

MINUTES OF THE CITY COUNCIL  
REGULAR MEETING  
Wednesday, December 12, 2007

**CALL TO ORDER/ROLL CALL**

**Mayor Cooper** called the regular City Council meeting of December 12, 2007 to order at 6:57 p.m.

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

Absent: None.

Mayor Cooper asked that a moment of silence be observed.

**APPROVAL OF AGENDA**

***Motion: M/S Hume/Davis to continue Agenda Item No. 8.2 to the regularly scheduled City Council meeting of January 9, 2008. The motion passed with the following vote: Ayes: 4; Noes: 1 (Cooper)***

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

**CLOSED SESSION**

None.

**PRESENTATIONS/ANNOUNCEMENTS**

**Agenda Item No. 4.1:** **Mayor Cooper** presented Richard Greene with a plaque in recognition of his service to the City of Elk Grove as Planning Commissioner.

**PUBLIC COMMENT**

**Sarah Johnson** reported that the Elk Grove Police Department has a citizen's academy that meets weekly for a period of 15 weeks. Ms. Johnson announced that she graduated last night in the program's second class since its inception. She encouraged others to participate.

## **CONSENT CALENDAR ITEMS**

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

**Agenda Item No. 6.1:** Ordinance No. 37-2007 adopted amending the City of Elk Grove Zoning map from AR-5 to SC and amending the Ordinance SZC-99-0036 of the Elk Grove Zoning Code governing the Laguna Gateway Special Planning Area Project No. EG-05-820, APNs 116-0050-013, 027, 030, and 031 (**Second Reading**)

**Agenda Item No. 6.2:** Received the July, August, and September 2007 Treasurer's Reports

**Agenda Item No. 6.3:** Approved November 14, 2007 Regular City Council Meeting Minutes

**Agenda Item No. 6.4:** Received report on City Manager approved purchases and contracts authorized by City Purchasing Ordinance, filed through November 29, 2007

**Agenda Item No. 6.5:** Resolution No. 2007-264 adopted approving McCardle Parcel Map No. 06-1018.00

**Agenda Item No. 6.6:** Resolution No. 2007-265 adopted approving Harbour Palms Commercial Center Parcel Map No. 05-829.00

**Agenda Item No. 6.7:** Resolution No. 2007-266 adopted approving Elk Grove-Florin Retail Center Parcel Map No. 07-034

**Agenda Item No. 6.8:** Resolution No. 2007-267 adopted accepting subdivision improvements for Laguna Ridge Specific Plan Del Webb Villages 1, 2 & 5 and Tributary American Dream

**Agenda Item No. 6.9:** Resolution No. 2007-268 adopted authorizing the Mayor to execute an Easement Agreement and a Non-Exclusive Easement for Access Purposes to Elk Grove Unified School District over a portion of City-owned Light Rail Corridor and over a portion of City-owned Landscape Corridor in the Laguna Ridge Specific Plan Area

**Agenda Item No. 6.10:** Resolution No. 2007-269 adopted authorizing the Mayor to execute an Easement Agreement and a Non-Exclusive Easement for Access Purposes to Elk Grove Unified School District over a portion of City-owned Drainage Corridor in the Laguna Ridge Specific Plan Area

**Agenda Item No. 6.11:** Resolution No. 2007-270 adopted approving a summary abandonment of a portion of a Light and Air Easement for proposed project known as The Commons at Elk Grove Assisted Living Facility (EG-06-1127.00)

**Agenda Item No. 6.12:** Resolution No. 2007-271 adopted in support of Tom Bradley Commemorative Stamp

**Agenda Item No. 6.13:** Resolution No. 2007-272 adopted approving the Annual Development Impact Fee Report for Fiscal Year 2006-07

**Agenda Item No. 6.14:** Resolution No. 2007-273 adopted: 1) approving the revised Sacramento Cities/County Solid Waste Advisory Committee (SWAC) and Local Task Force Responsibilities and Organization; 2) appointing the Integrated Waste Program Manager as a SWAC member; and 3) authorizing the City Clerk to recruit for the general public vacancy

**Agenda Item No. 6.15:** Resolution No. 2007-274 adopted authorizing the City Manager to negotiate terms and execute a five year and five month Household Hazardous Waste Agreement with the County of Sacramento

