

RESOLUTION NO. 2010-91

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELK GROVE
APPROVING A CONDITIONAL USE PERMIT FOR CLEARWIRE WIRELESS - BIG
HORN SACRAMENTO MUNICIPAL UTILITIES DISTRICT SUBSTATION MONOPOLE
PROJECT NO. EG-10-024, ASSESSOR PARCEL NUMBER 119-1070-003**

WHEREAS, Clearwire Wireless (hereinafter referred to as Applicant) filed an application with the City of Elk Grove (hereinafter referred to as City) for a Conditional Use Permit for the construction of a 55-foot monopole, equipment cabinet, and associated wireless facility equipment, Project No. EG-10-006 (the Project); and

WHEREAS, the proposed Project is located on real property in the incorporated portions of the City of Elk Grove more particularly described by Assessor Parcel Number 119-1070-003; and

WHEREAS, the proposed Project is consistent with the General Plan Land Use Policy Map and Zoning Code requirements; and

WHEREAS, the City determined that the project is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines §15303; and

WHEREAS, on April 1, 2010, the Elk Grove Planning Commission approved a Conditional Use Permit to allow the construction and operation of the wireless facility; and

WHEREAS, residents from the neighborhood near the project site filed a timely appeal of the Planning Commission's decision to the City Council; and

WHEREAS, pursuant to Elk Grove Municipal Code Section 23.14.060(E), the City Council may "reverse, modify, or affirm the decision [of the Planning Commission] in whole or in part"; and

WHEREAS, the City Council held a duly noticed public hearing on May 12, 2010 as required by law to consider all of the information presented by staff, information presented by the project proponent, and public testimony presented in writing and at the meeting.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Elk Grove hereby approves the project based on the following findings:

California Environmental Quality Act (CEQA)

Finding: The project is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to Guidelines Section 15303, Class 3 (New Construction or Conversion of Small Structures).

Evidence: The Class 3 exemption applies to the construction and location of limited numbers of new, small facilities or structures; installation of small new equipment and facilities in small structures; and the conversion of small structures from one use to another where only minor modifications are made in the exterior of the structure. The project consists of a Conditional Use Permit to construct a 55 foot tall monopole and associated equipment cabinets. The monopole and cabinets are located within an approximately 165 square foot leased area of the Sacramento Municipal Utilities District (SMUD) Big Horn Substation. The applicant proposes the installation of three panel antennas and three base transceiver station (BTS) units at the top of the tower and three parabolic antennas near the top of the tower. All public services and facilities are available and the area is not considered environmentally sensitive. Staff reviewed the proposed project and did not find any evidence that special circumstances exist that would create a reasonable possibility that the proposed project will have a significant adverse effect on the environment. Therefore, the proposed project qualifies for the exemption under CEQA Guidelines Section 15303.

Conditional Use Permit

Finding: The proposed use is consistent with the General Plan and the wireless development standards for collocations, Chapter 23.94.050 of the Zoning Code.

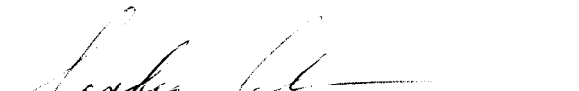
Evidence: The proposed wireless facility complies with the General Plan and development standards for site design, safety design, location, height limit, lighting, landscaping, design/finish, advertising, and parking. The proposed wireless facility will increase the wireless coverage for residents and people traveling through the City.

Finding: The establishment, maintenance or operation of the use applied for will not under the circumstances of the particular case (location, size, design, and operating characteristics), be detrimental to the health, safety, peace, morals, comfort, or general welfare of persons residing or working in the neighborhood of such use, or the general welfare of the City.

Evidence: The proposed facility would be constructed in compliance with the Uniform Building Code, Public Utilities Commission of the State of California, and the Federal Communication Commission regulations. As such, it will not be detrimental to the health, safety, peace, morals, comfort, or general welfare of persons residing or working in the area.

BE IT FURTHER RESOLVED, that the City Council approves the Project subject to the Conditions of Approval attached as Exhibit A and incorporated herein by this reference, as well as the Project Plans attached as Exhibit B and incorporated herein by this reference.

PASSED AND ADOPTED by the City Council of the City of Elk Grove this 12th day of May 2010.



SOPHIA SCHERMAN, MAYOR of the
CITY OF ELK GROVE

ATTEST:



JASON LINDGREN, INTERIM CITY CLERK

APPROVED AS TO FORM:



