

MINUTES OF THE CITY COUNCIL  
REGULAR MEETING  
Wednesday, April 11, 2007

**CALL TO ORDER/ROLL CALL**

**Mayor Cooper** called the regular City Council meeting of April 11, 2007 to order at 6:03 p.m.

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

Absent: None.

**Mayor Pro Tem Leary** announced that this is the first Elk Grove City Council meeting that is closed captioned through the Sacramento Metropolitan Cable Commission. [Mayor Pro Tem Leary is a director on the Cable Commission Board.]

**Council Member Scherman** led the Pledge of Allegiance.

**APPROVAL OF AGENDA**

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

**CLOSED SESSION**

With no public requests to speak, the Council adjourned to closed session at 6:06 p.m. following the City Clerk's announcement of the following items:

- A) **CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION**  
Pursuant to Government Code Section 54956.9(b)  
Four (4) Cases
  
- B) **CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION**  
Pursuant to Government Code §54956.9(a)  
Five (5) cases
  1. Elk Grove Community Services District v. City of Elk Grove,  
Sacramento Superior Court Case No. 05AS00612

2. City of Elk Grove v. Elk Grove Town Center, L.P., et al., Sacramento County Superior Court Case No. 05AS04328
3. City of Elk Grove v. M&H Realty, et al., Sacramento County Superior Court Case No. 05AS04337
4. City of Elk Grove v. Robert H. Lent, et al., Sacramento County Superior Court Case No. 05AS04453
5. City of Elk Grove v. Marvin L. Oates, et al., Sacramento County Superior Court Case No. 05AS04338

Council reconvened the open session of the April 11, 2007 regular Council meeting at 7:30 p.m. with all members present. **Mayor Cooper** announced no reportable action was taken during closed session.

## **PRESENTATIONS/ANNOUNCEMENTS**

**Agenda Item No. 4.1:** A Certificate of Appreciation was presented to Kevin Stewart of Arena Tow. Mr. Stewart, at his own expense, transports and displays the mangled vehicle of Nick Davis, who was fatally injured in a street racing episode, to various locations for teens and others to witness the tragic results of this illegal activity. Rebecca Davis, mother of Nick Davis, read a statement of appreciation for Mr. Stewart's generous contribution and recognized that his effort has saved the lives of many teenagers. The Certificate was presented by Elk Grove Police Officer Misty Dailey on behalf of the City Council.

**Agenda Item No. 4.2:** A Certificate of Recognition was presented to the Elk Grove High School Mock Trial team – California State Champions by Council Member Sophia Scherman and Mayor Pro Tem Michael Leary on behalf of the City Council. The Team won the State Championship at the 28<sup>th</sup> annual competition and will be competing in Nationals on May 9, 2007 in Dallas, Texas. This is the first Sacramento area high school to win this prestigious title.

Participants in the Mock Trail event are recognized below:

**Attorneys:** Hilary Mimnaugh, Patrick O'Connor, Matthew Zehnder, Pat Light, Matthew Chong, Allison Wynn, Alex Hirsch.

**Witnesses:** Monique Matar, Chelsea Manapig, Sara Campion, Tim Wall.

**Bailiff:** Alyx Flourney

**Clerk:** Kylie Tausto

**Team Managers:** Jeanne Sabin, Erin Pinkston, Casey Wynhoff

**Teacher Coaches:** David Hill, John Patterson

**Attorney Coaches:** Dan Carroll, Rick Lewkowitz, Jacob L. Rambo

**Technical Support Teachers:** Kitty Laubacher, Heather Partington, Christie Hill

**Councilmember Scherman** challenged other Councilmembers to match her \$100 donation to support the travel funding for the students to Texas. Mayor Pro Tem Leary donated \$1,000.

**Agenda Item No. 4.3:** A Proclamation was presented to David Brown, District Manager of the Yolo Mosquito and Vector Control Association, proclaiming April 23 – 29, 2007 as Mosquito and West Nile Virus Awareness Week in the City of Elk Grove by Councilmember Patrick Hume.

**Agenda Item No. 4.4:** Police Chief Simmons presented a proclamation to Lynn Bowler, Communications Manager, proclaiming April 8 – 14, 2007 as National Telecommunicators' Week in the City of Elk Grove.

