



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, May 5, 2004
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 subject. No action may be taken on a matter raised under "Public Comment" 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, they are encouraged to contact any member of the Council or the City Manager at any time.

3. APPROVAL OF AGENDA

4. PRESENTATIONS/ANNOUNCEMENTS

a) Presentation by SureWest by Robert Dugan

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 April 20, 2004 (Warrants 008788 through 008907) [p. 1-14]

5.2 Approve Monthly Treasurer's Report for March 2004 [p. 1-4]

5.3 Approve Minutes of the April 7, 2004 Regular City Council Meeting [p. 1-12]

5.4 Adopt [Ordinance No. 12-2004](#), an ordinance of the City Council of the City of Elk Grove amending the Elk Grove Zoning Code to incorporate the Elk Grove Triangle Special Planning Area (SPA) and change the zoning designation of the Elk Grove Triangle Area from various zoning districts to "Triangle SPA" (**Second Reading**) [p. 1-6]

5.5 Adopt a resolution calling the City of Elk Grove General Municipal Election of November 2, 2004 and requesting the Board of Supervisors of Sacramento County to consolidate the General Municipal Election with the Statewide General Election ([Resolution](#)) [p. 1-4]

- 5.6** Implement Chapters 16.85 and 16.86 of the Elk Grove Municipal Code, the Laguna Area Roadway Fee and Laguna Stonelake Fee Programs, respectively, to apply fees based on land use versus zoning category ([Resolution](#)) [p. 1-4]
- 5.7** Approve the position of Administrative Services Clerk/Cashier, salary range G88; and amend the 2003-04 Fiscal Year Budget by appropriating \$10,500 (\$3,500 from each) from the General Fund, the Utility Billing Fund and various fee district funds ([Resolution](#)) [p. 1-4]
- 5.8** Approve the contract designation with California Public Employees Retirement System (CalPERS) to change the City's classification from "Special District" to "Local Agency Contracting with CalPERS" ([Resolution](#)) [p. 1-4]
- 5.9** Adopt a resolution declaring the City Council's intention to levy street maintenance assessments by annexing certain properties in the Laguna Area in Street Maintenance District No.1, Zone 2, Annexation No. 1 and approve the Supplemental Engineer's Report ([Resolution](#)) [p. 1-12]
- 5.10** Proclaim May 2004 as Amyotrophic Lateral Sclerosis (ALS) awareness month ([Resolution](#)) [p. 1-2]
- 5.11** Authorize the City Manager to execute a contract with Ameritrans Service Corporation, Incorporated, dba Transit Resource Center for specification and construction oversight of the City's Fleet of Transit Buses in an amount not to exceed \$30,000 ([Resolution](#)) [p. 1-30]
- 5.12** Approve a proclamation of recognition celebrating the renaming of the City of Citrus Heights Police Services Center in honor of their late Mayor, William "Bill" Hughes [p. 1-2]
- 5.13** Authorize the Mayor to execute an agreement for liability insurance with Public Agency Risk Sharing Authority of California (PARSAC) [p. 1-20]

6. PUBLIC HEARINGS

- 6.1 **SUBJECT:** Public Hearing: Determining to levy assessments in Street Maintenance District No. 1, Zone 3 for Certain Properties East of Highway 99 [p. 1-8] ([Resolution](#))

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



PUBLIC COMMENT:

RECOMMENDATION: After the close of the public hearing, direct the City Clerk to tabulate the ballots; if the ballots submitted in opposition do not exceed the ballots submitted in favor of the assessment, adopt a resolution approving the engineer's report, and determine to levy the assessments in Street Maintenance District No. 1, Zone 3 for certain properties east of State Highway 99 pursuant to the Benefit Assessment Act of 1982

COUNCIL ACTION:

- 6.2 **SUBJECT:** Public Hearing: Anderson Rezone and Tentative Parcel Map Project No. EG-03-471: to consider a Rezone of 5+/- gross acres from AR-5 to AR-2 (Rural Residential – 2 acres per dwelling unit) and a Tentative Parcel Map to create 2 lots [p. 1-94] (Resolution)

Location: south side of Calvine Road, approximately 100 feet east of the intersection of Vineyard Road and Calvine 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 Negative Declaration for the Anderson Rezone and Tentative Parcel Map Project No. EG-03-471
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 Elk Grove Zoning Map from AR-5 to AR-2 for the Anderson Rezone, Project No. EG-03-471
3. Adopt resolution approving a Tentative Parcel Map, for the Anderson Rezone, Project No. EG-03-471, subject to the findings and conditions of approval ([Resolution](#))

COUNCIL ACTION:

7. REGULAR AGENDA ACTION ITEMS/RECOMMENDATIONS

7.1 **SUBJECT:** Redistricting of Council Voting Districts [p. 1-54]
Presentation

STAFF REPORT: Douglas Johnson, NDC



PUBLIC COMMENT:

RECOMMENDATION: Review the report, receive public input, and provide direction on the completion of the Council District Map. Recommended direction would take the form of either:

1. Adoption of one of the map options, or
2. Instructions for modification(s) to one of the map options

COUNCIL ACTION:

7.2 **SUBJECT:** Amendment to CalPERS contract to provide sections 21024 and 21013.5 benefits for local miscellaneous members (Military, Peace Corp, AmericCorps: VISTA service buy-back option) [p. 1-12] ([Resolution](#))

STAFF REPORT: Terry Fitzwater, Assistant City Manager



PUBLIC COMMENT:

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

1. Adopt a resolution giving notice of the City's intention to amend the agreement between the City of Elk Grove and the Board of Administration of the California Public Employee's Retirement System (CalPERS) to provide for sections 21024 and 21013.5 benefits for local miscellaneous employees
2. Introduce and waive the full reading by substitution of title only, an ordinance of the City Council of the City of Elk Grove authorizing an amendment to the agreement between the City of Elk Grove and the Board of Administration of the California Public Employee's Retirement System (CalPERS) for benefits for local miscellaneous members (Military, Peace Corp, AmericCorps: VISTA service buy-back option) ([Resolution](#))

COUNCIL ACTION:

- 7.3 **SUBJECT:** Proposed (Draft) Municipal Budget for Fiscal Year 2004-05 [p. 1-194]

STAFF REPORT: Les Tyler, Administrative Services Director



PUBLIC COMMENT:

RECOMMENDATION: Staff recommends that Council provide direction on any amendments or deletions to the Fiscal Year 2004-05 (draft) budget as deemed appropriate

COUNCIL ACTION:

- 7.4 **SUBJECT:** Designation of a Voting Delegate and Alternate for the League of California Cities General Assembly Special Meeting [p. 1-2]

STAFF REPORT: Cody Tubbs,
Intergovernmental Relations Officer



PUBLIC COMMENT:

RECOMMENDATION: Appoint a voting delegate and alternate delegate to represent the City of Elk Grove at the League of California Cities General Assembly Special Meeting on May 13, 2004.

COUNCIL ACTION:

7.5 **SUBJECT:** Staff informational report on service organization signage in Elk Grove [p. 1-8]

STAFF REPORT: David Storer, Development Services



PUBLIC COMMENT:

RECOMMENDATION: Provide further direction to staff, as appropriate, after reviewing this staff report on providing signage for service organizations within Elk Grove

COUNCIL ACTION:

8. **GENERAL ADMINISTRATION INFORMATION**

- a) Pavement Management System
- b) Measure A Sales Tax extension

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

10. **OPEN SESSION – REAL PROPERTY NEGOTIATIONS**

A. **CONFERENCE WITH REAL PROPERTY NEGOTIATORS**
Pursuant to GC Sec. 54956.8

Property: 10250 Ironrock Way, Elk Grove, CA
and APN 134-0630-013

Agency Negotiators: John Danielson, Anthony Manzanetti,
Michael Kashiwagi, Bob Lee,
Julie Cline
Negotiating parties: Scott Cable
Under negotiation: Price and terms of payment for
purchase, sale, exchange, or lease

B. CONFERENCE WITH REAL PROPERTY NEGOTIATORS
Pursuant to GC Sec. 54956.8 and 54956.9

Property: APN 132-0030-045 owned by Dennis
H. Buscher
Agency Negotiators: John Danielson, Anthony Manzanetti,
Michael Kashiwagi, Bob Lee,
Julie Cline
Negotiating parties: Dennis H. Buscher
Under negotiation: Price and terms of payment for
purchase, sale, exchange, or lease

PUBLIC COMMENT:

RECOMMENDATION: It is recommended that the City Council identify its negotiators, the real property or real properties which the negotiations may concern, and the person or persons with whom its negotiators may negotiate and then hold a closed session with its negotiators.

11. CLOSED SESSION

PUBLIC COMMENT:

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
(3 Cases)
Pursuant to Government Code 54956.9(a)**

1. Statewide Storage Partners v. City of Elk Grove, et al., Superior Court of California Sacramento County, Case No. 04CS00409
2. State of California and South County Citizens for Responsible Growth v. M&H Development, City of Elk Grove. California District Appellate Report (3rd) Case No. C 042302 (Appeal from Sacramento Superior Court, J. Connelly)
3. Eminent Domain proceedings to secure real property interests from Dennis H. Buscher, APN 132-0030-045, for the construction and maintenance of Franklin Boulevard

B. CONFERENCE WITH LEGAL COUNSEL – Anticipated Litigation
(2 Cases)
Pursuant to Government Code §54956.9(b)

C. CONFERENCE WITH REAL PROPERTY NEGOTIATORS
Pursuant to GC Sec. 54956.8

1. Property: 10250 Ironrock Way, Elk Grove, CA and APN 134-0630-013
Agency Negotiators: John Danielson, Anthony Manzanetti, Michael Kashiwagi, Bob Lee, Julie Cline
Negotiating parties: Scott Cable
Under negotiation: Price and terms of payment for purchase, sale, exchange, or lease
2. Property: APN 132-0030-045 owned by Dennis H. Buscher
Agency Negotiators: John Danielson, Anthony Manzanetti, Michael Kashiwagi, Bob Lee, Julie Cline
Negotiating parties: Dennis H. Buscher

Under negotiation: Price and terms of payment for purchase, sale, exchange, or lease

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, 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 May 5, 2004 Regular meeting of the Elk Grove City Council was posted on _____, 2004, 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 _____ 2004 at Elk Grove, California

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