

CALL TO ORDER/ROLL CALL

Mayor Cooper called the regular City Council meeting of July 25, 2007 to order at 6:01 p.m.

Present: Mayor Cooper, Council Members Davis, and Hume

Absent: Mayor Pro Tempore Leary and Council Member Scherman

City Clerk Peggy Jackson led the Pledge of Allegiance.

Mayor Cooper asked that a moment of silence be observed.

Mayor Cooper noted that Council Members Leary and Scherman were absent due to their representation of the City at a League of California Cities conference.

APPROVAL OF AGENDA

Motion: M/S Hume/Davis to approve the agenda as submitted. The motion passed by the following vote: Ayes: 3; Noes: 0; Absent: 2 (Leary, Scherman)

CLOSED SESSION

None.

PRESENTATIONS/ANNOUNCEMENTS

None.

PUBLIC COMMENT (On Non-Agenda Items)

Heidi Kroll stated that the project to widen Elk Grove Boulevard between Franklin Boulevard and Foulks Ranch Drive includes a proposal to eliminate left turn exits and entries to and from the Laguna Lakes gated community in which she lives. Ms. Kroll asked Council to reconsider the proposal, as she felt it would negatively impact her community.

In response to Ms. Kroll, **Council Member Davis** commented that he had attended two meetings with the neighborhood association. Staff is currently working through issues between the residential community and general public safety.

Michael Monasky stated that he sent Council an email communication last week, though he had not yet received a response. He reported a bus breakdown and an incident where the replacement bus required passengers to stand while traveling to Sacramento on the freeway. He believed bus breakdowns and overcrowding was directly related to the City's decision to purchase used busses with defects and maintenance problems.

CONSENT CALENDAR ITEMS

Public Comment

Michael Monasky addressed the following Consent Calendar Items:

- Item No. 6.1: Preferred that speed limits in the city remain no higher than 45 mph. He noted that when drivers see a speed limit sign posted at 50 mph, they will often travel at 60 mph, which creates freeway speeds within the city and safety issues for pedestrians.
- Item Nos. 6.3 and 6.4: Stated that pedestrian amenities in both of these large projects were inadequate.

In reference to Item 6.4, **Council Member Hume** pointed out that funds referred to as "roadway maintenance" include pedestrian sidewalks.

- Item No. 6.12: Expressed his opinion that the environmental impact mitigation seemed absurd, as it would not benefit the local wildlife whose habitat is being diminished by the project.

Mayor Cooper explained that there is no suitable Swainson's Hawk habitat in the city limits, so there is no alternative other than spending money elsewhere for land mitigation.

- Item No. 6.16: In reference to the July 11, 2007 Special meeting minutes, Mr. Monasky was of the opinion that the Sphere of Influence matter was not urgent and therefore should not have been placed on the agenda with such short notice. He expressed his opposition to Elk Grove increasing its Sphere of Influence, due to environmental concerns such as water availability and intrusion of habitat for native birds.

The Council recessed at Interim City Attorney Jon Hobbs' request at 6:17 p.m. and reconvened at 6:19 p.m.

Motion: M/S Davis/Cooper to approve the Consent Calendar. The motion passed by the following vote: Ayes: 3; Noes: 0; Absent: 2 (Leary, Scherman)

Agenda Item No. 6.1: **Ordinance No. 24-2007** adopted establishing the speed limit on various roadway segments (**Second Reading**)

Agenda Item No. 6.2: **Resolution No. 2007-158** adopted authorizing the City Manager to execute a cost sharing agreement with the County of Sacramento for the Wilton Road Culvert Replacement Project and amend the Fiscal Year 2007-08 Budget

Agenda Item No. 6.3: **Resolution No. 2007-159** adopted authorizing the City Engineer to call for bids for the Sheldon Road/State Route 99 Interchange Reconstruction Project

Agenda Item No. 6.4: **Resolution No. 2007-160** adopted authorizing the City Manager to execute the Fiscal Year 2007-08 Measure A Allocation and Expenditure Contract between the City and the Sacramento Transportation Authority