**Agenda Item No. 4.5:** Teresa Rodriguez, Sponsorship Chair, provided a presentation regarding American Cancer Society's 2007 Relay for Life event to be held on May 19 from 10 a.m. to May 20 at 10 a.m.

**PUBLIC COMMENT** (Non-Agendized Business)

**Mike Barnbaum** announced that on Tuesday, April 17, at 6:00 p.m., SACOG will host a meeting regarding unmet public transit needs. On April 18, at 5:30 p.m., the City of Elk Grove and the Sacramento Regional Transit District will have an open house and presentation on the South Sacramento Corridor Phase 2 light rail/*e-tran* extension. Both events will be held in the City of Elk Grove Council Chambers.

**Erin Grigat** expressed concern that the City has not enforced project conditions requiring construction of a soundwall in the Franklin area. She requested the item be placed on a future agenda for Council consideration.

**Frank Verni**, representing the Elk Grove/Laguna Rotary Club, invited the Council and community to attend the annual Wine and Food Festival, *A Taste of Elk Grove*, on Saturday, April 21, 6:00 p.m. to 10 p.m., at the Barbara Wackford Center at Bruceville and Big Horn Boulevards. Proceeds will benefit Chicks in Crisis, The Animal Rescue League and Helping Hand and other Rotary-sponsored outreach/charitable endeavors.

**Davies Ononiwu** encouraged establishment of a City Youth Commission advisory board as a venue for the community's youth to have a voice in government on matters by which they are impacted.

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

At Mayor Cooper's request, **Carlos Tobar, Transit Manager**, announced the Federal Transit Administration (FTA) approved the transfer of 39 buses to the City of Elk Grove. Twelve of the 39 buses will arrive the coming weekend and be in service by the end of next week. The diesel buses will be removed from service by December 31, 2007 to comply with the California Air Resources Board transit fleet rules. Truck-based buses will be transitioned to local/neighborhood service. The hybrid buses will be removed from commuter routes.

### **CONSENT CALENDAR ITEMS**

There were no public requests to speak on Consent Calendar items.

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

**Agenda Item No. 6.1: Ordinance 16-2007** adopted levying and apportioning the special tax in territory annexed to Community Facilities District No. 2006-1 (Maintenance Services) Annexation No. 5 (Second Reading)

**Agenda Item No. 6.2: Ordinance 17-2007** adopted pre-zoning property located in the East Franklin Specific Plan Area to Low Density Residential-4 dwelling units/acre (RD-4), Low Density Residential-5 dwelling unit/acre (RD-5), and Open Space (O) for Franklin Crossing Project EG-04-727 (APNs: 132-0132-042 AND 132-1680-057) (Second Reading)

**Agenda Item No. 6.3: Resolution No. 2007-73** adopted approving the Final Map for Subdivision No. 03-540.00 Kapalua Commons

**Agenda Item No. 6.4: Resolution No. 2007-74** adopted authorizing the City Manager to sign a contract amendment with the Eidam Corporation (dba Lucy & Company) not to exceed \$150,000 per year for public information and professional community facilitation services

**Agenda Item No. 6.5: Resolution No. 2007-75** adopted approving Transit Services Policy and Procedure 2007-0003 "Solicit and Consider Public Comment Prior to a Fare Increase, Fare Decrease, or Major Service Reduction"

**Agenda Item No. 6.6: Resolution No. 2007-76** adopted authorizing the City Manager to execute a construction contract in the amount of \$317,497 with Tim Paxin's Pacific Excavation, Inc., for installation of traffic signal systems at Whitelock Parkway/Atkins Drive and at Whitelock Parkway/Bellaterra Drive, amending the Fiscal Year 2006-07 Budget and amending the Capital Improvement Program

**Agenda Item No. 6.7:**     **Resolution No. 2007-77** adopted accepting the Old Courthouse Renovation Project as complete and authorizing the City Engineer to prepare the Notice of Completion and the City Clerk to file the Notice of Completion with the Sacramento County Recorder

**Agenda Item No. 6.8:**     Received report on City Manager approved purchases and contracts authorized by City Purchasing Ordinance, filed through March 16, 2007

**Agenda Item No. 6.9:**     **Resolution No. 2007-78** adopted ratifying the appointment of Florin Resources Conservation District General Manager Leo D. Havener, Jr., as the FRCD Alternate Representative to the Sacramento Central Groundwater Authority

**Agenda Item No. 6.10:**    Minutes of the March 28, 2007 Special and Regular City Council meetings were approved as submitted

