



*Incorporated July 1, 2000*

*Website: [elkgrovecity.org](http://elkgrovecity.org)*

**Rick Soares, Mayor**

**Sophia Scherman, Mayor Pro Tem**  
**James Cooper, Councilmember**

**Dan Briggs, Councilmember**  
**Michael P. Leary, Councilmember**

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**REGULAR MEETING OF THE CITY COUNCIL**  
**Wednesday, February 19, 2003**  
**6:30 P.M.**

**Elk Grove City Hall**  
**8400 Laguna Palms Way, CA 95758**  
**City Council Chambers**

The Elk Grove City Council welcomes, appreciates, and encourages participation in the City Council Meeting. The City Council reserves the right to reasonably limit the total time for public comment on any particular noticed agenda item as it may deem necessary. If you wish to address the Council during the meeting, please complete a Speaker Card and give it to the City Clerk prior to the start of the meeting.

**AGENDA**

**1. CALL TO ORDER/ROLL CALL**

1.1 Roll Call

1.2 Pledge of Allegiance led by Boy Scout Troop 288

**2. PUBLIC COMMENT**

Members of the audience may comment on matters that are not included on the agenda. Each person will be allowed three minutes, or less if a large number of requests are received on a particular item. No action may be taken on a matter raised under "Public Comments" until the matter has been specifically included on an agenda as an

action item. If a member of the public wants a response to a specific question, you are encouraged to contact any member of the Council or the City Manager at any time

**3. APPROVAL OF AGENDA**

**4. PRESENTATIONS/ANNOUNCEMENTS**

- 4.1 Proclamation honoring Scoutmaster William “Bill” Aubin for his outstanding dedication to youth [p. 1-2]
- 4.2 Presentation by Sacramento Area Council of Governments (SACOG), Executive Director, Martin Tuttle on Operational and Funding Opportunities
- 4.3 Presentation by Sacramento Regional County Sanitation District (SRCSD), District Engineer Bob Shanks on regional governance

**5. CONSENT CALENDAR ITEMS**

The Consent Calendar items are ones expected to be routine and non-controversial. They will be acted upon by the City Council at one time without discussion. A member of the City Council or a member of the public may remove any item for discussion.

**PUBLIC COMMENT**

- 5.1 Approve Warrant Listing through February 5, 2003 (Warrants 005652 through 005734) [p. 1-10]
- 5.2 Approve Minutes of the January 15, 2003 Regular City Council Meeting [p. 1-12]
- 5.3 Adopt Ordinance No. 2–2003, an ordinance of the City Council of the City of Elk Grove amending the East Elk Grove Specific Plan from Residential to Commercial and the City of Elk Grove Zoning Map from RD-5 to LC Zone on Assessor Parcel

- Numbers 134-110-086 and 134-110-087, subject to the map and Conditions of Approval for the project known as Windsor Downs West Project No. EG-02-309 **(Second Reading)** [p. 1-6]
- 5.4** Adopt Ordinance No. 3–2003, an ordinance of the City Council of the City of Elk Grove amending Section 16.83.100 of the Elk Grove Municipal Code relating to Development Impact Fees in the Laguna South Area **(Second Reading)** [p. 1-2]
- 5.5** Authorize the City Manager to execute a revised agreement with Greenberg Traurig LLP for federal legislative advocate services [p. 1-10]
- 5.6** Approve the parcel map for Machado Dairy Subdivision No. 01-237-00 (Resolution) [p. 1-14]
- 5.7** Approve the final map for Windsor Glen and authorize the Mayor to execute a Subdivision Improvement Agreement between the City of Elk Grove and D.R. Horton Inc. Sacramento, a California Corporation (Resolution) [p. 1-28]
- 5.8** Approve the final map for Shadowbrook Unit 5 and authorize the Mayor to execute a Subdivision Improvement Agreement between the City of Elk Grove and D.R. Horton Inc. Sacramento, a California Corporation (Resolution) [p. 1-26]
- 5.9** Approve the Comprehensive Annual Financial Report (CAFR) for fiscal year ended June 30, 2002 [p. 1-138]
- 5.10** Authorize the Mayor to execute the Laguna South Public Facilities Fee Program Credit Agreement with the East Franklin Implementation Group (EFIG) and Multiple Builders in the East Franklin Specific Plan Area providing for credits and reimbursement against roadway, landscape corridor, and supplemental drainage fees (Resolution) [p. 1-24]
- 5.11** Adopt a resolution of the City Council declaring its Intention to Levy Street Maintenance Assessments in the south portion of East Franklin Specific Plan pursuant to Benefit Assessment Act of 1982; approve the Engineer’s Report; set a public hearing for