Agenda Item No. 6.5: **Resolution No. 2007-161** adopted providing for the levy of the special tax in Community Facilities District No. 2003-2 (Police Services) for Fiscal Year 2007-08

Agenda Item No. 6.6: **Resolution No. 2007-162** adopted providing for the levy of the special tax in Community Facilities District No. 2003-1 (Poppy Ridge) for Fiscal Year 2007-08

Agenda Item No. 6.7: **Resolution No. 2007-163** adopted providing for the levy of the special tax in Community Facilities District No. 2006-1 (Maintenance Services) for Fiscal Year 2007-08

Agenda Item No. 6.8: **Resolution No. 2007-164** adopted providing for the levy of the special tax in East Franklin Community Facilities District No. 2002-1 for Fiscal Year 2007-08

Agenda Item No. 6.9: **Resolution No. 2007-165** adopted levying assessments in Street Lighting Maintenance District No. 1 for Fiscal Year 2007-08

Agenda Item No. 6.10: **Resolution No. 2007-166** adopted providing for the levy of the special tax in Community Facilities District No. 2005-1 (Laguna Ridge) for Fiscal Year 2007-08

Agenda Item No. 6.11: **Resolution No. 2007-167** adopted levying assessments in Street Maintenance District No. 1 for Fiscal Year 2007-08

Agenda Item No. 6.12: **Resolution No. 2007-168** adopted authorizing the City Manager to execute Environmental Mitigation agreements with Elsie Gridley Mitigation Bank, Bryte Ranch, and the Center for Natural Lands Management in the amount of \$1,478,970 for the Sheldon Road/State Route 99 Interchange Reconstruction Project

Agenda Item No. 6.13: Received report on City Manager approved purchases and contracts authorized by City Purchasing Ordinance, filed through July 13, 2007

Agenda Item No. 6.14: **Resolution No. 2007-169** adopted approving the purchase of 60 new Dell Computer systems from Dell Computers, Inc. for an amount not to exceed \$70,000

Agenda Item No. 6.15: **Resolution No. 2007-170** adopted accepting grant funds for public safety activities from the Office of Traffic Safety and amending the Fiscal Year 2007-08 Police Department Budget

Agenda Item No. 6.16: Approved City Council Minutes of June 27, 2007 Special Meeting, July 11, 2007 Special Meeting, and July 11, 2007 Regular Meeting as presented

PUBLIC HEARINGS

Agenda Item No. 7.1: A public hearing to consider the Waterman Park 75 #2 project, a General Plan Amendment, Specific Plan Amendment, and Rezone to change the land use designations and zoning within an approximately 75 acre parcel; and a Tentative Parcel Map to create nine parcels.

RECOMMENDATION:

The Planning Commission recommends that the Elk Grove City Council:

1. Defer the approval of the General Plan Amendment to a date uncertain for the purpose of accommodating additional General Plan Amendment requests related to other projects;
2. Approve a resolution expressing support for a General Plan Amendment and approving a Specific Plan Amendment, Rezone and Tentative Subdivision Map, for the Waterman Park 75 #2 Project No. EG-06-1158, subject to the Findings and Conditions of Approval (4-1); and
3. Introduce and waive the full reading, by substitution of title only, an ordinance amending the City of Elk Grove Zoning Map for a 75.1 acre parcel from 12.3 acres of Light Industrial, 27.3 acres of Industrial Office Park, 9.7 acres of Limited Commercial, and 10.8 acres of Open to 25.7 acres of Light Industrial, 19.1 acres of General Commercial, 3.3 acres of Shopping Center Commercial, and 10.7 acres of Open Space, for the Waterman Park 75 #2 Project No. EG-06-1158, APN: 134-0182-001

Mayor Cooper declared the public hearing open at 6:20 p.m.

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

In reference to the Open Space dedication, **Council Member Davis** asked whether the Cosumnes Community Services District had signed off, to which Ms. Stevens replied in the affirmative noting that it had provided conditions of approval.

Public Comment:

None.

John Fergusson, managing partner with Capital Valley Partner, LLC (owner of the property) agreed with the recommendation to Council and commended staff.