SUSAN COCHRAN, CITY ATTORNEY

EXHIBIT A

<u>Conditions of Approval</u>	<u>Timing/Implementation</u>	<u>Enforcement/Monitoring</u>	<u>Verification (date and Signature)</u>
<p>On-Going</p> <p>The development approved by this action is for a Conditional Use Permit to construct a 55-foot telecommunications monopole and associated cabinets inside a 165 square foot lease area, within the SMUD Big Horn Substation.</p> <ul style="list-style-type: none"> • Site Plan and project description dated January 25, 2010 • Photosimulations dated December 1, 2009 <p>Deviations from the approved plans shall be reviewed by the City for substantial compliance and may require amendment by the appropriate hearing body.</p>	On-Going	Planning	
<p>2. The Conditional Use Permit shall become effective after a ten (10) day appeal period, provided that there are no appeals. In the event of an appeal, this permit shall be withheld pending the outcome of the appeal.</p>	On-going	Planning	
<p>3. The Conditional Use permit, if not used for the purpose for which it was granted, shall expire three years after the City Council approval date, or upon the expiration date of a valid building permit obtained after the grant of the Conditional Use Permit, whichever date is last to occur.</p>	On-going	Planning	
<p>4. The Applicant or Successors in Interest (hereby referred to as the Applicant) shall hold harmless the City, its Council Members, its Planning Commission, officers, agents, employees, and representatives from liability for any award, damages, costs and fees incurred by the City and/or awarded to any plaintiff in an action challenging the validity of this permit or any environmental or other documentation related to approval of this permit. Applicant further agrees to provide a defense for the City in any such action.</p>	On-Going	Planning	
<p>5. This action does not relieve the applicant of the obligation to</p>	On-Going	Planning	

Conditions of Approval

	<u>Conditions of Approval</u>	<u>Timing/ Implementation</u>	<u>Enforcement/ Monitoring</u>	<u>Verification (date and Signature)</u>
	comply with all ordinances, statutes, regulations, and procedures.			
6.	The telecommunication equipment at the base of the tower shall not block the existing drainage pattern. If construction of the project results in substantive changes to existing drainage patterns, City review and approval of grading plans will be required.	On-going	Public Works	
7.	In addition to the requirements listed herein, wireless communication facilities are subject to all other applicable regulations and permits, including those of the PUC of the State of California and the FCC.	On-going	Planning	
8.	The City shall not be liable if development within the City, after installation of the antenna, impairs antenna reception.	On-going	Planning	
9.	Any lighting on the equipment building shall be turned off during the day and be used only on at night when personnel are present at the site.	On-going	Planning	
10.	Vehicular access to the communication towers and antennas shall be through the existing access to Big Horn Boulevard.	On-going	Public Works	
11.	The Applicant shall either take access through the existing access easement from Big Horn Blvd or shall obtain access through parcel 119-1070-001 as shown on the plans.	On-going	Public Works	
12.	The Applicant shall modify the following note on the Site Plan, sheet A-1: "Access easement to SMUD & Sac. Co. per 900510/1220" shall specify pedestrian access only. There shall be no undergrounding of utilities.	On-going	Landscape/Planning	
13.	The Applicant shall include a sheet note stating that vehicles and equipment shall be routed within the existing SMUD facility only.	On-going	Landscape/Planning	

Conditions of Approval

<u>Conditions of Approval</u>	<u>Timing/Implementation</u>	<u>Enforcement/Monitoring</u>	<u>Verification (date and Signature)</u>
<p>Prior to Improvement Plans/Grading/Construction</p> <p>14. These following shall be required as notes on all improvement plans, grading plans, and construction plans:</p> <ul style="list-style-type: none"> • "The Planning Division shall be notified immediately if any prehistoric, archaeological, or paleontological artifact is uncovered during construction. All construction must stop and an archaeologist that meets the Secretary of the Interior's Professional Qualifications Standards in prehistoric or historical archaeology shall be retained to evaluate the finds and recommend appropriate action." • "All construction must stop if any human remains are uncovered, and the County Coroner must be notified according to Section 7050.5 of California's Health and Safety Code. If the remains are determined to be Native American, the procedures outlined in CEQA Section 15064.5 (d) and (e) shall be followed." 	<p>Shown on improvement plans, grading plans, and construction plans</p>	<p>Planning</p>	

Conditions of Approval

General Compliance Items for Building Permit

The following items are noted for the Applicant's information. These items are required by other local agencies, the City, state or federal agencies, and are not conditions of approval of the project.

- a. Any improvements, public or private, damaged in construction shall be replaced, by the applicant, in-kind or with new improvement. (Public Works)

EXHIBIT B

clearwire wireless broadband

SITE #: CA-SAC0553C
SITE NAME: MEADOW SPRING SMUD
ADDRESS: 8450 BIG HORN BLVD.
ELK GROVE, CA 95758

PROPERTY INFORMATION

ADDRESS: 8450 BIG HORN BLVD
ELK GROVE, CA 95758

PROPERTY OWNER: SAUD
PO Box 15820
SACRAMENTO, CA

TOWER OWNER: SITE OWNER:
PHONE: (916) 505-3883

JURISDICTION: CITY OF ELK GROVE

CONSTRUCTION TYPE: N/A

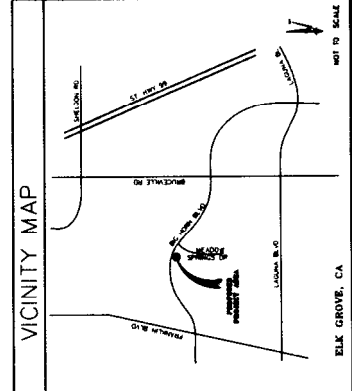
APN: 119-1070-003

CURRENT ZONING: TELECOMMUNICATIONS

PROPOSED USE: 38.4.3558

LATITUDE: -121.43611

POWER COMPANY: SAUD



APPLICABLE CODES

THESE PLANS ARE DESIGNED IN COMPLIANCE WITH ALL APPLICABLE SECTIONS OF THE 2007 EDITION OF TITLE-24 INCLUDING 2007 USE & 2007 DEC.

