

**MINUTES OF THE CITY COUNCIL  
REGULAR MEETING  
Wednesday, January 14, 2009**

**CALL TO ORDER/ROLL CALL**

Mayor Hume called the regular City Council meeting of January 14, 2009 to order at 6:01 p.m.

Present: Mayor Hume, Vice Mayor Scherman, Council Members Cooper, Davis and Detrick

Absent: None.

Council Member Detrick led the Pledge of Allegiance.

Mayor Hume asked that a moment of silence be observed.

**APPROVAL OF AGENDA**

***Motion: M/S Davis/Cooper to remove Item 7.2 and approve the remainder of the agenda as presented. **The motion passed by the following vote: Ayes: 5; Noes: 0.*****

**CLOSED SESSION**

None.

**PRESENTATIONS/ANNOUNCEMENTS**

4.1 Mayor Hume presented a plaque to Council Member Gary Davis in recognition of his service as Mayor during the period of January 1, 2008 through December 10, 2008

**PUBLIC COMMENT**

Leo Fassler, member of the Sheldon Community Association and Greater Sheldon Homeowners Association, reported that a \$50,000 grant has been awarded from the County, which has helped to fund a "grow local" program. Locally grown fruits and vegetables are donated to the Food Bank. Additionally, a reforestation project is underway with the help of the Sacramento Municipal Utility District and the Tree Foundation; this year, 225 Valley Oak trees will be planted.

Newton Ekpo provided written material regarding the Fathers & Families Resource Center (filed).

Tom Shine, member of the Sheldon Community Association and Greater Sheldon Homeowner's Association, spoke in reference to the January 14 Special City Council meeting regarding the subject of development impact fees. He clarified that the Rural Roads Standards restricts medians. He offered to list the 19 pages of rural roads projects in order of merit and submit it to the Public Works Department for consideration.

Janet Wagner thanked Council for its support of the Sutter Health project.

Lynn Wheat commended Council for holding a special public meeting on January 7 to discuss the Civic Center project. She stated that property at Bond and Waterman Roads has viable vernal pools and wetlands and should be preserved for its natural resources. She asked Council to consider it as a quality of life issue for citizens, rather than focusing on the monetary gain of development.

### **CONSENT CALENDAR ITEMS**

In reference to Item 6.10, Vice Mayor Scherman reported that the Police Dispatch Center processed 192,000 calls in 2007 and 270,000 calls in 2008.

In reference to Item 6.11, Vice Mayor Scherman commented that the Women Escaping a Violate Environment program has now partnered with the Elk Grove Police Department and is offering its services to the community.

In reference to Item 6.12, at the request of Vice Mayor Scherman, City Manager Gill explained that, under her authority, she would be signing a seven month contract for an amount under \$50,000. An ad hoc committee will be established to review proposals for lobbyist services, for which selection is anticipated to be made prior to the conclusion of the seven month contract. A monthly report of activity will be required from future lobbyist firms.

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

**Agenda Item No. 6.1:** Approved General Warrant No. 41992 through 42899 dated December 1, 2008 through December 31, 2008, and Electronic Fund Transfer 2009074 through 2009078, and Automatic Clearing House

**Agenda Item No. 6.2:** Approved City Council Meeting Minutes of: a) December 8, 2008 Special Meeting; and b) December 10, 2008 Regular Meeting

**Agenda Item No. 6.3:** Received report on City Manager approved purchases and contracts authorized by Elk Grove Municipal Code Chapter 3.42 Contracts and Purchasing, filed through January 7, 2009

**Agenda Item No. 6.4:** Received report on Requests for Proposals, Qualifications, and Bids

**Agenda Item No. 6.5:** Adopted **Ordinance No. 53-2008** amending the City of Elk Grove Zoning Map for a 3.23 acre parcel from Agricultural – 20 Acre Minimum (AG-20) to Residential - Five Units per Acre (RD-5) for the Treasure Homes Subdivision Project (**Second Reading**)

**Agenda Item No. 6.6:** Adopted **Ordinance No. 54-2008** levying and apportioning the special tax in territory annexed to Community Facilities District No. 2006-1 (Maintenance Services) Annexation No. 11 (**Second Reading**)