Mayor Cooper closed the public comment opportunity and declared the public hearing closed at 6:26 p.m.

Motion #1: *M/S Davis/Hume to defer the approval of the General Plan Amendment to a date uncertain for the purpose of accommodating additional General Plan Amendment requests related to other projects. **The motion passed by the following vote: Ayes: 3; Noes: 0; Absent: 2 (Leary, Scherman)***

Motion #2: *M/S Davis/Hume to adopt **Resolution No. 2007-171** expressing support for a General Plan Amendment and approving a Specific Plan Amendment, Rezone and Tentative Subdivision Map, for the Waterman Park 75 #2 Project No. EG-06-1158, subject to the Findings and Conditions of Approval. **The motion passed by the following vote: Ayes: 3; Noes: 0; Absent: 2 (Leary, Scherman)***

Motion #3: *M/S Davis/Hume to introduce and waive the full reading, by substitution of title only, **Ordinance No. 25-2007** amending the City of Elk Grove Zoning Map for a 75.1 acre parcel from 12.3 acres of Light Industrial, 27.3 acres of Industrial Office Park, 9.7 acres of Limited Commercial, and 10.8 acres of Open to 25.7 acres of Light Industrial, 19.1 acres of General Commercial, 3.3 acres of Shopping Center Commercial, and 10.7 acres of Open Space, for the Waterman Park 75 #2 Project No. EG-06-1158, APN: 134-0182-001. **The motion passed by the following vote: Ayes: 3; Noes: 0; Absent: 2 (Leary, Scherman)***

Agenda Item No. 7.2: A public hearing to consider the Report of Delinquent Utility Charges and their collection on the tax roll

RECOMMENDATION:

Adopt resolution approving and confirming the report of delinquent utility charges and requesting Sacramento County to collect such charges on the Fiscal Year 2007-08 tax roll.

Mayor Cooper declared the public hearing open at 6:28 p.m.

Bonnie Puleo, Utility Billing Manager, provided an overview of the staff report and recommendation.

In response to **Council Member Davis**, Ms. Puleo reported that, last year, the City received 100% recovery through this process.

Public Comment:

Cathy Nguyen spoke on behalf of her mother, Nga Nguyen to request an extension to pay her delinquent utility bill, due to personal hardships. Council directed staff meet with Ms. Nguyen to discuss arrangements for payment. Council also directed staff to work with Bruce Woodard who submitted a written request to make payment arrangements (filed).

Mayor Cooper closed the public comment opportunity and declared the public hearing closed at 6:34 p.m.

Motion: M/S Cooper/Hume to adopt **Resolution No. 2007-172** approving and confirming the report of delinquent utility charges and requesting Sacramento County to collect such charges on the Fiscal Year 2007-08 tax roll. ***The motion passed by the following vote: Ayes: 3; Noes: 0; Absent: 2 (Leary, Scherman)***

REGULAR AGENDA ACTION ITEMS/RECOMMENDATIONS

Agenda item No. 8.1: Designation of voting delegate and alternate to the 2007 League of California Cities Annual Conference

RECOMMENDATION:

By motion, appoint a voting delegate and alternate delegate to represent the City of Elk Grove at the 2007 League of California Cities Annual Conference business meeting.

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

Public Comment:

None.

Motion: *M/S Cooper/Davis* to appoint Council Member Scherman as a voting delegate and Mayor Pro Tempore Leary as an alternate delegate to represent the City of Elk Grove at the 2007 League of California Cities Annual Conference business meeting. ***The motion passed by the following vote: Ayes: 3; Noes: 0; Absent: 2 (Leary, Scherman)***

Agenda Item No. 8.2: Response to the Sacramento Area Council of Governments Board of Directors regarding the Regional Housing Needs Assessment Draft Housing Unit Allocations to the City of Elk Grove for the period of January 1, 2006 to June 30, 2013

RECOMMENDATION:

Provide direction regarding the Sacramento Area Council of Governments (SACOG) Regional Housing Needs Assessment Draft Housing Unit Allocation impacts for the City of Elk Grove to be forwarded to the SACOG Board of Directors.