DESIGN CRITERIA

PERFORMANCE CATEGORY 11

WIND SPEED: 35 MPH

SEISMIC R4-2.5

SOIL CLASS: 9

SEE CALCS

ENVY LATERAL FORCE PROCEDURE

FLOOR L1: 0

FLOOR L2: 0

FLOOR L3: 0

FLOOR L4: 0

FLOOR L5: 0

FLOOR L6: 0

FLOOR L7: 0

FLOOR L8: 0

FLOOR L9: 0

FLOOR L10: 0

FLOOR L11: 0

FLOOR L12: 0

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FLOOR L16: 0

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FLOOR L93: 0

FLOOR L94: 0

FLOOR L95: 0

FLOOR L96: 0

FLOOR L97: 0

FLOOR L98: 0

FLOOR L99: 0

FLOOR L100: 0

CR - NA 1-1 0 - NA

PROPRIETARY INFORMATION

THE INFORMATION CONTAINED IN THIS SET OF DRAWINGS IS PROPRIETARY BY NATURE. ANY USE OR DISCLOSURE OTHER THAN THAT WHICH RELATES TO THE PROJECT IS STRICTLY PROHIBITED.

clearwire
wireless broadband
 4400 CARILLON POINT
 KIRKLAND, WA 98033

PROJECT INFORMATION

SITE #: CA-SAC0553C
MEADOW SPRING SMUD
 8450 BIG HORN BLVD
 ELK GROVE, CA 95758

REV.	DATE	DESCRIPTION	BY
1	11-10-09	REV ZONING CODE'S	WRT
2	11-24-09	100% ZONING CODE'S	DLL
3	3-8-10	REV 100% ZONING CODE'S	DLL

COORDINATING ENGINEER

Peek Site-Com
 853 Lincoln Way, Suite 106
 Colton, California 95620
 Phone (530) 885-6160
 E-Mail info@peeksitecom.com



DRAMA BY: CDM

APN:

SHEET TITLE:

TITLE SHEET

SHEET NUMBER:

T-1 0

SHEET INDEX

SHEET	DESCRIPTION
T-1	TITLE SHEET
C-1	SURVEY
A-1	SITE PLAN
A-2	ELEVATIONS
A-3	DETAILS

CONTACT INFORMATION:

APPLICANT:
 CLEARWIRE WIRELESS
 4400 CARILLON POINT
 KIRKLAND, WA 98033
 CONTACT: JEFF HENRY
 PHONE: (916) 505-3883

PROPERTY OWNER:
 SAUD JIM BURKE (MARRIED)
 ATN: JIM BURKE (MARRIED)
 P.O. BOX 15820
 SACRAMENTO, CA 95821-1820

SITE ACQUISITION:
 LAMARCA CONSULTING
 710 ALPINE ROAD CT
 COLTON, CA 95620
 CONTACT: JEFF HENRY
 PHONE: (916) 505-3883

ENGINEER:
 PEEL SITE-COM
 853 LINCOLN WAY, SUITE 106
 COLTON, CA 95620
 CONTACT: JEFF HENRY
 PHONE: (530) 885-6160

APPROVAL BLOCK

DISCIPLINE	SIGNATURE	DATE
LANDLORD:		
LEASING MANAGER:		
REGIONAL PROJECT MANAGER:		
ZONING MANAGER:		
RF ENGINEER:		
SITE DESIGN MANAGER:		
CONFIGURATION ENGINEER:		
CONSTRUCTION MANAGER:		
TEAM LEAD:		
PRODUCTION LEAD:		
EXPANSION MANAGER:		

PROJECT DESCRIPTION

CLEARWIRE PROPOSES TO CONSTRUCT, OPERATE AND MAINTAIN ONE (1) WIRELESS BROADBAND TOWER AND ANTENNA AT ALL THIS SITE. THE SCOPE WILL CONSIST OF (1) OUTDOOR CABINET RELATED EQUIPMENT ON A POLE OF TOWER. THE TOWER IS ON A 10' X 10' CONCRETE PAD. THE TOWER WILL BE PLACED ON A 10' X 10' CONCRETE PAD.