**Agenda Item No. 6.7:** **Resolution No. 2009-1** adopted amending the Short Range Transit Plan to add four projects to the Capital Program for Fiscal Year 2008-09

**Agenda Item No. 6.8:** **Resolution No. 2009-2** adopted authorizing the submittal of a grant application for Proposition 1B Safety and Security funds up to \$250,000 and authorizing the Transit System Manager to file all necessary paperwork

**Agenda Item No. 6.9:** **Resolution No. 2009-3** adopted authorizing certain City staff to access the ECHO-Web federal transit reimbursement system

**Agenda Item No. 6.10:** **Resolution No. 2009-4** adopted authorizing the City Manager to accept a funding allotment in the amount of \$127,657 from the State of California Department of General Services for the purchase of 9-1-1 equipment and amend the Police Department's revenue and expense budget accordingly

**Agenda Item No. 6.11:** **Resolution No. 2009-5** adopted authorizing the City Manager to execute a License Agreement and Subrecipient Agreement with Women Escaping a Violent Environment (WEAVE) non-profit organization

**Agenda Item No. 6.12:** **Resolution No. 2009-6** adopted authorizing the City Manager to ratify the expenditure of funds, without contract, to Van Scoyoc Associates, Inc., for Federal Government Relations Services in an amount of \$168,000

**Agenda Item No. 6.13:** **Resolution No. 2009-7** adopted accepting the Intelligent Transportation Systems Phase 1A Project as complete and authorizing the City

Engineer to prepare, and the City Clerk to file, the Notice of Completion with the Sacramento County Recorder

**Agenda Item No. 6.14:** Resolution No. 2009-8 adopted authorizing the Public Works Director to execute a Provisionally Accredited Levee Agreement with the Federal Emergency Management Agency to certify levees within Laguna West

**Agenda Item No. 6.15:** Resolution No. 2009-9 adopted accepting the Slurry and Chip Seal Project 2008 as complete and authorizing the City Engineer to prepare, and the City Clerk to file, the Notice of Completion with the Sacramento County Recorder

**Agenda Item No. 6.16:** Resolution No. 2009-10 adopted accepting the Asphalt Concrete Overlay and Curb Ramp Improvements Project 2008 as complete and authorizing the City Engineer to prepare, and the City Clerk to file, the Notice of Completion with the Sacramento County Recorder

**Agenda Item No. 6.17:** Resolution No. 2009-11 adopted accepting the Micro-Surfacing and Chip Seal Project 2008 as complete and authorizing the City Engineer to prepare a Notice of Completion and the City Clerk to file the Notice of Completion with the Sacramento County Recorder

**Agenda Item No. 6.18:** Scheduled Special City Council meetings to be conducted in a Town Hall style format to discuss the City's Fiscal Year 2009-10 Budget in each of the five districts to begin at 6:00 p.m. (*specific locations to be determined*): January 26 (District 1); January 29 (District 5); February 2 (District 3); February 4 (District 2); and February 18 (District 4)

**Agenda Item No. 6.19:** Resolution No. 2009-12 adopted authorizing the use of a facsimile stamp signature of the Finance Director on Lien and Release of Lien Documents

**Agenda Item No. 6.20:** Resolution No. 2009-13 adopted increasing contract authority by \$1,949,000 of the previously budgeted contingency amount for the contract with RGW Construction for the Grant Line Road / State Route 99 Interchange Reconstruction Project and ratifying expenditure of \$564,364.22 beyond existing contract authority

## **PUBLIC HEARINGS**

**Agenda Item No. 7.1:** A Public Hearing to consider the appeal of the Planning Commission decision to deny the Conditional Use Permit for the Guru Nanak Darbar Church located at 9020 Campbell Road (EG-08-015; APN: 127-0020-024)

**RECOMMENDATION:**

Adopt resolution denying the Conditional Use Permit for the Guru Nanak Darbar Church Project.

Mayor Hume declared the public hearing open.