April 16, 2003; and provide notices and mail ballots to the record owners within the District (Resolution) [p. 1-10]

- 5.12** Accept the subdivision improvements for Tributary Pointe Unit 4 Village 4A, Tributary Pointe C1, Tributary Pointe D, and Fieldstone Unit 3D (Resolution) [p. 1-4]

## **6. PUBLIC HEARINGS**

- 6.1** **SUBJECT:** Public Hearing: Backer Ranch Commercial Project No. EG-01-228 – Consider an amendment to the East Franklin Specific Plan, Rezone, Tentative Subdivision Map and Development Plan Review [p. 1-270]

**STAFF REPORT:** Christine Crawford, Planning Director



### **PUBLIC COMMENT:**

**RECOMMENDATION:** At the conclusion of the public hearing, consider the Planning Commission's recommendation as follows:

1. Adopt a Mitigated Negative Declaration for the Backer Ranch Commercial Project No. EG-01-228
2. Introduce and waive the full reading, by substitution of title only, an ordinance of the City Council of the City of Elk Grove amending the East Franklin Specific Plan to increase a commercial parcel in size and amend the Zoning Map from AG-20 to SC, on Assessor Parcel Number 132-0020-112, Backer Ranch Commercial Project No. EG-01-228
3. Approve a resolution of the City Council of the City of Elk Grove approving a Tentative Subdivision Map and Development Plan Review for Assessor Parcel No. 132-0020-112, for Backer Ranch Commercial Project No. EG-01-228, subject to the findings and MMRP/Conditions of Approval

### **COUNCIL ACTION:**

- 6.2** **SUBJECT:** Public Hearing: Elk Grove Meadows Phase 2 – Consider a Rezone from AG-80 to RD-7, RD-20, and O in the East Franklin Specific Plan and a Tentative Subdivision Map for 45 single-family residential lots, 1 multi-family residential lot, 1 open space lot, 1 well site lot, and 1 landscape corridor lot [p. 1-134]

**STAFF REPORT:** Christine Crawford, Planning Director



**PUBLIC COMMENT:**

**RECOMMENDATION:** At the conclusion of the public hearing, consider the Planning Commission's recommendation as follows:

1. Adopt a Mitigated Negative Declaration for Elk Grove Meadows Phase 2 (EG-02-330)
2. Introduce and waive the full reading, by substitution of title only, an ordinance of the City Council of the City of Elk Grove amending the City of Elk Grove Zoning Map from AG-80 to RD-7, RD-20, and O in the East Franklin Specific Plan on a portion of Assessor Parcel Numbers 132-0030-038 and 132-0030-046, Elk Grove Meadows Phase 2 (EG-02-330)
3. Approve a resolution of the City Council of the City of Elk Grove approving a Tentative Subdivision Map on a portion of Assessor Parcel Numbers 132-0030-038 and 132-0030-046, Elk Grove Meadows Phase 2 (EG-02-330), subject to the findings and MMRP/Conditions of Approval

**COUNCIL ACTION:**

- 6.3** **SUBJECT:** Continued Public Hearing: Notice of Appeal – Jackson/El Dorado Business Center Tentative Parcel Map EG-02-307: Consider a request for a Tentative Parcel Map to divide a 5.06 acre site into 3 parcels for industrial use and consider an appeal filed by the applicant requesting modifications to Conditions of Approval Nos. 5 and 6 [p. 1-75]

**STAFF REPORT:** Christine Crawford, Planning Director



**PUBLIC COMMENT:**

**RECOMMENDATION:** Uphold the Appeal and adopt a resolution of the City Council of the City of Elk Grove approving the Tentative Parcel Map for Assessor Parcel Number 134-0510-025 Jackson/El Dorado Project EG-02-307, subject to the Findings and amended Conditions of Approval

**COUNCIL ACTION:**

- 6.4 **SUBJECT:** Public Hearing: Laguna Gateway, Phase 2 No. EG-02-298: Consider a General Plan amendment from Office/Multi-Family to Commercial and a Special Planning Area (SPA) amendment from Office (SPA-MP) to Commercial (SPA-SC) and SPA Ordinance text, a Tentative Subdivision Map creating 11 commercial parcels, and Development Plan Review [p.]