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clearwire
 wireless broadband
 4400 CARILLON POINT
 KIRKLAND, WA 98033

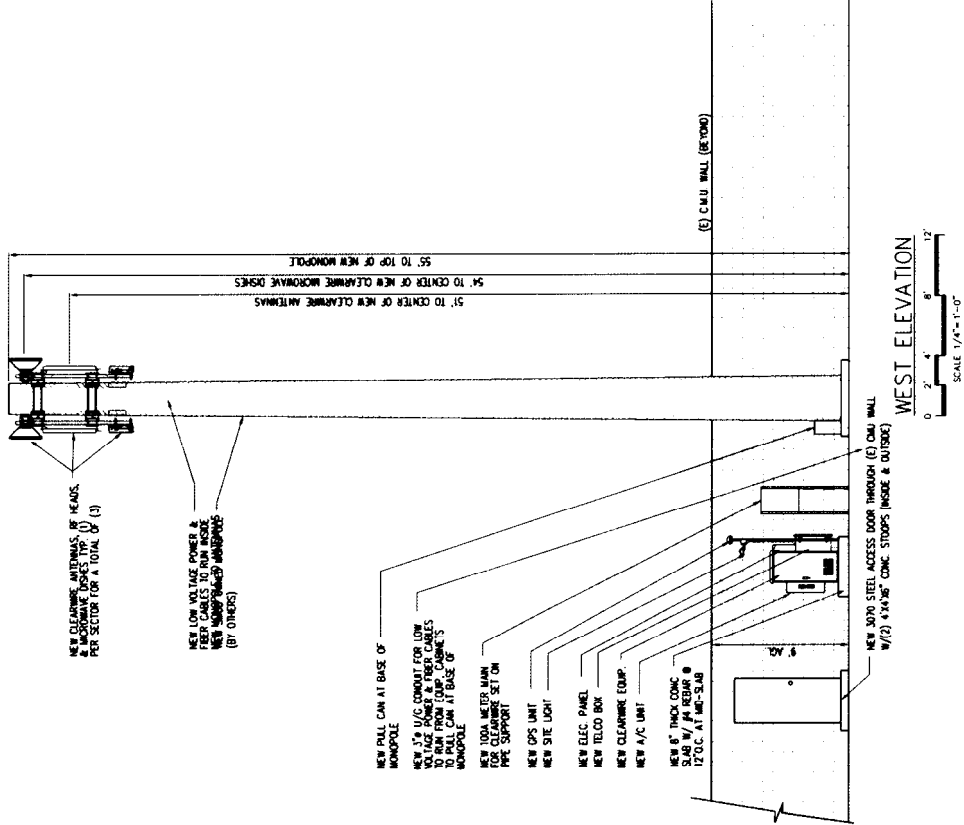
SITE #: CA-SAC0553C
MEADOW SPRING SMUD
 8450 BE HORN BLVD
 ELK GROVE, CA 95758

REV	DATE	DESCRIPTION	BY
1	11-10-09	REV ZONING DOCS	DL
2	11-24-09	100% ZONING DOCS	DL
3	3-8-10	REV 100% ZONING DOCS	DL

Peek Site - Com
 853 Lincoln Way, Suite 106
 Auburn, California 95603
 Phone (530) 885-6160
 E-Mail: info@peeksite.com

SEAL: _____
 PROFESSIONAL ENGINEER W/ EXPIRES 12/31/11
 12000 RIVERVIEW DRIVE, SUITE 200
 CUNNINGHAM, CALIFORNIA 95926
 DRAWN BY: _____
 VPT _____
 SHEET TITLE: **ELEVATIONS**
 SHEET NUMBER: _____
 REVISION: _____

A-20



PROPRIETARY INFORMATION
 THE INFORMATION CONTAINED IN THIS SET OF DRAWINGS IS PROPRIETARY BY NATURE AND ANY USE OR DISCLOSURE OTHER THAN THAT WHICH RELATES TO THIS PROJECT IS STRICTLY PROHIBITED

clearwire
 wireless broadband
 4400 CARILLON POINT
 KIRKLAND, WA 98033

PROJECT INFORMATION

SITE #: CA-SAC0553C
 MEADOW SPRING SMUD
 8450 BIG BORN BLVD
 ELK GROVE, CA 95758

REV	DATE	DESCRIPTION	BY
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2	11-24-09	RF ZONING DOCS	DL
3	3-8-10	RF ZONING DOCS	DL

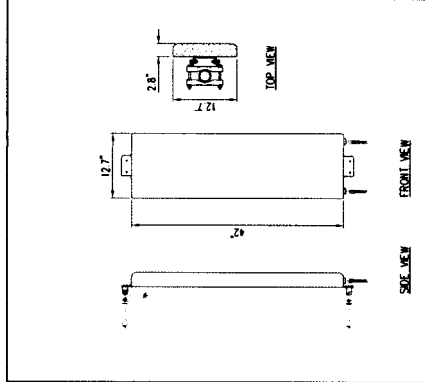
COORDINATING ENGINEER

Peek Site-Com
 853 Lincoln Way, Suite 106
 Auburn, California 95603
 Phone (530) 885-6160
 E-Mail info@peeksitecom.com