**Agenda Item No. 6.16:** Resolution No. 2007-275 adopted authorizing the City Manager to execute a one year contract with proposed two, one-year extensions subject to annual appropriations with Acclamation Insurance Management Services, Inc. for claims adjusting and administration services in an amount not to exceed \$70,000 annually

**Agenda Item No. 6.17:** Resolution No. 2007-276 adopted authorizing the City Manager to waive the competitive bid requirements and execute a professional services agreement with TMD Group, Inc. in an amount not to exceed \$87,500 for "Avoid the 14 DUI Campaign" public relations services

**Agenda Item No. 6.18:** Resolution No. 2007-277 adopted determining the annexation of territory to Community Facilities District No. 2005-1 (Laguna Ridge) and to levy a special tax to pay for certain facilities and services (Annexation No. 1)

**Agenda Item No. 6.19:** Resolution No. 2007-278 adopted approving the Final Map for Subdivision No. 00-038.00 Lent Ranch Marketplace

**Agenda Item No. 6.20:** Resolution No. 2007-279 adopted waiving the competitive bid process and authorizing the City Manager to execute a contract with Goodwin Consulting Group to prepare a Public Land Fee Program, an Infrastructure Facilities Fee Program and a Specific Plan Reimbursement Fee Program for the Laguna Ridge Specific Plan Area, update the Park Fee Program and amend the Fiscal Year 2007-08 Budget

## **PUBLIC HEARINGS**

**Agenda Item No. 7.1: CONTINUED PUBLIC HEARING** – Appeal by Petrovich Development Company of the Planning Commission’s decision on August 16, 2007 to deny the Design Review for the Elk Grove Boulevard and Waterman Pharmacy (EG-06-1022; APN 134-0050-001)

### **RECOMMENDATION:**

Consider the revised plans submitted by the applicant and, if deemed appropriate, adopt a resolution overruling the Planning Commission’s denial and approving a Design Review for the Elk Grove Boulevard and Waterman Road Pharmacy Project based on certain findings and subject to Conditions of Approval as outlined in the resolution.

**Mayor Cooper** declared the public hearing open.

With the aid of an overhead presentation (filed), **Nina Stevens**, Planner, provided an overview of the staff report and recommendation.

In response to Council Member Scherman, City Engineer **Fritz Buchman** recommended that, under conditions 32 and 33, the comma be replaced with a colon after the words “approach lanes”. He confirmed that the project is conditioned to include frontage improvements that would provide a left through and a right through lane. There would be three approach lanes on the east bound approach to the intersection of Waterman Road and Elk Grove Boulevard. Condition 32 requires an irrevocable offer of right-of-way dedication that would provide for a fourth approach lane at some point in the future if deemed necessary.

Appellant **Paul Petrovich** confirmed that he agreed with all conditions proposed by staff. In addition, he would agree to reducing the size of the monument signs, as he had discussed with staff yesterday. An easement in the southwest corner of the property was offered so that the adjoining property would not need to have a curb cut and could access the area through a common drive in the rear. He agreed with changing the cornice material from metal to plaster. Mr. Petrovich stated that, this evening, he had made a commitment to Phillip Stark (*representing the Old Town Elk Grove Foundation*) that a corner monument sign would include “Welcome to Old Town”. Mr. Petrovich added that he would work with staff and members of the Old Town Foundation to ensure it is designed appropriately, with the caveat that it not add a significant cost to sign. Lastly, Mr. Petrovich stated that he would accept a condition that a library drop box be included in the project.

**Council Member Scherman** asked that a condition be added prohibiting window obstruction with marketing signs or merchandise, to which Mr. Petrovich agreed.

**PUBLIC COMMENT:**

**Sarah Johnson**, speaking on behalf of the Historical Society, thanked Mr. Petrovich for the project changes he has agreed to. She asked to speak with someone about how staff is interpreting the Old Town Special Planning Ordinance, to which Council Member Scherman offered to assist her.

**Jay Hyde**, Secretary of the Old Town Elk Grove Foundation, thanked Council Member Scherman and others involved in this process.