With the aid of an overhead presentation (filed), Nina Stevens, Planner, provided an overview of the staff report. She explained that the applicant has requested a Conditional Use Permit for up to 50 people to attend the Guru Nanak Darbar Church. One religious leader would live at the residence. There would be weekend group worship for 25 to 35 people. The home would be available for private worship for individuals and small groups during the week. Ms. Stevens reviewed conditions placed on the project to restrict the use and limit the impact on the neighborhood. No on-street parking is available. The Planning Commission considered and denied the project on November 6, subject to the application failing to meet the health, safety, peace, comfort, or general welfare of persons residing in the neighborhood based on testimony heard at the meeting. The applicant was not present at the November 6 Planning Commission meeting. On November 17, the agent for the applicant filed an appeal indicating that the characteristics of the use and operation were misrepresented at the Planning Commission hearing. The applicant has indicated he would comply with the conditions of approval. A "green sheet" communication from citizens opposed to the project was distributed (filed) and Ms. Stevens noted that she had received a phone call today from a citizen in opposition of the project.

Gil Albiani, representing the applicant, submitted photos of the proposed Guru Nanak Darbar Church project and surrounding area (filed). Mr. Albiani noted that there is a question as to whether a Conditional Use Permit is required under the Religious Land Use Protection Act. He pointed out that many homes have up to 50 people present at times. He believed that if the applicants were Christian, rather than Sikh, the project would not have been contested. He provided background information on the Sikh religion. He reported that one member of the family would reside at the facility and invite others in for fellowship and worship. He confirmed that the applicant has agreed to the restrictions set on the project and therefore, no public nuisance is being created.

Amar Mathfallu, applicant, reiterated that he has agreed to the conditions placed upon the project. He explained that the intent is to have a prayer house between the hours of 7:00 a.m. to 10:00 p.m. for 25 to 30 people. On Sunday's there would be fewer than 50 people and any special events would be held elsewhere.

Council Member Detrick asked Mr. Mathfallu how he controlled the size of his congregation, to which he replied that members would be limited to 20 families.

## **PUBLIC COMMENT:**

Hardave Bains stated that he lived across the street from the project site and was a Sikh. Mr. Bains reported that, since the application for this project was filed, two new Gurdwaras have opened and there are now six within a five mile radius. He noted that each of these churches began as a single family residence and have grown over time. Mr. Bains noted that the Sikh bible states that no one can be turned away.

Cherie Peterson stated that she lived next door to the project and was opposed to any type of church opening on Campbell Road. She reported that residents of Campbell Road have septic tank problems. The area of ground surrounding the project cannot sustain the amount of saturation required from a large number of people and she expressed concern regarding the need for portable restroom facilities, odor, and increased traffic.

Corey Reagan believed that this was an inappropriate location for a church. He voiced concern regarding security, privacy, increased traffic, fire danger in summer months, and flooding in winter.

Dena Saavedra pointed out that Campbell Road is a single lane with only one exit. She expressed concern regarding increased traffic.

Mack Sharma expressed agreement with previous speakers. He reiterated that others in the area started churches in homes and they grew over time.

Mark Thorpe voiced concern regarding increased traffic congestion, noise, lighting, and lack of infrastructure support.

Bobbie Singh-Allen stated that she was a Sikh American and encouraged the Council to uphold the Planning Commission's decision. She confirmed that limiting membership is against the Sikh religion; therefore, it is likely that the number of people attending the Gurdwara would increase over time.

Carol Armstrong stated that she had never encountered flooding on Campbell Road or much traffic and believed there was ample room for the church.

Tamra Sibble asked why this group, who has agreed to abide by the City's conditions, would be denied the ability to begin a church when others in the area have done so. She did not believe there would be a traffic impact caused by the project.

Marthella Leamon stated that she was the owner of the property and noted that the area has changed over the years, with a housing subdivision located nearby. She

believed the concerns raised about traffic and safety were exaggerated. No changes would be made to the exterior of the residence and the small barn on the property would remain. She noted that the proposed use of the residence was consistent with the City's General Plan and rural Sheldon area.

Michael Monasky asked Council to consider establishing a Community Planning Advisory Council in each district of the City.

Suzanne Pecci felt that churches should not be allowed on five-acre parcels. She agreed with the recommendation to have Community Planning Advisory Councils. She urged Council to uphold the Planning Commission's decision.

