

**MINUTES OF THE CITY COUNCIL  
SPECIAL MEETING  
Wednesday, November 18, 2009**

**CALL TO ORDER/ROLL CALL**

Mayor Hume called the Special City Council meeting of November 18, 2009 to order at 5:01 p.m.

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

Absent: None.

**CLOSED SESSION**

There were no public requests to speak.

The City Clerk announced the following closed session items prior to Council adjourning to closed session at 5:02 p.m.:

**A) CONFERENCE WITH REAL PROPERTY NEGOTIATORS**

Pursuant to Government Code § 54956.8

Property Description: 0 Hampton Oak Drive  
Elk Grove, CA 95624  
APN: 134-0740-042-0000  
City Negotiators: Laura Gill, City Manager  
Negotiating parties: Elk Grove Water Service  
Under negotiation: Price and Terms of Payment

**B) CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION**

Pursuant to Government Code §54956.9(a):

Three (3) matters:

1. Hardy v. City of Elk Grove, et al.,  
Sacramento County Superior Court  
Case No. 2008-80000101
2. Friends of Madeira v. City of Elk Grove  
Superior Court of California, Sacramento  
Case No. 34-2009-80000332
3. Wilton Miwok Rancheria, et al., v. Kenneth Salazar, et al.  
United States District Court, Northern District of California  
Case No. C-07-02681 (JF) (PVT) and C-07-05706 (JF)

- C) **CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION:**  
Significant exposure to litigation pursuant to subdivision (b) of Government Code § 54956.9:  
Two (2) Matters
- D) **CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION**  
Initiation of litigation pursuant to Government Code §54956.9(c):  
Two (2) matters
- E) **CONFERENCE WITH LABOR NEGOTIATORS**  
Pursuant to Government Code § 54957.6  
Agency Designated Representative: Laura Gill, City Manager  
Employee Organization: Elk Grove Police Officers' Association

The City Council reconvened at 6:03 p.m. with all members present.

Mayor Hume announced the following reportable action in reference to Item 2C:

***Motion: M/S Scherman/Cooper*** to authorize the City Attorney to initiate litigation against James Hensley, Rhonda Hensley and Tegan Estates LLC to collect unpaid development processing fees due to the City in the approximate amount of \$42,000 relating to four parcels in the City for improvement plan and final map review. ***The motion passed by the following vote: Ayes: 5; Noes: 0.***

Mayor Hume announced the following reportable action in reference to Item 2E:


***Motion: M/S Scherman/Detrick*** to authorize the City Manager to execute the Memorandum of Understanding (MOU) with the Elk Grove Police Officers Association (POA). ***The motion passed by the following vote: Ayes: 5; Noes: 0.***

Mayor Hume noted that the MOU had been previously approved by over 90% of the voting membership of the POA and would continue in effect until June 30, 2012.

**ADJOURNMENT**

With no additional business to conduct, the November 18, 2009 Special City Council meeting was adjourned 6:04 p.m.

  
SUSAN J. BLACKSTON,  
CITY CLERK

ATTEST:  
  
PATRICK HUME, MAYOR