**Steve Detrick** commended Mr. Petrovich and Council Members Hume and Scherman for facilitating a public workshop regarding this project. He asked who paid for staff to attend the workshop. He recalled at the workshop that, it was suggested, Council send the project resubmittal back to the Planning Commission for reevaluation, which he believed should have been done.

**Phillip Stark**, representing the Old Town Elk Grove Foundation, asked for clarification on the turn lanes, to which City Engineer Fritz Buchman confirmed there would be a single left turn lane, a single through lane, and a single right turn lane.

**Mayor Cooper** declared the public hearing closed.

Planning Director **Christine Crawford** asked for clarification on condition amendments. She noted that conditions would be added to include changing the cornice from metal to plaster, and prohibiting window obstructions by signs or merchandize.

**Council Member Scherman** asked that a condition also be added to include a library drop box.

**Mayor Pro Tempore Leary** asked that Mr. Petrovich's offer include "Welcome to Old Town" on the corner monument sign be delineated in the conditions.

***Motion: M/S Leary/Scherman to adopt Resolution No. 2007-280 overruling the Planning Commission's denial and approving a Design Review for the Elk Grove Boulevard and Waterman Road Pharmacy Project based on certain findings and subject to amended Conditions of Approval. The motion passed by the following vote: Ayes: 5; Noes: 0***

Note: Public Hearings for Agenda Item Nos. 7.2 and 7.3 were heard concurrently.

**Agenda Item No. 7.2:** A public hearing to consider adoption of resolutions calling an election and declaring results of the special election for annexation to Community Facilities District No. 2003-2 (Police Services) and introduction of an ordinance levying and apportioning the special tax to the annexing area (Annexation No. 14)

**RECOMMENDATION:**

1. Adopt resolution calling an election to submit the question of levying a special tax within the area proposed to be annexed to Community Facilities District No. 2003-2 (Police Services) to the qualified electors;
2. (*Following tabulation and certification of ballot results by the City Clerk*) Adopt resolution declaring the results of the special election held on December 12, 2007 for the 14<sup>th</sup> annexation to Community Facilities District No. 2003-2 (Police Services); and
3. Introduce and waive the full reading, by substitution of title only, an ordinance levying and apportioning the special tax in territory annexed to, Community Facilities District No. 2003-2 (Police Services) Annexation No. 14.

**Agenda Item No. 7.3:** A public hearing to consider levying street maintenance assessments for certain properties located in the Laguna Ridge area which represents Annexation No. 3 into Street Maintenance District No. 1, Zone 5

**RECOMMENDATION:**

Staff recommends that the City Council (the "Council") of the City of Elk Grove (the "City") conduct a public hearing on the Engineer's Report and the question of levying assessments within Street Maintenance District No. 1 – Zone 5 (the "District") for certain properties in the Laguna Ridge Area pursuant to the Benefit Assessment Act of 1982. Following the close of the public hearing and tabulation of ballot results, staff recommends the adoption of a Resolution of the City Council of the City of Elk Grove Determining to Levy Assessments in Street Maintenance District No. 1 – Zone 5.

**Mayor Cooper** declared the public hearings for Items 7.2 and 7.3 open.

**Andrew Griffin**, Finance Analyst, stated that Items 7.2 and 7.3 are for the annexation of one project into the Police Services Community Facilities District and Street Maintenance District Zone 5.

**PUBLIC COMMENT:**

None.

**Mayor Cooper** declared the public hearings for Items 7.2 and 7.3 closed.

The following action was taken relative to Agenda Item No. 7.2:

**Motion #1:** *M/S Scherman/Hume* to adopt **Resolution No. 2007-281** calling an election to submit the question of levying a special tax within the area proposed to be annexed to Community Facilities District No. 2003-2 (Police Services) to the qualified electors. ***The motion passed by the following vote: Ayes: 5; Noes: 0***

The City Clerk announced that, of nine possible votes, nine affirmative votes were returned in favor of the City of Elk Grove levying a special tax within the area proposed to be annexed to CFD No. 2003-2 (Police Services).