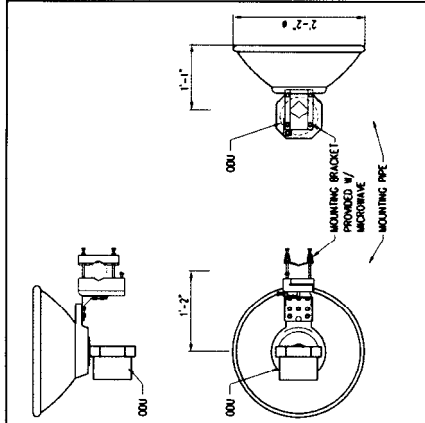


DRWING BY:	CHK:	APP:
SHEET TITLE:	DETAILS	
SHEET NUMBER:	REL504	

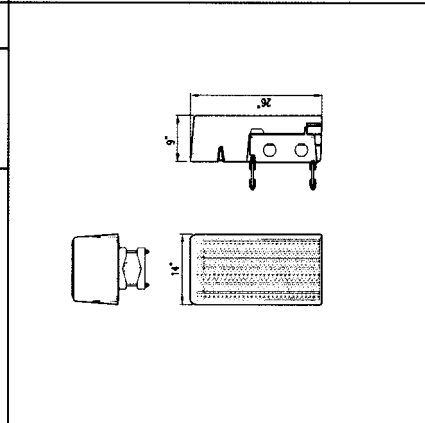
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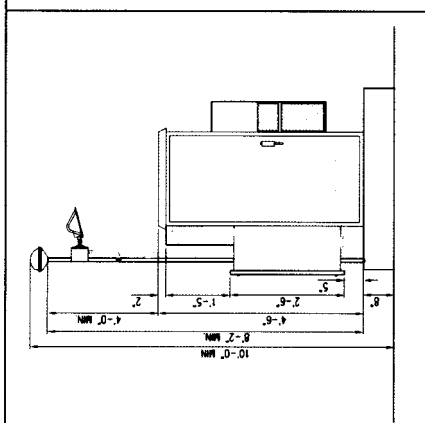
ANTENNA DETAIL
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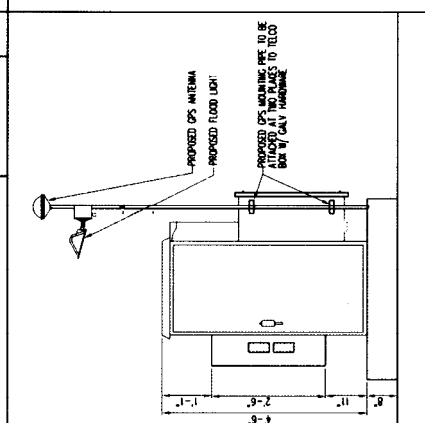
M/W DISH DETAIL
 SCALE: NOT TO SCALE



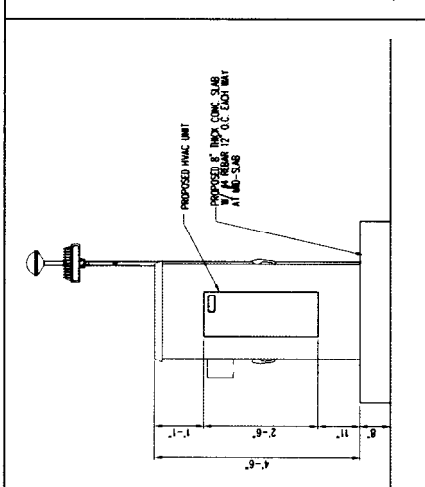
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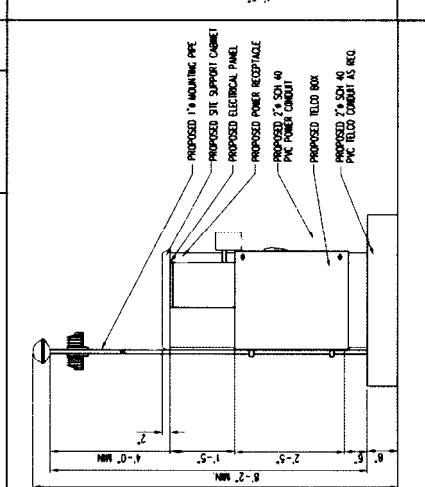
FRONT ELEVATION
 SCALE: NOT TO SCALE



