and a source of revenue to the City. He also noted that the project developer has requested deferring payment of Swainson's Hawk fees and requested these projects be brought before the Council for direction. He requested that the Kohl's project move forward without approval and issuance of the permits by the County.

Mayor Pro Tem Leary subsequently inquired of staff, in relation to the Kohl's permit) whether the City can issue the building permit prior to the issuance of the site improvement permit.

Assistant City Manager Jim Estep replied, that the permit could not be issued prior to approval by the County and Cosumnes Community Services District. Cheryl Creson noted that staff would verify and report back to Council.

There was **Council consensus** to move forward with the project.

- In relation to Elk Grove Water Works (EGWW), the Board is meeting tonight to consider an additional increase to fees. Mayor Pro Tem Leary reported that the City requested a meeting with EGWW via correspondence of December 5, 2006 with no response.

Council Member Scherman

- Reported she was unable to attend the Senior Center Board meeting due to a conflict.
- Regarding her appointment to the WEAVE Board, explained that "survivors" are transported to the hospital for examination through the

University of California, Davis system. A closer facility is needed, possibly the Sutter facility and ultimately a unit should be located in Elk Grove, to diminish the trauma to the survivor.

- Requested staff to prepare information for the April 25 Council meeting on the Community Planning Advisory Committees (CPAC) (meeting date was later revised to the first meeting in May [9]).
- Requested staff to prepare information on implementing a planning academy on the April 25 agenda (meeting date was later revised to the first meeting to May [9]).

Council Member Scherman subsequently requested the Council prioritize projects, identifying the funding source, staff resources and committee assignments.

Council Member Davis

- Reported that the City / Cosumnes Community Services District (CCSD) has scheduled two additional meetings and that good progress is being made toward the litigation mediation.
- The City Comprehensive Services Review is moving forward, with a public scoping workshop scheduled in March (03/26, 6 p.m., Council Chambers).
- Reported attending his first Sacramento Air Quality Management District meeting. The District is sponsoring legislation to enhance the smog check program advocating an annual check.
- Supports returning the CPAC concept for Council consideration. For purposes of discussion, would like to know what other communities/cities are utilizing (e.g. Citrus Heights) this approach.
- Requested an update at a future Council meeting on Laguna Ridge infrastructure, including parks.

Council Member Hume

- As a result of an Elk Grove resident report at the Regional Transit Board meeting of vehicular vandalism in the Meadowview light rail station, Council Member Hume requested Assistant Transit Manager John Andoh contact the citizen. The Citizen is now utilizing **e-tran** commuter services (Route 66).
- Supported a future agenda item on the CPAC concept. Some work has already been done and reported he has made efforts to procure guest speakers.
- Requested a resolution be returned that when City streets are closed for a public parade, that the parade be led by the American flag.

Mayor Cooper

- Relative to SACOG-approved funding for the St. Rt. 99 / Grant Line and Sheldon Interchange projects, reported meeting with staff and Mr. McKeever on how to streamline the process for projects.
- Projected the possibility of having a similar facility as the Children's Receiving Home in Elk Grove for infants.
- Referring to the CPAC and Planning Academy concepts and Ad-Hoc Committees, noted the need for Council to prioritize its objectives, and to consider staff and fiscal impacts.
- Reported there are 70 to 90 participants in the Teen Center and there are significant interests in the computer program. The Police Department is working hard to initiate the activities league [Police Explorer Program].

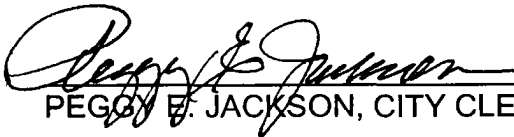
In response to **Mayor Cooper** and **Council Member Scherman's** comments on Council priorities and committees, **City Manager Danielson** responded that staff will prepare a matrix to identify current and future projects for future Council direction.

Mayor Cooper announced the "Branding Elk Grove" workshop on March 6, 6:30 to 8:30 p.m. in the Council Chambers.

Travel/Training Expenditures Disclosure (*in accordance with Resolution 2006-295 and Government Code § 53232.3(d)*) – **No reports.**

ADJOURNMENT

With no additional business to conduct, the February 28, 2007 City Council meeting was adjourned at 10:14 p.m.


PEGGY E. JACKSON, CITY CLERK

ATTEST:


JAMES COOPER, MAYOR