Jim Carney, Housing Advisor, provided an overview of the staff report and staff's recommendation that Council challenge the Regional Housing Needs Assessment (RHNA) allocations of 16,067 total housing units by 2013 as an unrealistic goal for the City of Elk Grove. There are a limited number of sites available for development of higher density housing to meet the goals for the low- and very low-income housing units. In addition, staff recommended that Council comment on the RHNA numbers as being unreasonably large for Elk Grove given that the methodology and resultant allocation numbers do not give the City credit for its existing aggressive Affordable Housing Fund program, which has achieved nearly 1,000 newly constructed units affordable to low- and very low-income households over the current RHNA period of 2000 to 2006. Mr. Carney reported that six jurisdictions have submitted letters expressing concern with the methodology and allocation numbers. Elk Grove has an opportunity to submit a letter to SACOG before September 17, 2007.

In response to **Council Member Davis**, Mr. Carney reported that SACOG has asked the State Department of Housing and Community Development to reissue a number for the region based on lower growth projections by the Department of Finance. Mr. Davis recommended that Elk Grove submit comments that support SACOG's request. In addition, Mr. Davis noted the importance of communicating that Elk Grove understands and appreciates the need to house residents of all income levels, and acknowledge that it has a fee program in place, which helps to get affordable housing units built. He emphasized the importance of ensuring that regional allocations are appropriate given the housing market slowdown.

Council Member Hume pointed out that, in April, concerns were raised that some jurisdictions, such as Elk Grove, were doing a better job than others with affordable housing programs, yet no response has been made to that concern.

Staff was requested to return information on the efforts of other cities to meet affordable housing needs.

Mayor Cooper, member of the SACOG Board of Directors, also felt that Elk Grove has been doing its fair share regarding affordable housing and should be recognized for it, rather than being penalized. He acknowledged the displeasure cities have voiced about the methodology and the way it is calculated.

Council Members directed that staff communicate Council's concerns to SACOG.

Public Comment:

None.

GENERAL ADMINISTRATION INFORMATION

Police Chief Simmons announced that National Night Out would be held on August 7 and encouraged everyone to attend block parties in their communities.

COUNCIL COMMENTS/FUTURE AGENDA ITEMS

Reports on Regional Boards, Commissions, Committees:

Council Member Hume reported on the following:

- He attended a brief Sacramento Regional Transit District Board of Directors meeting on July 23;
- At the Elk Grove – Rancho Cordova – El Dorado Connector Joint Powers Authority Board of Directors meeting direction was given to staff to move forward with laying out parameters to retain an environmental consultant firm in order to proceed with determining alignments and completing the Environmental Impact Report for the project;
- He spoke with Public Works staff regarding his suggestion to name streets after veterans, which at the July 11 meeting had received consensus of Council to place the matter on a future agenda for discussion; and
- He spoke with the City Manager and Sacramento Council Member Pannell regarding the area between Bruceville Road and Franklin Boulevard, off Big Horn Boulevard, which is in the City of Sacramento; however, entry to the area requires going through the City of Elk Grove. He would like to investigate the possibility of a boundary line adjustment to move the area into Elk Grove.

Council Member Davis reported that a subcommittee of the Economic Development Corporation has been meeting with potential partners and recently met with the Sacramento Municipal Utility District. He suggested that the City begin discussion on developing a "green policy" for Elk Grove including possible incentives for environmentally conscious development. He has also met with community members in the area of Elk Grove Boulevard to the west, that dead ends at Stonelake. The area is in the County; however, it rarely has Sherriff patrol, and there have been security concerns by the residents. He suggested that the City Police Department patrol the area, or consider bringing it into the City of Elk Grove.


Mayor Cooper attended the Sacramento Area Council of Governments meeting last week at which the Regional Housing Needs Assessment was discussed.

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


None.

ADJOURNMENT

With no additional business to conduct, the July 25, 2007 City Council meeting was adjourned at 7:01 p.m.


PEGGY E. JACKSON
CITY CLERK

ATTEST


JAMES COOPER, MAYOR