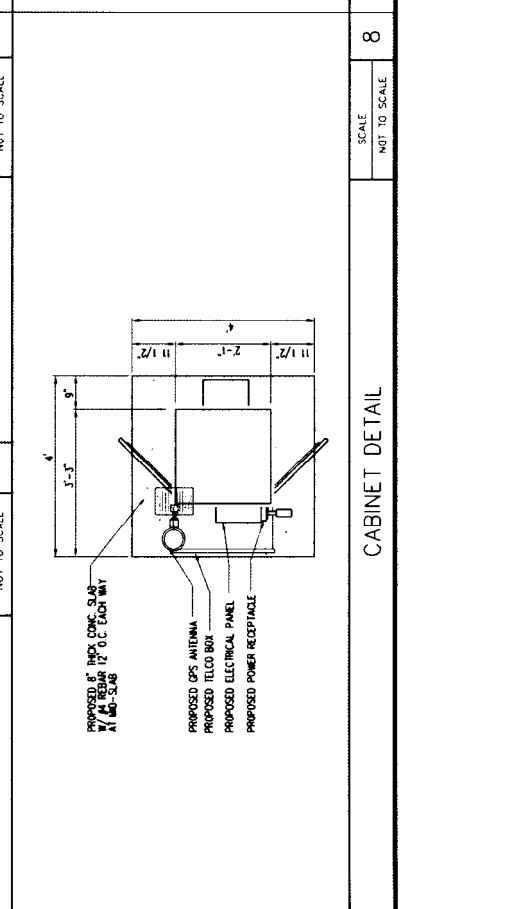
REAR ELEVATION
 SCALE: NOT TO SCALE



RIGHT ELEVATION
 SCALE: NOT TO SCALE



LEFT ELEVATION
 SCALE: NOT TO SCALE



CABINET DETAIL
 SCALE: NOT TO SCALE

1
 SCALE: NOT TO SCALE

3
 SCALE: NOT TO SCALE

6
 SCALE: NOT TO SCALE

9
 SCALE: NOT TO SCALE

2
 SCALE: NOT TO SCALE

5
 N/A

8
 SCALE: NOT TO SCALE

APN	119-1070-001
APN	119-1070-002
APN	119-1070-003
APN	119-1070-004
APN	119-1070-005
APN	119-1070-006
APN	119-1070-007
APN	119-1070-008
APN	119-1070-009
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APN	119-1070-014
APN	119-1070-015
APN	119-1070-016
APN	119-1070-017
APN	119-1070-018
APN	119-1070-019
APN	119-1070-020

GRILL ENGINEERING
 1000 F STREET, SUITE 100
 SACRAMENTO, CA 95833
 TEL: 916-485-1188
 FAX: 916-485-1189
 WWW.GRILL-ENGINEERING.COM

clearwire

WIRELESS BROADBAND

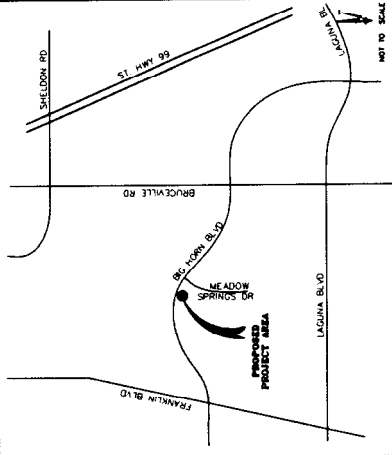
4400 LATHROP FIELD
 14100 LATHROP FIELD
 WIRELESS BROADBAND

CA-SAC0553C Big Horn - Meadow Spring SMUD
 8450 Big Horn Blvd.
 Elk Grove, CA 95758

PLOT PLAN AND SITE TOPOGRAPHY

DATE	10-21-09
DRAWN BY	908
CHECKED BY	
APPROVED BY	
SCALE	1" = 100'

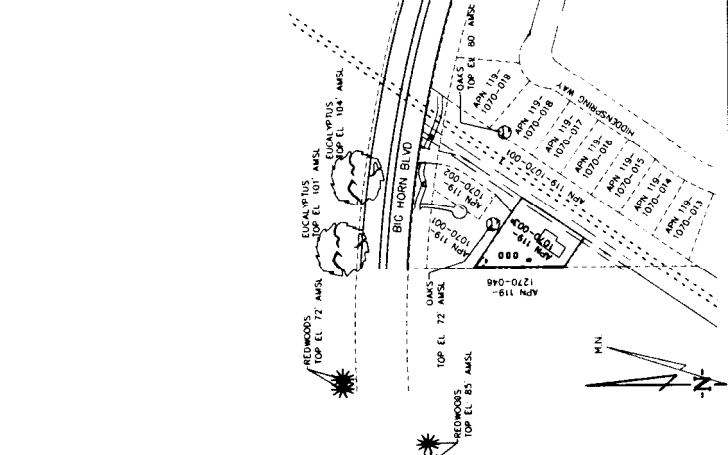
C-1



VICINITY MAP
 ELK GROVE, CA

BOUNDARY SHOWN IS BASED ON MONUMENTATION FOUND AND RECORD INFORMATION. THIS IS NOT A BOUNDARY SURVEY. THIS IS A SPECIALIZED TOPOGRAPHIC MAP WITH PROPERTY LINES AND MONUMENTATION. MONUMENTATION WAS LOCATED AND AVAILABLE MONUMENTATION FOUND DURING THE FIELD SURVEY. PROPERTY LINES AND LINES OF TITLE WERE NOT INVESTIGATED NOR SURVEYED EXCEPT AS SHOWN ON THIS PLAN. NO PROPERTY DOCUMENTS WERE SET.