**Agenda Item No. 6.11:**    Received the February 2007 Treasurer's Report

**Agenda Item No. 6.12:**    **Resolution No. 2007-79** adopted authorizing the Mayor to execute a Cooperative Agreement with Caltrans for the construction of the Sheldon Road/State Route 99 Interchange Reconstruction Project, amending the Fiscal Year 2006-07 Budget and Capital Improvement Program by \$7,511,957

**Agenda Item No. 6.13:**    Approved General Warrant No. 27275 through 28741 dated February 1, 2007 through March 23, 2007 and Electronic Fund Transfer 2007075 through 2007097

## **PUBLIC HEARINGS**

**Agenda Item No. 7.1:**    A public hearing to consider appeal of the Planning Commission denial of the Zraggen Ranch Tentative Subdivision Map, Design Review (EG-03-480)

## **RECOMMENDATION:**

In response to this appeal, the following actions are available to the City Council:

1. Uphold the Planning Commission denial of the Zraggen Ranch Tentative Subdivision Map and Design Review and direct staff to prepare a Resolution and Findings for denial; or
2. Approve the Zraggen Ranch Tentative Subdivision Map and Design Review project; or
3. Continue the Zraggen Ranch Tentative Subdivision Map and Design Review project and direct staff to bring back additional information if necessary.

**Jessica Shalamunec**, Project Planner, provided an overview of the project, staff report and Planning Commission recommendation.

**Jay Pawlek**, representing applicant Del Webb/Pulte, provided a brief overview of the project and the infrastructure already constructed in the Laguna Ridge Specific Plan (handout filed) and supported Council approval of the project.

**Mayor Cooper** declared the public hearing open at 8:07 p.m. and opened the public comment opportunity.

Public Comment:

**Constance Conley** announced a community meeting will be held on May 16, 2007, in the Council Chambers, regarding the Elk Grove Promenade. She noted that the special guest host and facilitator is Councilmember Gary Davis. She invited all to attend the meeting. General Growth Partners, mall developers, will be in attendance.

In relation to Agenda Item Nos. 7.1, 7.2, and 7.3, Ms. Conley requested that the Council uphold the Planning Commission's decision denying approval of the projects.

**Mayor Cooper** closed the public comment opportunity and declared the public hearing closed at 8:25 p.m.

Several Councilmembers voiced opinions that the action taken by the Planning Commission denying the project was incongruent with Policy direction and clarification provided by the City Council.

**Main Motion:** *M/S Leary/Scherman to approve the Zraggen Ranch Tentative Subdivision Map and Design Review project.*

**Main Motion Amended:** *M/S Leary/Scherman to adopt Resolution No. 2007-80 approving the Zraggen Ranch Tentative Subdivision Map and Design Review project and **directing staff to reimburse the appeal fee to the appellant.***

**Mayor Pro Tem Leary** called for the vote.

**Substitute motion:** *Motion by Councilmember Davis to approve the project without reimbursement of the appeal fee. **The motion died for lack of a second.***

**Main Motion Vote:** *M/S Leary/Scherman to adopt Resolution No. 2007-80 approving the Zraggen Ranch Tentative Subdivision Map and Design Review project and **directing staff to reimburse the appeal fee to the appellant. The motion passed by the following vote: Ayes: 5; Noes: 0***

**Agenda Item No. 7.2:** A public hearing to consider appeal of the Planning Commission denial of the Madeira East Tentative Subdivision Map, Large Lot Map, Design Review for Subdivision Layout and Abandonment of Various Easements (EG-03-481)

**RECOMMENDATION:**

In response to this appeal, the following actions are available to the City Council:

1. Uphold the Planning Commission denial of the Madeira East Tentative Subdivision Map, Large Lot Map, Design Review for Subdivision Layout, and Abandonment of Various Easements and direct staff to prepare a Resolution with findings for denial; or
2. Approve the Madeira East project; or
3. Continue the Madeira East project and direct staff to bring back additional information if necessary.

**Jessica Shalamunec**, Project Planner, provided an overview of the staff report and recommendation.

**Mayor Cooper** declared the public hearing open at 8:29 p.m.

**Mike Winn**, representing applicant Reynen & Bardis Communities, provided an overview of the project, supported approval of the project, and voiced agreement with the project conditions of approval including new conditions requested by neighboring properties (relocation of roadway adjacent to Senior Center property; construct a 6 ft. masonry wall along the ten lots adjacent to the property owned by the Senior Center at Reynen & Bardis expense; disclose to all of the residents that might be adjacent to the Elk Grove Senior Center that the property is zoned RD-10 and RD-20 with senior center residence proposed use).