Mayor Hume declared the public hearing closed.

Council Member Detrick believed this was a poor location for the use and suggested that the City's Zoning Code be reviewed to address it. He was in favor of considering the establishment of Community Planning Advisory Councils.

Council Member Davis recalled that, he had proposed over a year ago, that the Council consider creating a Community Planning Advisory Council and, again, made the request.

In response to Council Member Davis, Planning Director Hazen explained that a Conditional Use Permit was required for the project because of the district it was in. Based on the description the applicant provided, the project meets the definition of a church because it is a formalized place of assembly. From a Planning/Zoning perspective, the fact that someone is living in the residence does not change the designation (i.e. of a church).

Ms. Stevens added that this use is a conditionally permitted use in all residential areas with the exception of RD-20. The type of attendee, frequency, and intensity of the use is taken into consideration.

Council Members expressed concern regarding the appropriateness of the location, narrowness of the street, and the fact that churches typically increase in membership over time.

**Motion: M/S Cooper/Scherman to uphold the Planning Commission decision and adopt **Resolution No. 2009-14** denying the Conditional Use Permit for the Guru Nanak Darbar Church Project. ***The motion passed by the following vote: Ayes: 5; Noes: 0.*****

**\*Agenda Item No. 7.2:** A Public Hearing to consider the appeal of the Planning Commission decision to approve the Sutter Health Elk Grove Medical Campus located on the southeast corner of Laguna Boulevard and Big Horn Boulevard (EG-07-024; APNs 116-0330-026, 116-0330-032, -033, 116-1480-001, -002, -003, -004, -012)

*\*Note: Pappas Gateway, L.P. submitted withdrawal of the appeal on January 9, 2009 (filed).*

**NOTE: The City Council recessed at 7:39 p.m. and reconvened at 7:47 p.m. with all members present.**

**Agenda Item No. 7.3:** A public hearing to consider introduction of an ordinance adding Chapter 16.96 to the Elk Grove Municipal Code to establish Development Impact Fees for Measure A Transportation Improvements for Citywide Benefit District and adopting a resolution approving the Nexus Study, establishing the amount of fees, and providing for other matters relative to Measure A Transportation Development Impact Fees

**RECOMMENDATION:**

- 1) Introduce and waive the full reading, by substitution of title only, an Ordinance adding Chapter 16.96 to the Elk Grove Municipal Code to establish Development Impact Fees for Measure A transportation improvements for Citywide Benefit District; and
- 2) Adopt resolution approving nexus study, establishing the amount of fees and providing for other matters relative to Measure A Transportation Development Impact Fees.

Mayor Hume declared the public hearing open.

Rebecca Craig, Finance Director, provided an overview of the staff report and explained that this was a fee voted on Countywide in 2006 with the extension of the Measure A sales tax, which included the implementation of an impact fee at the time of development to mitigate transportation impacts. A subsequent resolution adopted by Council stated the intent to pass this fee because the Sacramento Transportation Authority was interested in forward funding bonds for projects that would be from these subsequent fees and sales taxes. Elk Grove benefited from that issuance in the funding of the Highway 99 interchanges at Sheldon and Grantline Roads.

**PUBLIC COMMENT:**

Michael Monasky felt that more of the funding should be used for public transportation, which would have far reaching and long term benefits of improving air quality.

Mayor Hume declared the public hearing closed.

Brian Williams representing the Sacramento Transportation Authority reported that 56 capital projects are funded with 20% of the sales tax revenues and almost all the Countywide fee revenues. An 80% contribution of the sales tax stream is going to street maintenance and transit operations and over 40% of total dollars are expended on public transit.

Mayor Hume noted that the Fresno Council of Governments had a similar fee; however, it chose to delay it for six months. Mr. Williams noted that, in this instance, such an action would come from the Sacramento Transit Authority; however, to date, no such request has been made.