**Motion #2:** **M/S Scherman/Leary** to adopt **Resolution No. 2007-282** declaring the results of the special election held on December 12, 2007 for the 14<sup>th</sup> annexation to Community Facilities District No. 2003-2 (Police Services); and to introduce and waive the full reading, by substitution of title only, **Ordinance No. 38-2007** levying and apportioning the special tax in territory annexed to, Community Facilities District No. 2003-2 (Police Services) Annexation No. 14.. ***The motion passed by the following vote: Ayes: 5; Noes: 0***

The following action was taken relative to Agenda Item No. 7.3:

**Motion:** **M/S Scherman/Leary** to adopt **Resolution No. 2007-283** of the City Council of the City of Elk Grove Determining to Levy Assessments in Street Maintenance District No. 1 – Zone 5. ***The motion passed by the following vote: Ayes: 5; Noes: 0***

**Agenda Item No. 7.4:** A public hearing to consider a letter of Public Convenience and Necessity to allow a Type 21 alcohol license for Stonelake Vine & Spirits

**RECOMMENDATION:**

Adopt resolution approving the request for a letter of Public Convenience and Necessity to obtain a Type 21 alcohol license for Stonelake Vine & Spirits (EG-07-118; APN: 132-0460-103).

**Mayor Cooper** declared the public hearing open.

**Kyra O'Malley**, Planner, provided an overview of the staff report and recommendation.

**PUBLIC COMMENT:**

None.

**Mayor Cooper** declared the public hearing closed.

**Motion:** **M/S Scherman/Leary** to adopt **Resolution No. 2007-284** approving the request for a letter of Public Convenience and Necessity to obtain a Type 21 alcohol license for Stonelake Vine & Spirits (EG-07-118; APN: 132-0460-103). ***The motion passed by the following vote: Ayes: 4; Noes: 1 (Davis)***

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

**Agenda Item No. 8.1:** Accept for filing the report prepared by the Council-appointed Charter Exploratory and Election Reform Committee

### **RECOMMENDATION:**

Receive the report of the Charter Exploratory and Election Reform Committee for filing and provide direction if deemed appropriate.

### **COMMITTEE REPORT:**

**Michelle Orrock**, Chairperson, reported that the Charter Exploratory and Election Reform Committee studied and considered two general areas: 1) General Law versus Charter cities, and 2) election reform issues. Within those topics, the Committee discussed the characteristics of each, as well as their advantages and disadvantages.

In reference to the subject of General Law cities, the Committee felt that, overall, it allows cities a good template for government; however, it could be restrictive in some circumstances. In contrast, Charter cities offered a wider range of options, but could open cities up to additional litigation, depending upon the novelty of the items included in the Charter. It was felt that a Charter city had more flexibility when determining which process to use for electing a mayor.

The Committee reviewed characteristics of several different types of election systems and felt that, determining which one to use, would be based on Council's decision regarding what was best for the City at the time, considering such factors as population, etc. In reference to instant runoff voting, the Committee felt that the disadvantages outweighed the advantages mainly because of the cost and potential confusion for voters. Regarding the issue of primary and general elections, a disadvantage noted was that, if both were required to be held, it would increase the cost for the City. Fifty percent plus-one elections can only be utilized by Charter cities. General Law cities are required to use plurality elections. Thirteen characteristics of campaign finance reform were discussed, and while the Committee generally felt it was positive, the challenge was that some things (such as expenditure limits and codes of ethics) were voluntary. If one candidate chose not to follow the requirements, others could follow suit, which would defeat the purpose of having campaign finance and ethics requirements.

Ms. Orrock thanked Lucy & Company for facilitating meetings of the Charter Exploratory and Election Reform Committee.

Council thanked Committee members for their dedication and considerable time and effort in producing the report.

**PUBLIC COMMENT:**

**Phillip Stark** encouraged Council to pursue development of a Charter.

**Mayor Cooper** expressed his opinion that the benefits outweighed the negatives in Elk Grove becoming a Charter city.

**Council Member Davis** expressed support for Elk Grove becoming a Charter city. He felt that the concept of fifty percent plus-one elections was, in and of itself, worth becoming a Charter city. He favored voters electing the mayor and recommended further exploration of campaign finance options.

**Council Member Hume** concurred with moving forward on development of a Charter. He cautioned, however, that with greater flexibility and power comes greater responsibility, stating that careful crafting of the Charter will be vital.