Regarding the Krull property, Mr. Winn conveyed that as a result of lengthy discussions regarding street rights-of-way on Whitelock and Lotz Parkways, the new alignment will run behind the home and may impact the property livability quality. He indicated that an offer has been made for right of way acquisition and Reynen & Bardis are willing to continue negotiations with the Krulls.

Regarding the McLaughlin property, Mr. Winn noted Reynen & Bardis' agreement to construct a combination masonry wall with a wrap around fence on the frontage road to the satisfaction of Mr. McLaughlin.

Mr. Winn emphasized that 95% of the infrastructure would be constructed prior to home construction in keeping with the Council's growth management policy.

Mr. Winn noted that if it is the Council's pleasure to waive the appeal fee, both Pulte and Reynen & Bardis will donate the refund to the Elk Grove High School Mock Trial team.

Mr. Winn replied affirmatively in response to **Councilmember Hume's** question whether Reynen & Bardis would be willing to work with staff toward a greater dedication along the boundary of the southern most parcel (employment center land use area) for the purpose of avoiding further impact to the Krull property.

In response to **Councilmember Leary's** question on the impact to the Krull property, Mr. Winn responded that if the Krull's are willing, Reynen & Bardis are amenable to acquiring the entire Krull property and home.

Mayor Cooper opened the public comment opportunity.

Public Comment:

**Mr. Robert Krull** read a letter into the record (filed) expressing that they (Mr. and Mrs. Krull) have been dealt with unfairly as their property will be severely impacted and their home will be rendered unlivable. The price offered is inadequate to provide for a replacement property. He urged the appeal be rejected.

**Brenda Newbold** spoke in support of Mr. and Mrs. Krull and talked about the long-term property improvements made and the personal attachment the Krulls have to the property.

**Jerry McLaughlin** owner of property adjacent to the project property, expressed and expanded on his concern for the safety of the community's children, the potential for neighborhood dogs chasing farm animals, fence maintenance, and privacy.

**Peggy Forseth-Andrews**, President of the Elk Grove Senior Center, confirmed agreement with conditions as cited by Mr. Winn in relation to their property.

**Mayor Cooper** closed the public comment opportunity and declared the public hearing closed at 8:57 p.m.

**Mr. Winn** responded that he believes satisfactory agreement has been reached with the Senior Center and with Mr. McLaughlin. Relative to the Krull property, Mr. Winn clarified that the original monetary offer was for right of way only.

**Councilmember Hume** questioned staff how Whitelock Parkway might be realigned so that the impact to the Krull property might be minimized.

**Mrs. Krull** responded that it is difficult to accept that it is necessary to take the property to accommodate an overpass that will not be constructed for the next 15 to 20 years. **Mr. Krull** expressed they are willing to negotiate with Reynen & Bardis about acquisition of the property. Daughter **Kathleen Krull** described intimidating encounters with Reynen & Bardis employees, who ultimately threatened eminent domain through the City.

**Mayor Pro Tem Leary** encouraged the Krull's to readdress the Council should negotiations not provide an adequate solution.

**Mayor Pro Tem Leary** requested to hear whether the Krulls are amenable to a full take of their property if the offer was fair market value.

Mr. Krull indicated his interest in considering an offer for the entire take of the property.

Revisiting **Councilmember Hume's** question on the Whitelock Parkway realignment, **Bob Lee, City Engineer**, responded that the alignment issue is not isolated to Whitelock Parkway, but also takes into consideration the safe and proper planning of other roadway and freeway approaches and connections as they relate to the freeway and service area.

**Fritz Buchman**, Capital Improvements Manager, added that while it may be possible to realign the roadway, ultimately, the realignment may not negate impacting the Krull property.