***Motion #1: M/S Cooper/Scherman to introduce and waive the full reading, by substitution of title only, Ordinance No. 1-2009 adding Chapter 16.96 to the Elk Grove Municipal Code to establish Development Impact Fees for Measure A transportation improvements for Citywide Benefit District. The motion passed by the following vote: Ayes: 5; Noes: 0.***

***Motion #2: M/S Cooper/Detrick to adopt Resolution No. 2009-15 approving nexus study, establishing the amount of fees and providing for other matters relative to Measure A Transportation Development Impact Fees. The motion passed by the following vote: Ayes: 5; Noes: 0.***

**Agenda Item No. 7.4:** A public hearing to consider adoption of a resolution revising public transit fares, effective March 1, 2009

**RECOMMENDATION:**

Adopt resolution revising public transit fares, effective March 1, 2009 and authorizing regular fare adjustments according to an average of national transportation and consumer indices, effective annually on July 1.

Mayor Hume declared the public hearing open.

With the aid of an overhead presentation (filed), Tiffani Fink, Transit System Manager, provided an overview of the staff report and recommendation. She reported that fares have not increased since inception of the City's transit system. Since that time, service, routes, frequency, and fuel costs have increased and paratransit was added. She reported that the City had 1.2 million riders last year and of that, 60% are local and 40% are commuter. The City is required to meet State mandated recovery ratios which require 20% for fixed route and 10% for e-van service or 20% combined. Failure to meet these recovery ratios will limit funding available for operations. The reduced revenue from fares is limiting the availability of local funds to match federal grants for capital purchases, as well as the ability to offer expanded service. Ms. Fink reviewed the proposed fares outlined

in the staff report and proposed parity in fares with Regional Transit. She reported that Sacramento Regional Transit has given notice that it intends to terminate its transfer agreement effective the end of February. Ms. Fink stated that public meetings regarding the proposed fare increases have been held and comments were received in opposition to elimination of the monthly pass and the student fare increase. She acknowledged that the City offers routes to most schools; however, it is prohibited by law from providing school busing. There is a significant student ridership, which is known because of a decline in passengers during summer months. The City's requirement under law is for Americans with Disabilities Act (ADA) service. For individuals who are ADA certified, service must be provided within three-fourths of a mile of fixed routes. The City has chosen to offer regional service, which takes passengers to Folsom, Orangevale, Greenhaven, downtown Sacramento, etc. Ms. Fink noted that these routes are very expensive and there are low passenger levels. The City's combined fare box is 14.7%, fixed route is 17%, and paratransit is 4.5%. The City currently has nine paratransit buses. Staff intends to return to Council this spring with an ADA transit service policy.

Council Member Cooper suggested that the City's paratransit service be limited to what other agencies provide and the law requires.

Vice Mayor Scherman asked Ms. Fink to report back on how many passengers are transported during the day on paratransit and the frequency of routes to medical facilities.

Council Member Davis asked Ms. Fink to return with data reflecting how many student passes are issued. Mr. Davis reported that feedback he has received from riders is that they are willing to pay more for consistently on time service with reliable equipment. He recommended that data reflect the differentiation between commuter versus local routes.

Council Member Detrick agreed with Council Member Davis' recommendation and asked that Ms. Fink return with data for the normal monthly rider use of e-van.

**PUBLIC COMMENT:**

Mike Barnbaum provided Yolo bus fare information (filed). He suggested the City have categories of cash fare and pass fares that are within the local system for those that do not want to use Sacramento Regional Transit. He recommended that staff attend the Yolo County Transportation District Board meeting on February 9 and report back to Council at its February 11 meeting. He agreed that the City should have fare parity with Regional Transit.

Gavonna Payne stated that she was a frequent rider of e-van. She reported being denied service to West Sacramento and asked why routes to Folsom are provided, given the increased distance. She asked Council to fully review the transit data and

give consideration to the disabled and elderly riders on fixed income. She asked that the monthly passes not be eliminated.

Linda Beattie pointed out that it is a bad time to raise fares because people are struggling, due to the decline in the economy. She urged Council to direct staff to return with alternatives.

Kim Porbanic asked whether projected operating costs may be overstated or if there were areas where cuts could be made to lower the amount of fare increases.

Denise Clark was opposed to the elimination of monthly passes and asked Council to table the matter until more options could be presented for e-van riders.