**Council Member Scherman** agreed with pursuing a Charter and emphasized the need for public meetings and workshops on the subject to solicit citizen input.

By Council consensus, staff was directed to return information to the Council on proceeding with development of a City Charter and appointment of a Charter Commission. Council expressed hope that members of the Charter Exploratory and Election Reform Committee would be willing to serve in the capacity of Charter Commissioners. The City Attorney responded that this information would be returned to the Council at its January 9, 2008 Council meeting.

**Agenda Item No. 8.2:** *Note: This item was continued to the January 9, 2008 City Council meeting at the Approval of the Agenda.*

Review proposals submitted by executive recruitment firms for the recruitment of a City Manager and authorize the Mayor to execute a professional services contract and/or take other action relative to the recruitment of a City Manager.

**Agenda Item No. 8.3:** Consideration of a loan for construction of a wall in the vicinity of Willard and Whitelock Parkways

**RECOMMENDATION:**

Following negotiations with the Sacramento County Water Agency (SCWA), staff recommends against providing a \$350,000 ten year, interest-free loan to the SCWA for construction of a wall for the future water treatment facility in the vicinity of Willard and Whitelock Parkways.

**Cheryl Creson**, Public Works Director, reported that parcel owners from Chamberlin Circle in the East Franklin Specific Area have requested a sound wall on the western side of their property for noise protection. Lots in this subdivision are 600 feet from the railroad tracks, which is farther than the 475 feet that triggers

the sound wall requirement. The Sacramento County Water Agency is scheduled to build a water facility adjacent to the property south of Elk Grove Boulevard and east of Franklin Boulevard. The proposed water facility is planned to have a wall to match the existing sound wall on Franklin Boulevard. Funding sources have declined due to the slowdown in new construction and the lessened need for the water facility. In an effort to facilitate the construction of a sound wall, as requested by residents in the area, City staff negotiated with the Water Agency. The proposal before Council is a \$350,000 loan with a ten year term at zero interest. As this is not advantageous to the City, staff recommends that the loan not be approved.

**PUBLIC COMMENT:**

**Robert Martinelli** asked Council to approve the funding for the sound wall, stating that noise and security considerations should be factored in. He noted that there is a nearby apartment complex with hundreds of residents. People often cut through the area and hop over a wooden fence. He asserted that Beazer Homes, who funded the study on this matter, had a conflict of interest. Further, he stated that the study is flawed and does not address issues raised in the negative declaration or changes that have occurred in the area resulting in increased train noise and traffic.

**Mayor Cooper** noted that other Elk Grove communities have also expressed a desire for sound walls. Currently, funding does not exist to construct these walls. He believed it would not be prudent for the Council to approve the proposed loan request.

**Council Member Davis** asked Ms. Creson what conditions would change staff's recommendations, to which she responded, a loan interest rate of 5% with a payback schedule three times over the ten year period. She noted, however, that the City negotiated over a lengthy period of time with the Water Agency and the proposal before Council is what was ultimately arrived at. She estimated that it would cost the City \$175,000 to carry the loan interest free over ten years.

In response to Council inquiries, **Mike Crooks**, Sacramento County Water Agency Senior Civil Engineer, reported that the sound wall construction estimate in July was \$225,000. The additional \$125,000 is for anti-graffiti coating and other enhancements, additional consultant costs related to it being a separate construction contract, and additional time.

**Council Member Hume** suggested that the design be agreed upon and the project taken out bid. The City could then loan the 'low bid' cost to the Water Agency in today's dollars, and the Agency could repay the City in the amount it would cost to build the wall ten years from now, which would provide the City with additional compensation.

*NOTE: No action was taken by Council on Item No. 8.3.*

**Agenda Item No. 8.4:** Progress update on the Elk Grove (Old Town) Library Capital Improvement Project (PF0011)

**RECOMMENDATION:**

This is an informational report update on the Elk Grove (Old Town) Library Capital Improvement Project – review and comment only.