***Motion: M/S Scherman/Leary*** to adopt **Resolution No. 2007-81** approving the Madeira East project with the following conditions: 1) construct a masonry wall separating the Senior Center property from 10 residential lots; 2) Applicant shall disclose to all potential buyers of Lots adjoining Senior Center's property of their intent to construct multi-family RD-10 and RD-20 residences; 3) construct a masonry wall adjacent to the McLaughlin Property; and direct staff to reimburse the appeal fee to the appellant. ***The motion passed by the following vote: Ayes: 4; Noes: 1 (Hume)***

***Agenda Item No. 7.3:*** A public hearing to consider an appeal of the Planning Commission denial of the Madeira South Tentative Subdivision Map Amendment (EG-07-012)

**RECOMMENDATION:**

In response to this appeal, the following actions are available to the City Council:

1. Uphold the Planning Commission denial of the Madeira South Tentative Subdivision Map Amendment project and direct staff to prepare a Resolution and Findings for denial; or
2. Approve the Madeira South Tentative Subdivision Map Amendment project; or
3. Continue the Madeira South Tentative Subdivision Map Amendment project and direct staff to bring back additional information if necessary.

**Jessica Shalamunec**, Project Planner, provided an overview of the staff report and recommendation.

**Mayor Cooper** declared the public hearing open at 9:20 p.m. and opened the public comment opportunity.

**Mike Winn** responded to earlier public comment. Mr. Winn pledged to successfully conclude negotiations with the Krulls (Item No. 7.2) and apologized for any inappropriate actions by Reynen & Bardis representatives.

He noted the map submitted has been approved and updated with new conditions.

With no public requests to speak, **Mayor Pro Tem Leary** closed the public comment opportunity (during Mayor Cooper's brief absence from the dais).

**Motion: M/S Hume/Scherman** to adopt a resolution approving the Madeira South Tentative Subdivision Map Amendment project.

Note: Mayor Cooper returned to the dais at 9:22 p.m. prior to the vote.

**Motion amended: M/S Hume/Scherman** to adopt **Resolution No. 2007-82** approving the Madeira South Tentative Subdivision Map Amendment project **and directing staff to reimburse the appeal fee to the appellant. The motion passed by the following vote: Ayes: 5; Noes: 0**

**Agenda Item No. 7.4:** A public hearing to consider Stone Springs Estates Unit 2 - Specific Plan Amendment, Rezone, Tentative Subdivision Map, and Subdivision Design Review (EG-05-970)

**PLANNING COMMISSION RECOMMENDATION**

1. Adopt resolution approving the Mitigated Negative Declaration and adopt the Mitigation Monitoring and Reporting Program prepared for this project, subject to the findings included in the staff report; and
2. Adopt resolution denying the Specific Plan Amendment, Rezone, and Tentative Subdivision Map for the proposed Stone Springs Estates Unit 2 (EG-05-970)

**Christopher Jordan**, Planner, provided an overview of the staff report and recommendation.

**Mayor Cooper** declared the public hearing open at 9:28 p.m. and opened the public comment opportunity.

Kent Baker, representing the project owners, provided a project overview

**Public Comment:**

With no public requests to speak, **Mayor Cooper** closed the public comment opportunity and declared the public hearing closed at 9:28 p.m.

**Motion:** Moved by **Councilmember Scherman** to adopt a resolution denying the Specific Plan Amendment, Rezone, and Tentative Subdivision Map for the proposed Stone Springs Estates Unit 2, EG-05-970, per the Planning Commission recommendation. **The motion died for lack of a second.**

**Motion:** **M/S Hume/Leary** to adopt **Resolution No. 2007-83** approving the Mitigated Negative Declaration and adopt the Mitigation Monitoring and Reporting Program prepared for this project, subject to the findings included in the staff report. **The motion passed by the following vote: Ayes: 4; Noes: 1 (Scherman)**

**Council consensus:** to return an ordinance and resolution approving the tentative subdivision map and rezone for Council approval. (Councilmember Scherman dissented).

**Agenda Item No. 7.5:** A public hearing to consider amendment of the Elk Grove Design Guidelines to add Chapter 6, Voluntary Public Art Design Guidelines and to amend Chapters 3A, 4A, and 5A to include statements referring to the Voluntary Public Art Design Guidelines

**RECOMMENDATION:**

Adopt resolution amending the Elk Grove Design Guidelines to add Chapter 6, Voluntary Public Art Design Guidelines and to amend Chapters 3A, 4A, and 5A to include statements referring to the Voluntary Public Art Design Guidelines as unanimously recommended by the Planning Commission.

**Kara Myers**, Assistant to the City Manager, provided an overview of the staff report and recommendation. She also introduced members of the Arts Committee.

