



Incorporated July 1, 2000

Website: elkgrovecity.org

Sophia Scherman, Mayor

Rick Soares, Mayor Pro Tem
James Cooper, Councilmember

Dan Briggs, Councilmember
Michael P. Leary, Councilmember

REGULAR MEETING OF THE CITY COUNCIL
Wednesday, November 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

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 Request by James Hardie Building Projects to consider the impacts of the roadway fee imposition [p. 1-2]

4.2 Regional Transit Phase 3 Extension (Beverly Scott)

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 after providing an opportunity for public comment.

PUBLIC COMMENT

5.1 Approve Warrant Listing through November 5, 2003 (Warrants 007514 through 007606) [p. 1-12]

5.2 Approve Monthly Treasurer's Report for September 2003 [p. 1-4]

5.3 Approve Minutes of the October 29, 2003 Special City Council Meeting Minutes and the November 5, 2003 Special City Council Meeting Minutes [p. 1-16]

5.4 Adopt Ordinance No. 40-2003, an ordinance of the City Council of the City of Elk Grove amending the Elk Grove Zoning Map from AR-5 and AR-5(F) to RD-5 for Bond Road 17, Project No. EG-02-380 (**Second Reading**) [p. 1-4]

5.5 Adopt Ordinance No. 41-2003, an ordinance of the City Council of the City of Elk Grove Levying and apportioning the special

tax in Community Facilities District No. 2003-2 (Police Services)
(Second Reading) [p. 1-2]

- 5.6** Authorize the City Manager to execute a contract amendment to Contract No. C-03-087 for T.Y. Lin, International to provide consultant services for the Bond Road widening project (Resolution) [p. 1-14]
- 5.7** Authorize the City Manager or his designee to execute a Joint Funding Agreement with the United States Geological Survey for the operation and maintenance of the stream gaging station on Laguna Creek (Resolution) [p. 1-4]
- 5.8** Approve the final map for Cresleigh Ranch Village B and authorize the Mayor to execute a subdivision improvement agreement between the City of Elk Grove and Cresleigh Homes Corporation, a California Corporation (Resolution) [p. 1-28]
- 5.9** Approve the final map for Eastmeadow Unit 1A and authorize the Mayor to execute a subdivision improvement agreement between the City of Elk Grove and Reynen & Bardis (East Meadows), L.P., a California Limited Partnership; and Cambridge (East Meadows), L.P., a California Limited Partnership (Resolution) [p. 1-36]
- 5.10** Approve the final map for Eastmeadow Unit 2 and authorize the Mayor to execute a subdivision improvement agreement between the City of Elk Grove and Reynen & Bardis (East Meadows), L.P., a California Limited Partnership (Resolution) [p. 1-32]
- 5.11** Approve the final map for Elk Grove Meadows 3A and authorize the Mayor to execute a subdivision improvement agreement between the City of Elk Grove and Reynen & Bardis (Buscher), LLC, a California Limited Liability Company; Reynen & Bardis (G.S.G. Partners), LLC, a California Limited Liability Company; and Reynen & Bardis Development, LLC, a California Limited Liability Company (Resolution) [p. 1-36]

- 5.12** Approve the Azevedo parcel map for Subdivision No. 00-002.00 between the City of Elk Grove and Enos A. Azevedo and Nancy L. Azevedo (Resolution) [p. 1-8]
- 5.13** Approve the Elk Grove Plaza parcel map for Subdivision No. 03-397.00 between the City of Elk Grove and Canyon-Cahan Elk Grove LLC, a California Limited Liability Company (Resolution) [p. 1-8]
- 5.14** Accept the subdivision improvements for Shadowbrook Unit 3, Shadowbrook Unit 5, and Lands of Russell (Resolution) [p. 1-4]
- 5.15** Authorize the City Attorney to execute on behalf of the City of Elk Grove an agreement with Burke, Williams & Sorenson LLP for general legal services on an as needed basis as determined by the City Attorney [p. 1-6]
- 5.16** Approve the Transit System Manager, Recycling Coordinator, Finance Analyst, Administrative Services Technician (Utility Billing), and Administrative Services Clerk (Utility Billing) positions with the following salary ranges E183, M138, M171, G106, and G88 respectively; and amend the 2003-04 Fiscal Year Budget to appropriate \$50,000 to the Local Transportation Fund, \$12,500 to funds 261, 325, 336, and 337; \$95,000 to fund 510; and \$45,000 to fund 530 (Resolution) [p. 1-16]
- 5.17** Receive and ratify the November 19, 2003 election results as certified by the City Clerk and levy the storm drainage fees on the properties commonly referred to as East Meadows, Machado Dairy, Elk Grove Meadows Unit 2, and Elk Grove Commons (Resolution) [p. 1-8]

6. PUBLIC HEARINGS

- 6.1** **SUBJECT:** Continued Public Hearing: The Shires, Project No. EG-03-418: to consider a Rezone of 29.10 acres from AR-5 to AR-2, Tentative Subdivision Map to create 12 single family lots, and Design Review for subdivision layout [p. 1-214]
Location: Northeast corner of Bader Road and Bond Road

STAFF REPORT: Christine Crawford, Development Services
Craig Hoffman, Project Planner