Ted Clark questioned the data used by Ms. Fink to determine the fare increases. He pointed out that there is a monthly pass for disabled passengers on e-tran for local service; however, staff's proposal states that it is not valid on e-van. He urged Council to consider other options.

Carolyn Valmore stated that her daughter rides the bus daily to Franklin High School. She stated that many people are not aware of the pending fare increases and believed the student fare increase was too high.

Louis Valmore pointed out that the bus schedule does not correlate with the school schedule, which creates difficulties during minimum days.

Michael Monasky asserted that turf restrictions prevent real efficiencies. In order to remove the restrictions, the City should consider returning to Regional Transit. He noted that air pollution is a regional problem and increasing fares will decrease ridership. He maintained that commerce should be taxed, not people. Cars and other fuels that are burned should be taxed more and the money could be used to fund public transit. He asked Council to delay a decision until more data is available from staff.

Joe Hunt complained that the student fare increase was too high and felt that smaller increases over time would have been a better approach.

Karen Howard felt that Council did not have enough information to base a decision on. She suggested that certain routes with a high subsidy rate be discontinued.

Ira Ross pointed out that the passes for Regional Transit and e-tran are not reciprocal, which creates difficulties and increases costs to riders. She urged Council to delay a decision until more data is received and to make increases on a gradual level.

Mayor Hume declared the public hearing closed.

Council Member Davis preferred maintaining a monthly pass for ADA certified customers. He asked staff to bring a bus signage program back for Council consideration. He noted that some of the commute routes such as 5:30 a.m., 6:00 a.m., 3:00 p.m. and 3:30 p.m. may not have enough passengers to make them worthwhile, and asked staff to determine the ridership. He felt that the student routes should be a priority and the proposed increase was too high. He suggested that student fares be increased from \$15 to \$30, monthly passes for e-van at \$150 for ADA certified riders, and a commuter monthly pass at \$90. He asked staff to include a summary of public comments received in future staff reports. He believed more information was needed before a decision could be made.

Council Member Cooper contended that schools should be providing bus service for students. He acknowledged that rates should have been raised slowly over time; however, other students in the County are paying \$50 a month and fares should be in parity throughout the region. He suggested that the cash fare to the airport be eliminated except for ADA certified riders.

Council Member Detrick asked staff to look into adding express routes. He preferred that e-van have a monthly local and regional pass. He recommended a significant difference in rates between local and out of town routes. He asked staff to return with more information and a five year projection.

Mayor Hume felt that ADA service should be a priority. Routes to the airport and other highly subsidized routes with low ridership should be eliminated. He recommended having a different tier for commuters. School routes should have a lesser fare and passes that are accepted on e-tran, but not on Regional Transit. He did not believe there was adequate justification presented for eliminating monthly passes.

Vice Mayor Scherman expressed agreement with Mr. Hume's recommendation.

In response to Deputy City Manager Tubbs, Mayor Hume agreed, as the City's representative on the Sacramento Regional Transit Board, to ask the General Manager to honor the transfer agreement for another month or two until a decision is made regarding Elk Grove's transit fares.

***Motion: M/S Scherman/Detrick*** to continue the public hearing to the regularly scheduled City Council meeting on February 11, 2009. ***The motion passed by the following vote: Ayes: 5; Noes: 0.***

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

***Note: Vice Mayor Scherman left the meeting at 9:40 p.m. and returned at 9:43 p.m.***

**Motion:** **M/S Davis/Detrick** to waive its Rule of Procedure (*Resolution 2007-107, Item 6*) not to consider new business after 10:00 p.m. and to proceed with the remainder of the agenda. ***The motion passed by the following vote: Ayes: 4; Noes: 0; Absent: 1 (Scherman)***

**Agenda Item No. 8.1:** Consider adopting resolution directing the City Manager to notify MV Transportation, Inc. of the City's intent not to extend the Transit Operations contract and proceed with issuance of a Request for Proposals for Transit Operations Services

**RECOMMENDATION:**

Adopt a resolution directing the City Manager to notify MV Transportation, Inc. of the City's intent not to extend the Transit Operations contract and proceed with the issuance of a Request for Proposals for Transit Operations services.

With the aid of an overhead presentation, Tiffani Fink, Transit System Manager, provided an overview of the staff report and recommendation.