**Mayor Cooper** declared the public hearing open at 9:30 p.m. and opened the public comment opportunity.

**Public Comment:**

None.

**Mayor Cooper** closed the public comment opportunity and declared the public hearing closed at 9:31 p.m.

**Motion:** **M/S Hume/Scherman** to adopt **Resolution No. 2007-84** amending the Elk Grove Design Guidelines to add Chapter 6, Voluntary Public Art Design Guidelines and to amend Chapters 3A, 4A, and 5A to include statements referring to the Voluntary Public Art Design Guidelines as unanimously recommended by the Planning Commission. **The motion passed by the following vote: Ayes: 5; Noes: 0**

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

*NOTE: By Council consensus, Item No. 8.6 was heard out of order prior as listed below.*

**Agenda Item 8.6:** Provide direction to staff regarding the content of a letter to the Elk Grove Water Service in regard to their proposed water rate increases

### **RECOMMENDATION:**

Provide direction to staff regarding the content of a letter to the Elk Grove Water Service in regard to their proposed water rate increases

**Jim Estep**, Assistant City Manager, introduced the item and requested clarification on Council's direction to prepare a letter to Elk Grove Water Service.

**Mayor Pro Tem Leary** provided background information on the City's offer to consider collaborative efforts to thwart rate increases. He suggested the Council submit a letter opposing any additional rate increase.

**Councilmember Scherman** supported sending a letter to voice citizen concerns and that Mayor Pro Tem Leary attend the public hearing to read the letter into the record. She related receiving concerns of constituents opposing the increase.

**Councilmember Davis** questioned whether it was appropriate to oppose an issue before another agency and encouraged individual members, if they so choose, to attend the public hearing to voice their individual concerns.

**Councilmember Hume** supported sending Assistant City Manager Jim Estep to the public hearing to offer collaboration between the agencies in search of a solution. He did not support sending a letter.

**Mayor Pro Tem Leary** wanted the public to know that the City of Elk Grove does not have authority over Elk Grove Water Service.

### **Public Comment:**

**Leo Havener**, General Manager, and **Sandy Russell**, Board President, represented and defended Elk Grove Water Service's position to consider an increase the water rate.

NOTE: Mayor Pro Tempore Leary left the meeting at 9:58 p.m.

By consensus, Council waived the 10:00 p.m. rule and considered Agenda Item Nos. 8.1, 8.2, 8.3 and 8.4. Agenda Item 8.5 was not considered.

It was the consensus of the City Council that staff would not prepare a letter to Elk Grove Water Service.

**Agenda Item No. 8.1:** Proposed increases to solid waste service rates

**RECOMMENDATION:**

Adopt resolution calling a public hearing to be held on June 27, 2007 to consider approval of proposed increases to the City's solid waste service rates and authorize staff to prepare and mail the necessary notices.

**Cedar Kehoe**, Integrated Waste Program Manager, provided an overview of the staff report and recommendation.

**Public Comment:**

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

**Councilmember Davis** supported holding an additional workshop.

**Motion:** *M/S **Davis/Cooper*** to adopt **Resolution No. 2007-85** calling a public hearing to be held on June 27, 2007 to consider approval of proposed increases to the City's solid waste service rates and authorize staff to prepare and mail the necessary notices. ***The motion passed by the following vote: Ayes: 4; Noes: 0; Absent: 1 (Leary).***

**Agenda Item No. 8.2:** Council representative appointment to the Regional Human Rights / Fair Housing Commission Advisory Board

**RECOMMENDATION:**

Adopt resolution appointing a public member to represent the City of Elk Grove on the Regional Human Rights / Fair Housing Commission Advisory Board.

Peggy Jackson, City Clerk, introduced the item for Council discussion and direction.

**Public Comment:**

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

**Motion:** *M/S **Scherman/Hume*** to adopt **Resolution No. 2007-86** appointing Joseph Arellano to represent the City of Elk Grove on the Regional Human Rights / Fair Housing Commission Advisory Board. ***The motion passed by the following vote: Ayes: 4; Noes: 0; Absent: 1 (Leary).***

**Agenda Item No. 8.3:** Fiscal Year 2007-08 Community Development Block Grant (CDBG) Funding – Discussion of funding preferences for the 2007-08 CDBG Program

**RECOMMENDATION:**

Provide preliminary approval to the allocation of Fiscal Year 2007-08 CDBG funds and authorize the 2007-08 Action Plan to be released for public review.