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 Shires, Project No. EG-03-418
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 Elk Grove Zoning Map from AR-5 to AR-2 for The Shires, Project No. EG-03-418
3. Adopt a resolution approving a Tentative Subdivision Map, for The Shires, Project No. EG-03-418, subject to the Findings and MMRP/Conditions of Approval

COUNCIL ACTION:

- 6.2 **SUBJECT:** Public Hearing to consider adoption of interim and permanent authorization of fees for the Roadway Fee Program [p. 1-2]

STAFF REPORT: Joe Chinn, Finance Administrator
Jonathan Cristy, Legal Counsel



PUBLIC COMMENT:

RECOMMENDATION: Staff recommends that the City Council take the following actions:

1. Continue this item to Monday, December 1, 2003.
2. At the conclusion of this meeting, adjourn the meeting to Monday, December 1, 2003, which will be an adjourned regular meeting.
3. Open, conduct and close the public hearing on December 1, 2003.
4. At the close of the public hearing on December 1, adopt an urgency resolution as an interim authorization of the

roadway fees and adopt a resolution adopting the roadway fees.

5. On December 1, 2003 adopt an urgency ordinance of the City Council of the City of Elk Grove amending Chapter 16.89 of the Elk Grove Municipal Code relating to development impact fees for roadway facilities.

COUNCIL ACTION:

7. REGULAR AGENDA ACTION ITEMS/RECOMMENDATIONS

- 7.1 **SUBJECT:** City Participation in the Federal Universal Hiring Program; amendment to the Law Enforcement Services Contract with Sacramento County to provide for supplemental police services associated with the Laguna West Annexation and authorization of the expenditure of general funds [p. 1-6]

STAFF REPORT: Ed Flint, Chief of Police



PUBLIC COMMENT:

RECOMMENDATION: That the Council adopt by resolution the following actions:

1. Accept the \$1,500,000 grant award from the US Department of Justice, office of Community Oriented Policing Services (COPS), Universal Hiring Program (UHP)
2. Approve the annual expenditure of matching funds for all UHP grant positions, and assume full financial responsibility for such positions for one full budget cycle following the three-year grant period
3. Direct the City Manager or his designee to execute all contracts, reports, and other documents required for receiving such funds pursuant to the terms and conditions of the UHP grant
4. Appropriate funds from the General Fund for thirteen (13) additional officer positions and two (2) administrative positions, and amend the City's law enforcement contract with the County of Sacramento to reflect the new positions

5. Appropriate funds from the General Fund for 10 additional police vehicles, and amend the City's law enforcement contract with the County of Sacramento to reflect the new vehicles
6. Direct the Police Chief to hire 13 additional officers under the UHP grant and authorize the expenditure of funds for the positions in accordance with the terms and conditions of the UHP grant
7. Maintain the option to add some or all of the remaining seven (7) UHP grant funded officer positions at a later date with Council's approval

COUNCIL ACTION:

- 7.2 **SUBJECT:** Adopt a resolution for CFD 2002-1 authorizing the execution and delivery of a supplemental Fiscal Agent Agreement, a Bond Purchase Agreement, and a Continuing Disclosure Certificate; authorizing the Issuance of Bonds; approving the form of the Official Statement and the distribution thereof; and authorizing other related actions [p. 1-120]

STAFF REPORT: Joe Chinn, Finance Administrator
Jonathon Cristy, Bond Counsel



PUBLIC COMMENT:

RECOMMENDATION: Adopt a resolution authorizing the execution and delivery of a Supplemental Fiscal Agent Agreement, a Bond Purchase Agreement, and a Continuing Disclosure Certificate; authorizing the Issuance of Bonds; approving the form of the Official Statement and the distribution thereof; and authorizing other actions related thereto

COUNCIL ACTION:

- 7.3 **SUBJECT:** Approval of resolutions endorsing the Sacramento County Board of Supervisors Resolution No. 2003-1182 to revise the representation composition of the STA Governing

Board and appoint a representative and an alternate to serve on the STA Governing Board [p. 1-8]

STAFF REPORT: Bob Lee, Development Services,
Public Works



PUBLIC COMMENT:

RECOMMENDATION:

1. Adopt a resolution endorsing Sacramento County Board of Supervisors Resolution No. 2003-1182 to revise the representational composition of the Sacramento Transportation Authority governing board
2. Adopt a resolution appointing a member of the City Council as the City of Elk Grove's representative on the Sacramento Transportation Authority governing board and appointing another councilmember as an alternate

COUNCIL ACTION:

7.4 **SUBJECT:** Law Enforcement Services [p. 1-34]

STAFF REPORT: Terry Fitzwater, Assistant City Manager



PUBLIC COMMENT:

RECOMMENDATION: Receive the report on law enforcement services, review the staff presentation and provide direction as the Council deems appropriate

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 – Anticipated
Litigation**

Pursuant to Subdivision (b) of Section 54956.9
Two (2) Potential Cases.

11. **ADJOURNMENT:** Adopt an order of Adjournment to Monday, December 1, 2003, at a time to be specified by the City Council.

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, the 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, Micki De La Fuente, declare under the penalty of perjury that the foregoing agenda for the November 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

Micki De La Fuente, Administrative Assistant
to the Office of the City Clerk
City of Elk Grove