

**MINUTES OF THE CITY COUNCIL
REGULAR MEETING
Wednesday, March 9, 2011**

CALL TO ORDER/ROLL CALL

Mayor Detrick called the regular City Council meeting of March 9, 2011 to order at 6:02 p.m.

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

Absent: Council Member Davis.

Delores Covington led the Pledge of Allegiance.

Mayor Detrick offered his condolences to the families enduring the loss of Surinder Singh, and coping with the hospitalization and critical condition of Gurmej Atwal, victims of a shooting in Elk Grove on March 4, and asked that a moment of silence be observed.

APPROVAL OF AGENDA

Motion: M/S Cooper/Scherman to approve the agenda as presented. The motion passed by the following vote: Ayes: 4; Noes: 0; Absent: 1 (Davis).

CLOSED SESSION

None.

PRESENTATIONS/ANNOUNCEMENTS

- 4.1 Council Member Scherman presented a Proclamation to Adam Orwig of the Elk Grove DeMolay Chapter declaring March 2011 as DeMolay Month.
- 4.2 Mayor Detrick presented a Certificate of Recognition to Delores Covington for her receipt of the National Heart, Lung, and Blood Institute Heart Truth Champion Award and *Woman's Day* Red Dress Award Honoree.
- 4.3 Tom Russell gave a presentation and provided an update on the Historic Preservation Committee.

Mr. Russell provided background on the origination, current composition, and goals of the Historic Preservation Committee (HPC). He noted key priorities of the HPC to create and maintain a historical resource inventory list, recommend approval and disapproval for proposed alterations or the demolition / relocation of historic resources, perform advisory reviews of new buildings, structures, and/or objects on lots

immediately adjacent to designated historical resources, investigate and report to the City Council of funding sources to promote historic preservation, and promote public information programs bringing awareness of historic preservation to the community. He noted that in the last year the City had earned the Certified Local Government (CLG) certification, providing the City access to expert technical advice from state offices and the National Park Service, and made the City eligible for additional funding for historic preservation activities, as the state was required to pass through 10% of its annual historic preservation fund grants from the National Park Service to CLGs. He noted the HPC had reviewed the City's demolition review process and had assisted in adding a Planning Department level of review to bring a historic preservation perspective to the process to help eliminate the potential of issuing demolition permits on buildings over 50 years old. With the CLG certification, the HPC was currently pursuing a grant opportunity to establish a historic context, a document establishing the unique historic context of Elk Grove, which had a submittal deadline of April 25, 2011. Mr. Russell noted an ongoing task of the HPC was compilation of the historical resource inventory list, and future plans included reaching out to stakeholders to compile a preliminary inventory list to present to the Council to officially recognize such buildings and structures.

PUBLIC COMMENT

Amar Shergill spoke on behalf of the families Gurmej Atwal and Surinder Singh, the victims of the shooting that occurred on March 4. He thanked City representatives, the Elk Grove Police Department, and the regional community for their response and call to action to address the event of the shooting. He expressed his belief that the attacks were not representative of the Elk Grove community, and cautioned against concluding that the attacks were hate crimes, but felt there was a growing trend towards hate speech in society which could lead to violent crimes, especially against members of Muslim and Sikh communities. He advocated for all members of the community to stop hate speech, and to take an active stance to oppose such behavior. He shared being humbled by the response of the community to the crime, and that a reward of over \$42,000 had been contributed by groups representing various ethnicities, cultures, and faiths in the Sacramento region to encourage any witnesses of the crime to come forward with information. Mr. Shergill stated that a vigil would be held Friday March 11 at 6:00 p.m. at the intersection of East Stockton Boulevard and Geneva Point Road.

Nikki Carpenter addressed three matters she found problematic with City policy and programs: 1) regarding drainage issues in the Sheldon Area, she did not believe permits should be required of property owners to install retention ponds, and she believed the City had been negligent in addressing the ill effects of a property owner who had moved large amounts of dirt in the last several years on their property to the detriment of neighboring properties (and a retention pond was a means of a neighbor to mitigate the resulting draining issues), 2) she disagreed with spending \$500,000 to install a rain garden behind City Hall and believed numerous environmental groups could install such a rain garden at negligible cost, and 3) she opposed the designs of Zaha Hadid for the Civic Center project.

Marlene Sanborn, Chair of the Board of Directors of the Strauss Festival of Elk Grove, presented a plaque to the Council in appreciation of its support of the event, which was

open and free to the public. She noted this would be the 24th year of the event held at Elk Grove Regional Park.

Mayor Detrick noted the City was honored to have the Strauss Festival as a premier venue in the City, and encouraged members of the community to attend the annual event.