**PUBLIC COMMENT:**

None.

Council Member Cooper noted that MV Transportation has been doing well and the public is satisfied with their service. He was opposed to changing transit operations and preferred that the current contract be renegotiated.

City Attorney Cochran explained that, if cardinal changes are made after a contract is let, a federal requirement stipulates that there must be a new bidding proposal. The contract specifies that a change above 15% is considered substantial, and the increases in the contract scope in this case have gone well beyond that.

Gary Taylor, Associate Planner with the Sacramento Council of Governments agreed with staff's recommendation.

Mayor Hume mentioned that he was pleased with MV Transportation and hoped that staff would build room for growth into the next contract. Additionally, he recalled that decisions were made in which MV Transportation had advised against, and in the future, staff should lend more credence to the advice.

**Motion:** **M/S Scherman/Detrick** to adopt **Resolution No. 2009-16** directing the City Manager to notify MV Transportation, Inc. of the City's intent not to extend the Transit Operations contract and proceed with the issuance of a Request for Proposals for Transit Operations services. ***The motion passed by the following vote: Ayes: 4; Noes: 1 (Cooper).***

**Agenda Item No. 8.2:** Consider approving membership in Sister Cities International and provide further direction to staff regarding establishing a Sister City or Cities

**RECOMMENDATION:**

Adopt resolution approving membership in Sister Cities International and authorizing staff to examine establishing a Sister City or Cities.

Angela Frost, Administrative Analyst, provided an overview of the staff report and options for establishing a sister city or cities.

**PUBLIC COMMENT:**

None.

**Motion:** *M/S Cooper/Scherman* to adopt **Resolution No. 2009-17** to proceed with developing a sister city relationship with Concepción de Ataco and approving membership in Sister Cities International to be matched with compatible international cities, and present potential matches to the City Council at a future meeting. ***The motion passed by the following vote: Ayes: 5; Noes: 0.***

**Agenda Item No. 8.3:** Introduce an ordinance amending Elk Grove Municipal Code Section 3.42.250 - Prequalification of Bidders

**RECOMMENDATION:**

Introduce and waive the full reading, by substitution of title only, an Ordinance amending Elk Grove Municipal Code Section 3.42.250 *Prequalification of Bidders* to authorize City Officers to prequalify bidders for maintenance services contracts.

The City Council waived the verbal report.

**PUBLIC COMMENT:**

None.

**Motion:** *M/S Cooper/Scherman* to introduce and waive the full reading, by substitution of title only, **Ordinance No. 2-2009** amending Elk Grove Municipal Code Section 3.42.250 *Prequalification of Bidders* to authorize City Officers to prequalify bidders for maintenance services contracts. ***The motion passed by the following vote: Ayes: 5; Noes: 0.***

**Agenda Item No. 8.4:** Consider a Collaborative Market Study Concept

**RECOMMENDATION:**

Direct staff to pursue potential partners for a collaborative market study to identify future land use needs and economic development opportunities

Patrick Blacklock, Assistant City Manager, provided an overview of the staff report and recommendation.

**PUBLIC COMMENT:**

Michael Monasky asked what the City has to show for its \$150,000 in funding for the Economic Development Corporation. He believed a Community Planning Advisory Council would be able to provide the information that this recommendation seeks.

Steve Czarniecki, Executive Director of the Elk Grove Economic Development Corporation, explained that this request originated with the City in an effort to ensure the land use plan is consistent with the economic development strategy. He was in favor of staff's recommendation and believed it to be a revenue neutral proposal.

***Note: Council Member Detrick left the meeting at 10:31 p.m. and returned at 10:33 p.m.***

***Motion: M/S Scherman/Davis*** to direct staff to pursue potential partners for a collaborative market study to identify future land use needs and economic development opportunities. ***The motion passed by the following vote: Ayes: 4; Noes: 0; Absent: 1 (Detrick).***

**Agenda Item No. 8.5:** Introduce an ordinance repealing Ordinance No. 29-2006 and adding Chapter 9.20 to the Elk Grove Municipal Code regulating sex offenders' proximity to children's facilities

**RECOMMENDATION:**

Introduce and waive the full reading, by substitution of title only, an Ordinance repealing Ordinance No. 29-2006 and adding Elk Grove Municipal Code Chapter 9.20 regulating sex offenders' proximity to children's facilities.