With the aid of an overhead presentation (filed), **Bob Williamson**, Senior Project Architect, provided an overview of the staff report. He reported that, it is planned to return to Council in January, to obtain authorization to put the project out to bid in February. In March, staff would return to Council with a request to award the contract. Construction is planned to begin in April and be completed by late summer with move in to occur in the Fall of 2008. To date, the Council has authorized \$6,950,000 for the project. Of that amount, \$3,500,000 has been spent to purchase the existing building and site. Estimated construction, furnishings, fixtures, equipment and soft costs will be \$5,750,000 for a total cost of \$9,250,000. A new cost estimate, using value engineering methods, will be presented to Council in January. At mid-year budget review, Council will be asked to approve an identified source of funding to cover the cost.

**Mayor Pro Tempore Leary** asked whether the cost estimate included relocating the restrooms, to which Mr. Williamson answered in the affirmative.

**PUBLIC COMMENT:**

None.

*Note: This item was informational purposes only; no Council action taken.*

*Note: The City Council recessed at 8:33 p.m. and reconvened at 8:53 p.m.*

**Agenda Item No. 8.5:** Consider the conceptual site plan for the Sterling Meadows Project No. EG-01-130

**RECOMMENDATION:**

Review the conceptual illustrative site plan for the Sterling Meadows Tentative Subdivision Map and provide input to staff and the applicant.

With the aid of an overhead presentation (filed), **Christine Crawford**, Planning Director, provided an overview of the staff report.

**Council Members Davis and Hume** expressed support for the project as presented.

**Mayor Pro Tempore Leary** had understood that the detention basin would be moved to the west. He recommended that Council endorse the conceptual site plan of the project, including the size and configuration of parks, as well as the densities, and direct staff to expedite and bring back all documents and plans necessary to enable Council to approve the development agreement.

In response to questions posed by Council Member Scherman, **Charles McKay** representing Citation Homes, stated that, as he understood it, the Storm Water Master Plan for the City does contemplate the possibility of a more regional detention facility located to the west of the property. An attempt was made to create a site plan that would enable the project to develop to its full potential independent of whether the basin was moved offsite at a future date, or whether it remained permanent. Mr. McKay suggested that, he explore with staff, the possibility of keeping the basin on site and creating a permanent, attractive facility through landscaping, etc. He noted that doing so would also take some of the pressure off the regional Storm Water Master Plan with respect to the drainage coming from the site and neighboring mall.

**Council Member Scherman** asked whether the streets could be curvilinear and if a boardwalk could be a design feature adjacent to the detention basin.

Mr. McKay explained that, sewer infrastructure under the main east and west roads has already been decided upon, so realignment would be prohibitive. Landscape medians will be included, however, as well as meandering trails on the sides of the streets. A development agreement, Environmental Impact Report, and project design for the project will be forthcoming.

**PUBLIC COMMENT:**

None.

*Note: The general concurrence of the City Council was to proceed with the project as conceptually represented.*

**Agenda Item No. 8.6:** Reorganization of the Elk Grove City Council

**RECOMMENDATION:**

Appoint a Mayor and Vice Mayor for calendar year 2008.

**Peggy Jackson**, City Clerk, introduced the item for Council consideration.

**PUBLIC COMMENT:**

**Constance Conley** distributed results from a survey entitled "Elk Grove Community Connection – Mayoral Survey" (filed). She reported that it had been distributed to 4,000 citizens, as well as being in the Elk Grove Citizen and Sacramento Bee

newspapers. Ms. Conley pointed out that respondents voted two to one that they did not want an incumbent to serve as mayor. Those that did vote for an incumbent as mayor, overwhelmingly favored Jim Cooper. Survey results supported Council Members Davis and Hume to serve as mayor for 2008 and Ms. Conley expressed her hope that this would be the outcome of tonight's decision.

**Steve Detrick** concurred with Ms. Conley's statements.

**Council Member Hume** suggested that mayoral selection be done either by district or alphabetically by last name, explaining that he would use the latter method for his nomination (i.e. Cooper to Davis).

**Motion #1:** *M/S Hume/Scherman* to appoint Gary Davis as Mayor for calendar year 2008. ***The motion passed by the following vote: Ayes: 5; Noes: 0***

**Mayor Cooper** did not believe that mayors have an advantage during an election year, as was proven in 2006 when then-Mayor Soares lost his reelection bid. He favored following an order of ascension, wherein the vice mayor is elevated to mayor.