**Sarah Bontrager, Grants Manager**, provided an overview of the staff report and recommendation.

In response to **Councilmember Scherman's** inquiry on the Senior Center allocation, Ms. Bontrager responded that the maximum amount allowable under Federal rules for public services funding is \$71,373. Any money designated for congregate meals would have to come from that allocation and cannot exceed the \$15,911 grant amount from last year.

**Councilmember Davis** asserted that the recipient categories ought to be better defined to avoid confusion on eligibility by applicants.

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

Public Comment:

The following persons spoke in favor of various allocations: **Janine Brown**, in support of the Meals on Wheels and Congregate Food Program; **Barbara Lehman**, in support of the Human Rights/Fair Housing Commission program, also offered to reduce their request to \$10,000 so that the remaining \$5,000 could be allocated toward the Senior Center; **Terese Schulz**, spoke in support of the Senior Center request; **John Foley** spoke in support of the Self-Help Housing grant request.

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

Council discussion ensued concluding on the allocation of funds as memorialized in the motion.

**Motion: M/S Scherman/Hume** to provide preliminary approval to the allocation of Fiscal Year 2007-08 CDBG funds as follows: Support Works for Women \$21,600, Meals on Wheels \$19,000, Human Rights/Fair Housing Services \$10,000, Sacramento Self-Help Housing \$5,000, Mobility Training \$5,000, Elk Grove Senior Center \$10,773;and authorize the 2007-08 Action Plan to be released for public review. ***The motion passed by the following vote: Ayes: 4; Noes: 0; Absent: 1 (Leary).***

**Agenda Item No. 8.4:** Elk Grove Committee for the Arts; 2007 Art Purchase Recommendation

**RECOMMENDATION:**

Option 1: Authorize the expenditure of funds for the purchase of 6 selected pieces of artwork to hang in city-owned buildings.

Option 2: - View and select pieces of artwork individually on a piece-by-piece basis from the 6 pieces recommended by the Committee and authorize the expenditure of funds.

Option 3: - Authorize the Committee to explore other options for purchasing artwork and bring those options back to the Council.

Option 4: - Not authorize the expenditure of the funds on artwork at this time.

**Kara Myers, Assistant to the City Manager**, provided an overview of the staff report and recommendation.

Public Comment:

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

***Motion:*** ***M/S Cooper/Scherman*** to authorize the expenditure of funds for the purchase of six selected pieces of artwork to exhibit in city-owned buildings. ***The motion passed by the following vote: Ayes: 4; Noes: 0; Absent: 1 (Leary).***

**Agenda Item No. 8.5:** Budget Workshop Presentation

*NOTE: Item No. 8.5 was not heard.*

**GENERAL ADMINISTRATION INFORMATION**

None.

**COUNCIL COMMENTS/FUTURE AGENDA ITEMS**

Reports on Regional Boards, Commissions, Committees

Travel/Training Expenditures Disclosure (*in accordance with Resolution 2006-295 and Government Code § 53232.3(d)*)

**Councilmember Hume** apologized to Public Works staff for his comments made during discussion of Agenda Item No. 7.2.

**Councilmember Davis** noted that he will likely make a request in the future to return discussion on the Franklin Boulevard area soundwall.

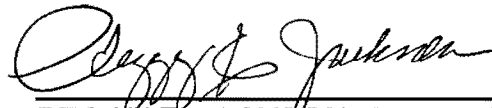
**Councilmember Scherman** directed a request to Councilmember Hume to be invited to any meetings scheduled on the East Stockton Boulevard soundwall.

Accompanied by Public Works staff, **Mayor Cooper** reported meeting with community members from the Laguna West area relative to the traffic signal at Harbour Point and the median. A follow-up meeting is expected in August.

Mayor Cooper announced that the April 25, 2007 regular City Council meeting was canceled.

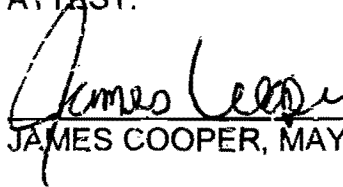
**ADJOURNMENT**

With no additional business to conduct, the April 11, 2007 City Council meeting was adjourned at 10:49 p.m.



PEGGY E. JACKSON, CITY CLERK

ATTEST:



JAMES COOPER, MAYOR