THESE DRAWINGS AND/OR THE ACCOMPANYING SPECIFICATIONS AND INSTRUMENTS OF SURVEY ARE TO BE USED FOR THE CONSTRUCTION OF THE PROJECT ONLY. ANY REPRODUCTION OF THESE DRAWINGS AND/OR THE ACCOMPANYING SPECIFICATIONS AND INSTRUMENTS OF SURVEY FOR ANY OTHER PROJECT OR IN ANY MANNER IS STRICTLY PROHIBITED. THE USER SHALL OBTAIN THE NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES. THE USER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS. THE USER SHALL CONTACT WITH THESE SHALL CONSTITUTE EVIDENCE OF ACCEPTANCE OF THESE RESTRICTIONS.



SCALE 1" = 100'
 OVERALL PROJECT AREA

Owner: CA-SAC0553C Big Horn-Meadow Spring SMUD
Survey Area Description:
 All that certain lease bears a portion of lot C as shown in the plat of Township Springs Unit No. 10, map of Block 605 of Subdiv. Page 11, being more particularly described as follows:
 Commencing at the Northeast 1/4 of Section 31, East 1/2 of Township 35N, Range 12E, Merced County, California, the North 34°28'47" West 111 feet to the Five Point of Beginning, thence from said point of beginning South 55°31'13" East 20.00 feet, thence South 34°28'47" West 10.00 feet, thence North 55°31'13" West 13.10 feet, thence North 00°07'50" East 111.9 feet to the point of beginning.
 Together with an easement for ingress, egress and egress, fifteen feet in width, the complete bearing North 34°28'47" East 111 feet more or less to the Northeast boundary of the above-described lot, the East 1/2 of Section 31, East 1/2 of Township 35N, Range 12E, Merced County, California, the North 34°28'47" West 10.00 feet, thence North 55°31'13" East 102.5 feet more or less to that certain easement described in Document No. 800519-120 Official Records of Sacramento County, California, thence along said easement to the public right-of-way.
 Also together with an easement for utility purposes, six feet in width, the containing of which is shown on the plat of Township Springs Unit No. 10, map of Block 605 of Subdiv. Page 11, being more particularly described as follows: South 34°28'47" West 3.00 feet from the East corner (hereof), thence from said point of beginning South 55°31'13" East 75.94 feet, thence South 34°28'47" West 8.50 feet more or less to an existing electrical service connection location.

Clearwire
 Project Name: CA-SAC0553C Big Horn-Meadow Spring SMUD
 Project Site Location: 8450 Big Horn Blvd.
 Elk Grove, CA 95758
 Sacramento County

Date of Observation: 10-21-09

Survey Method: Field Observations, Used in Office. Computable: Trimble Pathfinder Pro 3L, post processed with Pathfinder office software.

Type of Accession: Proposed Free Standing Monopole

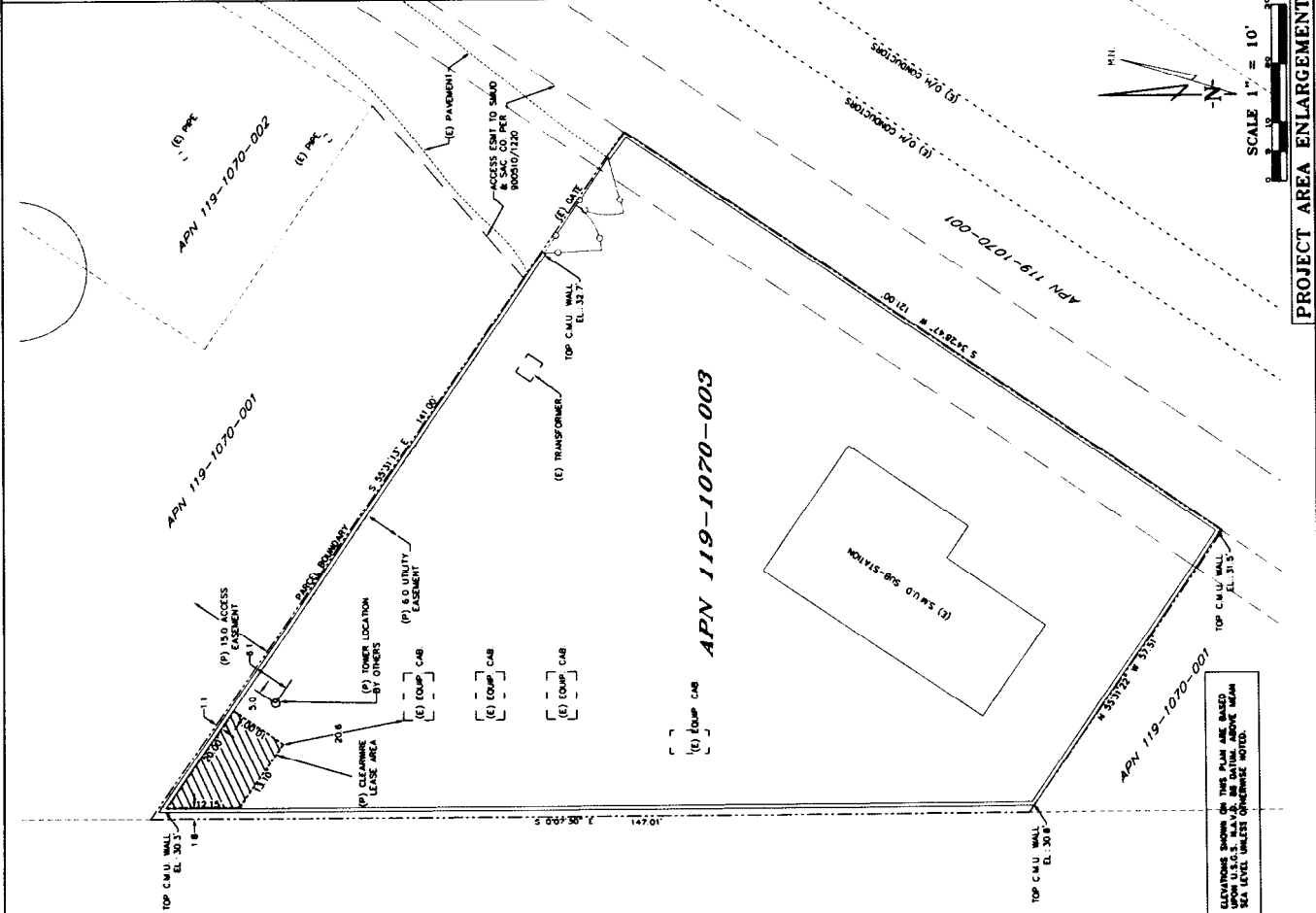
NAD 83 Coordinates
 Latitude: N 34°28'08.44"
 Longitude: W 121°20'10.01"
 NAD 27 Coordinates
 Latitude: N 34°28'08.44"
 Longitude: W 121°28'08.18"