The City Council waived the verbal report.

**PUBLIC COMMENT:**

None.

**Motion:** *M/S Cooper/Scherman* to introduce and waive the full reading, by substitution of title only, **Ordinance No. 3-2009** repealing Ordinance No. 29-2006 and adding Elk Grove Municipal Code Chapter 9.20 regulating sex offenders' proximity to children's facilities. ***The motion passed by the following vote: Ayes: 5; Noes: 0.***

**Agenda Item No. 8.6:** Consider establishing a Council Ad-Hoc Committee to represent the City in upcoming Economic Development and State Legislative discussions

**RECOMMENDATION:**

Appoint a Council Ad-Hoc Committee to represent the City in upcoming Economic Development and State Legislative discussions.

Patrick Blacklock, Assistant City Manager, provided an overview of the staff report and recommendation.

**PUBLIC COMMENT:**

None.

**Motion:** *M/S Scherman/Cooper* to appoint Council Members Davis and Detrick to serve on the Council Ad-Hoc Committee to represent the City in upcoming Economic Development and State Legislative discussions. ***The motion passed by the following vote: Ayes: 5; Noes: 0.***

**Agenda Item No. 8.7:** Consider appointment of Council Member(s) to serve as representative(s) on the Sacramento Area Council of Governments Board of Directors

**RECOMMENDATION:**

Appoint Council Member(s) to serve as representative(s) on the Sacramento Area Council of Governments Board of Directors.

Susan Blackston, City Clerk, provided an overview of the staff report.

**PUBLIC COMMENT:**

None.

**Motion:** *M/S Cooper/Detrick* to appoint Council Member Davis to serve as a voting member representative of the City on the Sacramento Area Council of Governments Board of Directors. ***The motion passed by the following vote: Ayes: 5; Noes: 0.***

By consensus, Vice Mayor Scherman was selected to serve as the alternate member representative on the Sacramento Area Council of Governments Board of Directors.

**Agenda Item No. 8.8:** Appointment of Member to the Elk Grove Planning Commission

**RECOMMENDATION:**

Receive information from Council Member Detrick on his appointment of a member to the Planning Commission.

Susan Blackston, City Clerk, provided an overview of the staff report.

**PUBLIC COMMENT:**

None.

Council Member Detrick announced his appointment of Fedolia "Sparky" Harris as Planning Commissioner.

Mr. Harris expressed his gratitude for the appointment and looked forward to participating on the Planning Commission.

**GENERAL ADMINISTRATION INFORMATION**

City Manager Laura Gill reviewed the January 14, 2009 Administrative Report (filed).

**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)*):

Vice Mayor Scherman made the following comments:

- She attended the Sacramento Regional Sanitation Board meeting today at which increases to fees were discussed; additionally, she was appointed as the Chairperson;
- The Senior Center has begun its budget process;
- She asked whether Elk Grove has an emergency plan in place;
- She asked that the meeting be adjourned in memory of Yvonne Whitelock, widow of former Planning Commissioner Bob Whitelock, noting that she was actively involved in Project RIDE, the Rotary, and always retained a positive outlook.

In answer to Vice Mayor Scherman, Police Chief Lehner reported that City bank deposits are handled by armed Police Officers.

Council Member Davis asked that the Council consider adding a sustainability element to the City's General Plan. Additionally, he asked that an item be placed on the next agenda regarding the progress and timing of the proposed City Charter.

Council Member Cooper expressed an interest in serving on the Sacramento Regional Sanitation Board and asked that an item be placed on the next agenda to consider Council service on regional boards, commissions, and committees.

Mayor Hume noted that Regional Transit appointed its chair and vice chair.

**ADJOURNMENT**

With no additional business to conduct, the January 14, 2009 City Council meeting was adjourned in memory of Yvonne Whitelock at 10:53 p.m.

  
SUSAN J. BLACKSTON,  
CITY CLERK

ATTEST:

  
PATRICK HUME, MAYOR