**Motion 2:** *M/Cooper* to appoint Michael Leary as Vice Mayor for calendar year 2008. ***The motion failed for lack of a second.***

**Council Member Davis** surmised that a system for electing a mayor would likely be decided upon during the process of developing a City Charter. He suggested that, in the meantime, a rotational system be utilized for those each year that are not running for reelection.

**Motion #3:** *M/S Davis/Leary* to appoint Patrick Hume as Vice Mayor for calendar year 2008. ***The motion passed by the following vote: Ayes: 5; Noes: 0***

### **GENERAL ADMINISTRATION INFORMATION**

Interim City Manager **Jim Estep** announced that the "quiet zones" are now in place for the railroad. He noted, however, that train engineers still have discretion to engage the horn if they deem it necessary. Public Information Officer Christine Brainerd has returned to work today following maternity leave. Jim Miller was hired as Youth Services Program Manager and will begin work on December 17.

Planning Director **Christine Crawford** reported that two public workshops were held last week on the topic of Elk Grove's Sphere of Influence. Public comments are still being accepted. The matter is expected to be brought forward to Council at its January 23 meeting.

## **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)*):

**Council Member Hume** reported that he attended one of the Sphere of Influence workshops. He asked that staff create a flowchart identifying various steps in the process and ramifications of decisions. Background information should also be included, such as constraints on land that can be considered, and the Sacramento Local Agency Formation Commission's role in the process. The Sacramento Regional Transit District Board of Directors is in the process of narrowing down its selection for General Manager. He noted that mandated service budget cuts will take effect in January. He will be unable to attend the Sacramento Transit Authority meeting tomorrow. The Elk Grove-Rancho Cordova-El Dorado Connector Joint Powers Authority Board of Directors' next meeting will consist of interviews for executive director and in January it will consider the Elk Grove segment of the connector. Mr. Hume asked the Public Works Director to provide him with an update regarding the speed limit issue in the Sheldon area.

**Council Member Davis** reported that the Sacramento Metropolitan Air Quality Management District Board of Directors did not meet in November or December. The November 30 Economic Development Forum was very successful. It was announced at the Forum that Steve Czarnecki was selected as the Executive Director of the Elk Grove Economic Development Corporation. He thanked Council for its support of his selection as Mayor for 2008 and stated that his focus will be on unity in the Elk Grove community. He thanked Mayor Cooper for his service.

**Council Member Scherman** reported that the Sacramento Regional County Sanitation District Board met today. Ms. Scherman commented that she abstained from consideration of an agenda item regarding a reimbursement agreement with Reynen & Bartis Development, due to a potential conflict of interest. She asked why the City is not using its economic development credits.

Deputy City Manager **Cody Tubbs** replied that an increased effort will be made to market the availability of the credits. Mr. Tubbs stated that he would ensure a written report is provided to Council outlining which projects have been allocated credits.

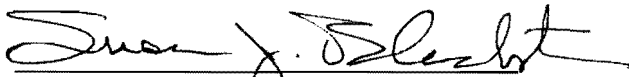
**Mayor Pro Tempore Leary** commended Angela Frost for filling in as the Interim Public Information Officer during Christine Brainerd's absence. He mentioned that Police Chief Simmons would be retiring in approximately six months and recommended that he receive Retiree Healthcare Benefits (*as established in Resolution 2007-191*).

**Mayor Cooper** reported that public comment was taken at the Sacramento Area Council of Governments regarding the Master Transit Plan.

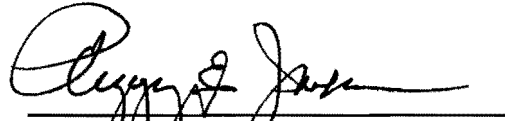
**ADJOURNMENT**

With no additional business to conduct, the December 12, 2007 City Council meeting was adjourned in memory of Terrie Armendariz and Ruth Lichtenberger at 9:27 p.m.

Minutes prepared by:



Susan J. Blackston  
Chief Deputy City Clerk



PEGGYE JACKSON  
CITY CLERK

ATTEST:

  
JAMES COOPER, MAYOR