**STAFF REPORT:** Christine Crawford, Planning Director



**PUBLIC COMMENT:**

**RECOMMENDATION:** At the conclusion of the public hearing, consider the Planning Commission's recommendation as follows:

1. Certify the proposed Supplemental Environmental Impact Report and MMRP prepared for this project, subject to the findings and Statement of Overriding Considerations
2. Approve a Resolution of the City Council of the City of Elk Grove approving a General Plan Amendment for Laguna Gateway, Phase 2, subject to findings
3. Introduce and waive the full reading, by substitution of title only, an ordinance of the City of Elk Grove amending the SPA land use designation in the Laguna Gateway Special Planning Area for Laguna Gateway, Phase 2 Project
4. Continue the Tentative Subdivision Map and Development Plan Review to the March 5, 2003 agenda

**COUNCIL ACTION:**

**7. REGULAR AGENDA ACTION ITEMS/RECOMMENDATIONS**

**7.1 SUBJECT:** Enter into an agreement with the Senior Center for the purchase of a bus [p. 1-4]

**STAFF REPORT:** Frank Oviedo, Assistant to the City Manager

**PUBLIC COMMENT:**

**RECOMMENDATION:** Authorize the City Manager to enter into an agreement with the Senior Center to purchase a vehicle for their "Dial-A-Ride Program through the State of California purchasing contract

**COUNCIL ACTION:**

**7.2 SUBJECT:** Accept Cable Commission Ordinance amendments as requested by the Sacramento Metropolitan Cable Television Commission [p. 1-8]

**STAFF REPORT:** Kara Myers, Management Analyst  
Development Services

**PUBLIC COMMENT:**

**RECOMMENDATION:** Introduce and waive the full reading, by substitution of title only, an ordinance of the City Council of the City of Elk Grove amending Sections 5.75.102, 5.75.104, 5.75.504, 5.75.700, of Chapter 5.75 and adding Sections 5.75.10 and 5.75.206 to Chapter 5.75, Title 5 of the Elk Grove Municipal Code relating to the licensing of cable television franchises

**COUNCIL ACTION:**

**7.3 SUBJECT:** Award the bid to Harbison-Mahony-Higgins (HMH) Builders Inc. for the Police Service Center tenant improvements at 8380 Laguna Palms Way (Resolution) [p. 1-44]

**STAFF REPORT:** Gail Pugh, Development Services Coordinator, Development Services

**PUBLIC COMMENT:**

**RECOMMENDATION:** Staff recommends that the City Council approve the Award of Bid for construction to Harbison-Mahony-Higgins (HMH) Builders, Inc. for the Police Service Center tenant improvements and authorize the City Manager to execute the contract

**COUNCIL ACTION:**

**8. GENERAL ADMINISTRATION INFORMATION**

**9. COUNCIL COMMENTS/FUTURE AGENDA ITEMS**

**10. CLOSED SESSION**

The City Council will hear and consider public comment on any and all items scheduled for closed session prior to adjourning to closed session. Please be mindful of the City's three (3) minute rule. Once the closed session has ended, the regular City Council meeting will be reconvened in open session. The Mayor or presiding officer will then make any announcements required by the Brown Act relative to reportable actions taken during the closed session.

**A) CONFERENCE WITH LEGAL COUNSEL – Existing Litigation**

(Subdivision (a) of Section 54956.9) – 1 Case:

The City of Elk Grove v. California Department of Social Services, Mathiot Group Homes, Inc., Lyle D. Schmitt, and Randall Beaida, Sacramento County Case No. 02CS01687

## **11. ADJOURNMENT**

### **NOTICE REGARDING CHALLENGES TO DECISIONS**

Pursuant to all applicable laws and regulations, including without limitation, California Government Code Section 65009 and or California Public Resources Code Section 21177, if you wish to challenge in court any of the above decisions (regarding planning, zoning and/or environmental decisions), you may be limited to raising only those issues you or someone else raised at the public hearing(s) described in this notice/agenda, or in written correspondence delivered to the City at, or prior to, this public hearing.

### **ADA COMPLIANCE STATEMENT**

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact City Clerk Peggy Jackson at (916) 683-7111. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting.

**I, Tina McVay, declare under the penalty of perjury that the foregoing agenda for the February 19, 2003 Regular meeting of the Elk Grove City Council was posted on \_\_\_\_\_, 2003, at the office of the City of Elk Grove City Hall at 8400 Laguna Palms Way, Elk Grove, CA 95758 and was available for public review at that location.**

**Signed this \_\_\_\_\_ day of \_\_\_\_\_ 2003 at Elk Grove, California**

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**Tina McVay, Deputy City Clerk  
City of Elk Grove**