Bobbie Singh-Allen appreciated City leadership attending the recent press conference on Monday to guide and support the community in the aftermath of the shooting on March 4. She expressed her outrage that such a crime was committed, and described the struggle she and other members of the community faced in coming to terms with trying to explain the occurrence of such a senseless act. She stated the Sikh community would continue to embrace and be proud of their heritage, and she thanked the multitude of community support and strength offered by various organizations and individuals during this difficult time.

Mimi DeVille, representing the community group Elk Grove FIRST, expressed appreciation to the Elk Grove Police Department, the City, and the community for taking quick action to condemn the crime of the shooting from last Friday. Ms. DeVille noted Elk Grove FIRST would be contributing \$500 to the reward fund, and wished comfort for the families and friends of the victims.

GENERAL ADMINISTRATION INFORMATION

City Manager Laura Gill reviewed the March 9, 2011 Administrative Report (filed).

COUNCIL COMMENTS / REPORTS / FUTURE AGENDA ITEMS

Council Member Scherman attended the Sacramento Public Library Authority Board meeting which addressed tracking and review of late fees, and voted to allow up to two years delinquency or fees totaling over \$200 before review by staff. She met with Allied Waste representatives and City staff to finalize scholarship program criteria. She attended the rain garden workshop, the Sacramento Asian Chamber of Commerce Installation and Boards dinner event, the Elk Grove Chamber of Commerce business luncheon, the inaugural dinner launching the Greater Sacramento Vietnamese American Chamber of Commerce, a Police Unity Tour fundraiser event, and the groundbreaking celebration for the Mercy Medical Plaza. Ms. Scherman met with Executive Director Larry Greene of the Sacramento Metropolitan Air Quality Management District Board for an orientation and staff briefing.

Council Member Hume noted no reportable items from any of his boards or commissions. Mr. Hume addressed the shooting that occurred March 4, expressing his condolences to the families and the larger Sikh community for their loss, and denouncing the crime.

Vice Mayor Cooper attended the Sacramento Regional County Sanitation Board of Directors meeting which discussed five scenarios of rate increases projected for implementing the National Pollutant Discharge Elimination System (NPDES) permit,

which generated a scenario that could see rates triple between now and 2020. He noted regional agencies continue to challenge the NPDES permit.

Mayor Detrick reported from the Sacramento Metropolitan Cable Television Commission Board meeting that \$3 million, over the next 5 years, was approved to bring internet capabilities to Elk Grove elementary schools. He attended a Sacramento Area Commerce & Trade Organization (SACTO) event noting that though a positive increase of 30% was cited for the region attracting international businesses, none went to Elk Grove, and he noted he would continue discussion with SACTO representatives to facilitate bringing such new businesses to Elk Grove. He attended the Catholic Healthcare West groundbreaking, the Police Unity Tour fundraiser event, the press conference held in response to the shooting on March 4, and co-hosted with the Youth Commission and Vice Mayor Cooper a cyber-bullying forum, noting the next such workshop would be held March 22. He attended the Elk Grove / Cosumnes Community Services District 2 x 2 subcommittee meeting which addressed issues concerning Certificates of Occupancy, and discussed options to provide a deferral program for the current \$261 inspection and permit fee. The Economic Development and State Legislative Ad Hoc Committee continued its efforts to attract a state agency to the area. Mayor Detrick noted he had discussions with a potential national retailer locating in Elk Grove, as well as a sports complex.

CONSENT CALENDAR ITEMS

Motion: M/S Cooper/Scherman to approve the Consent Calendar as presented. ***The motion passed by the following vote: Ayes: 4; Noes: 0; Absent: 1 (Davis).***

Agenda Item No. 8.1: Received Automatic Clearing House Nos. 2946 through 3097 dated February 1, 2011 through February 28, 2011, General Warrant Nos. 57874 through 58158, and Electronic Fund Transfer Nos. 2011119 through 2011132

Agenda Item No. 8.2: Received January 2011 Treasurer's Report

Agenda Item No. 8.3: Approved February 23, 2011 Special City Council Meeting Minutes

Agenda Item No. 8.4: Received report on City Manager approved purchases and contracts authorized by Elk Grove Municipal Code Chapter 3.42 Contracts and Purchasing, filed through March 2, 2011

Agenda Item No. 8.5: Received report on Requests for Proposals, Qualifications, and Bids

Agenda Item No. 8.6: **Resolution No. 2011-42** adopted approving Subdivision No. 03-479.04, Del Webb-Laguna Ridge Village 4 Final Map

Agenda Item No. 8.7: **Resolution No. 2011-43** adopted accepting the Police Reorganization Tenant Improvements Project as complete and authorizing the Public Works Director to prepare, and the City Clerk to file, the Notice of Completion with the Sacramento County Recorder

Agenda Item No. 8.8: Resolution No. 2011-44 adopted authorizing the City Manager to expend \$64,500 from the Tree Preservation Fund for the City of Elk Grove Greenprint Program tree plantings