ELEVATION: at Base of Structure (NAVOD83) 21' AMSL.

CERTIFICATION: I, the undersigned, do hereby certify that the information shown on this plan is based upon a field survey done under my supervision and that the accuracy of those measurements meets or exceeds that of a professional land surveyor. I am a duly licensed and duly qualified Surveyor and that I am duly sworn to the best of my knowledge and belief.

Surveyed By: Kenneth D. Gel, California R.C.E. 14803
 Date: _____

DATE OF SURVEY: 10-21-09
 SURVEYED BY OR UNDER DIRECTION OF: KENNETH D. GEL, R.C.E. 14803
 LOCATED IN THE COUNTY OF SACRAMENTO, STATE OF CALIFORNIA.
 CONSTRUCTION IS RESPONSIBLE TO VERIFY LEASE AREA PRIOR TO CONSTRUCTION.
 MONUMENTS SHOWN ARE BASED UPON MONUMENTS FOUND AND RECORD INFORMATION. THIS IS NOT A BOUNDARY SURVEY.
 ELEVATIONS SHOWN ON THIS PLAN ARE BASED UPON U.S.G.S. NAVD83 MEAN SEA LEVEL UNLESS OTHERWISE NOTED.
 N.E.V.D. 1939 CORRECTION: SUBTRACT 2.64' FROM ELEVATIONS SHOWN.
 CONTOUR INTERVAL: 4'.
 THE LATITUDE AND LONGITUDE WERE DETERMINED USING TRIMBLE GPS EQUIPMENT. THE ELEVATION WAS DETERMINED USING TRIMBLE CORRECTION SOFTWARE AT THE LOCATION AS SHOWN HEREON.
 U.S.G.S. 1:25000 11' AND 83
 U.S.G.S. 1:25000 11' AND 83
 U.S.G.S. 1:25000 11' AND 83
 U.S.G.S. 1:25000 11' AND 27
 THIS SURVEY MEETS OR EXCEEDS 50% ACCURACY TOLERANCES.
SITE NAME: CA-SAC0553C BIG HORN-MEADOW SPRING SMUD
SITE ADDRESS: 8450 BIG HORN BLVD., ELK GROVE, CA 95758
ASSESSOR'S PARCEL NUMBER: 119-1070-003
CURRENT ZONING: O
UNIMPLANTED: 5,610.14 SQ. FT. SACRAMENTO, CA 95831
SITE CONTACT: KERRY SUMMO, 916-803-1303



SCALE 1" = 10'
 PROJECT AREA ENLARGEMENT

**CERTIFICATION
ELK GROVE CITY COUNCIL RESOLUTION NO. 2010-91**

STATE OF CALIFORNIA)
COUNTY OF SACRAMENTO) **ss**
CITY OF ELK GROVE)


I, Jason Lindgren, Interim City Clerk of the City of Elk Grove, California, do hereby certify that the foregoing resolution was duly introduced, approved, and adopted by the City Council of the City of Elk Grove at a regular meeting of said Council held on May 12, 2010 by the following vote:

AYES : COUNCILMEMBERS: Scherman, Detrick, Hume

NOES: COUNCILMEMBERS: Davis

ABSTAIN : COUNCILMEMBERS: None

ABSENT: COUNCILMEMBERS: Cooper



**Jason Lindgren, Interim City Clerk
City of Elk Grove, California**