Agenda Item No. 8.9: Resolution No. 2011-45 adopted waiving the competitive bidding requirements and authorizing the City Manager to execute a contract with A-Z Bus Sales for vehicle repair for an amount not-to-exceed \$150,000

Agenda Item No. 8.10: Authorized recruitment to fill vacancies on the Affordable Housing Loan Committee

PUBLIC HEARINGS

Agenda Item No. 9.1: Tax Equity and Fiscal Responsibility Act (TEFRA) Hearing: A public hearing regarding the issuance of multifamily housing revenue bonds by the Association of Bay Area Governments Finance Authority for the Vintage at Laguna II Apartments on behalf of USA Properties Fund, Inc. and LifeSTEPS, Inc. and resolution approving the issuance multifamily housing revenue bonds in an amount not to exceed seven million two hundred fifty thousand dollars (\$7,250,000) for the purpose of financing the acquisition and construction of the Vintage at Laguna II Apartments

RECOMMENDATION

Adopt resolution approving the issuance of multifamily housing revenue bonds in an amount not-to-exceed seven million two hundred fifty thousand dollars (\$7,250,000) by the Association of Bay Area Governments Finance Authority for the purpose of financing the acquisition and construction of the Vintage at Laguna II Apartments.

With the aid of an overhead presentation (filed), Jennifer Estrella, Senior Finance Analyst, provided an overview of the staff report and recommendation. The Association of Bay Area Governments (ABAG) requested the City hold a public hearing to consider issuance of multifamily housing revenue bonds for the proposed project Vintage at Laguna II Apartments, an expansion of 69 units to the existing Vintage at Laguna facility. The project applicants were USA Properties Fund, Inc. and LifeSTEPS, Inc. who received approval for their project entitlements on February 14, 2011, and were approved for a conditional loan commitment from the City totaling \$5.6 million on December 8, 2010. The Internal Revenue Code required jurisdictions of a proposed project to hold a public hearing and approve the issuance of tax-exempt bonds. ABAG's request to issue tax-exempt bond obligations would not exceed \$7,250,000, and there would be no fiscal responsibility placed upon the City for approval of this bond issuance. Ms. Estrella noted the ABAG documents reflect Laguna Seniors II, L.P. as the bond applicant, and that entity would include the project applicants and investment limited partner.

Mayor Detrick declared the public hearing open.

PUBLIC COMMENT:

None.

Mayor Detrick declared the public hearing closed.

Motion: M/S Cooper/Scherman to adopt Resolution No. 2011-46 approving the issuance of multifamily housing revenue bonds in an amount not-to-exceed seven

million two hundred fifty thousand dollars (\$7,250,000) by the Association of Bay Area Governments Finance Authority for the purpose of financing the acquisition and construction of the Vintage at Laguna II Apartments. **The motion passed by the following vote: Ayes: 4; Noes: 0; Absent: 1 (Davis).**

REGULAR AGENDA ACTION ITEMS/RECOMMENDATIONS

Agenda Item No. 10.1: Consider resolution authorizing the City Manager to execute a Funding Commitment in the amount of nine million seven hundred thousand dollars (\$9,700,000) and other necessary documents per the Affordable Housing Loan Program for the Laguna Ridge Apartments project

RECOMMENDATION:

Adopt resolution approving a funding commitment of nine million seven hundred thousand dollars (\$9,700,000) from the City's Affordable Housing Fund and Very Low Income Housing Trust Fund and the loan documents including the Regulatory Agreement for the Laguna Ridge Apartments Affordable Housing Development by Ridge Elk Grove, LP.

Laura Gill, City Manager, requested the item be continued to the meeting of March 23, 2011. Ms. Gill noted that the parties had come to agreement on individual business points, and the additional time was needed to draft legal documents to accurately reflect the agreed upon terms.

PUBLIC COMMENT:

None.

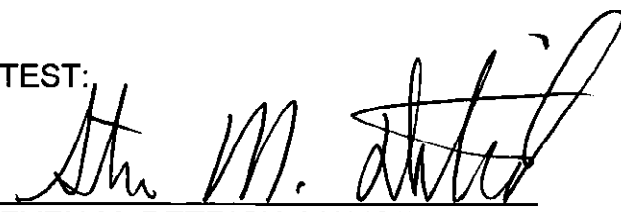
Motion: M/S Scherman/Hume to continue the item to the regular meeting of March 23, 2011. **The motion passed by the following vote: Ayes: 4; Noes: 0; Absent: 1 (Davis).**

ADJOURNMENT

With no additional business to conduct, the March 9, 2011 regular City Council meeting was adjourned in memory of Surinder Singh at 7:08 p.m.


JASON LINDGREN, CITY CLERK

ATTEST:


STEVEN M. DETRICK, MAYOR