



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, July 21, 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

4.1 Bicycle and Pedestrian Master Plan Review

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 the Warrants Listing through June 22, 2004 (Warrants 009251 through 009389) [p. 1-16]

5.2 Approve the Warrants Listing through June 30, 2004 (Warrants 009390 through 009515) [p. 1-14]

5.3 Approve the Monthly Treasurer's Report for May 2004 [p. 1-4]

5.4 Approve the Monthly Treasurer's Report for June 2004 [p. 1-4]

5.5 Approve the amended Minutes of the June 19, 2002 regular City Council meeting and approve the Minutes of the June 2, 2004 Regular City Council Meeting and the June 16, 2004 Special and Regular City Council Meetings [p. 1-46]

5.6 Adopt [Ordinance No. 15-2004](#), an ordinance of the City Council of the City of Elk Grove amending the Elk Grove Zoning Map for the Laguna Ridge Specific Plan, Project No. EG-00-062 (**Second Reading**) [p. 1-4]

- 5.7 Adopt [Ordinance No. 16-2004](#), an ordinance of the City Council of the City of Elk Grove amending the Elk Grove Zoning Map from AR-5 to RD-5 for Heritage Estates, Project No. EG-03-551 **(Second Reading)** [p. 1-4]
- 5.8 Adopt [Ordinance No. 17-2004](#), an ordinance of the City Council of the City of Elk Grove amending the Elk Grove Zoning Map from AG-20 to RD-5 for Hoffman Meadows, Project No. EG-03-526 **(Second Reading)** [p. 1-4]
- 5.9 Adopt [Ordinance No. 18-2004](#), an ordinance of the City Council of the City of Elk Grove amending the Elk Grove Land Use Zoning Map from AR-20 to RD-5 affecting a portion of the subject property for a project known as East Meadows Unit No. 3, Project No. EG-03-511 **(Second Reading)** [p. 1-4]
- 5.10 Approve an increase in the parking violation fines to reflect the increases recently approved by the County and City of Sacramento in compliance with California Vehicle Code section 40203.5 ([Resolution](#)) [p. 1-10]
- 5.11 Approve an amendment to the Police Services Contract for the addition of five sworn personnel, upgrade a non-sworn officer, purchase of related equipment, and authorize the purchase of additional law enforcement vehicles to the Police Department ([Resolution](#)) [p. 1-12]
- 5.12 Adopt the Mitigated Negative Declaration, adopt the Mitigation Monitoring and Reporting Program, and approve the Sheldon Road Widening Project ([Resolution](#)) [p. 1-262]
- 5.13 Authorize the Mayor to execute the Elk Grove Roadway Fee Program Reimbursement Agreement with Lennar Renaissance, Inc. for roadway improvements along Elk Grove Boulevard (Agreement No. RC2004-08) ([Resolution](#)) [p. 1-16]
- 5.14 Authorize the levying of a special tax in the East Franklin Community Facilities District (CFD) No. 2002-1 for Fiscal Year 2004-05 ([Resolution](#)) [p. 1-8]

- 5.15** Authorize the levying of a special tax in the Community Facilities District (CFD) No. 2003-1 (Poppy Ridge) for Fiscal Year 2004-05 ([Resolution](#)) [p. 1-8]
- 5.16** Authorize the levying of assessments for the Street Maintenance District No. 1 for Fiscal Year 2004-05 ([Resolution](#)) [p. 1-32]
- 5.17** Receive and ratify the July 6, 2004 election results as certified by the City Clerk and levy the storm drainage fees on the properties commonly referred to as Schuler Ranch Units 1 and 2 ([Resolution](#)) [p. 1-6]
- 5.18** Authorize the Affordable Housing Fee Waivers for William Lyon Homes for the CSAA Master Plan Project ([Resolution](#)) [p. 1-6]
- 5.19** Approve the final map for Elk Grove Commons in connection with Donahue Schriber Realty Group, LP., a Delaware Limited Partnership ([Resolution](#)) [p. 1-20]
- 5.20** Approve the final map for Elk Grove Meadows Unit 3B and authorize the Mayor to execute a subdivision improvement agreement with Reynen & Bardis (Buscher), LP., a California Limited Partnership and Reynen & Bardis (GSG Partners) LP., a California Limited Partnership ([Resolution](#)) [p. 1-40]
- 5.21** Approve the City of Elk Grove Bicycle and Pedestrian Master Plan and authorize the submittal of the Plan to the Sacramento Area Council of Governments (SACOG) and the California Department of Transportation (Caltrans) for review and approval ([Resolution](#)) [p. 1-50]
- 5.22** Authorize the City Manager or his designee to execute Real Estate related contracts and documents for the acquisition of right of way and relocation benefits associated with the Bond Road Widening Improvement Project ([Resolution](#)) [p. 1-16]
- 5.23** Authorize the City Manager to execute a contract with Watkin & Bortolussi, Inc. for the Laguna Gateway Landscape Project at

State Route 99 and the Laguna/Bond Road Interchange
([Resolution](#)) [p. 1-4]

- 5.24** Authorize the City Manager to execute a contract with Vanguard Construction for the 2004 Curb Ramp & Drainage Improvement Project ([Resolution](#)) [p. 1-4]
- 5.25** Authorize the City Manager to execute a contract with the Chrisp Company for the street name sign and stop sign replacement project ([Resolution](#)) [p. 1-4]
- 5.26** Authorize the City Engineer to call for bids for the Slurry Seal Project 2004 ([Resolution](#)) [p. 1-6]
(Bid Date August 12, 2004)
- 5.27** Authorize the City Engineer to call for bids for the Elk Grove Boulevard Rehabilitation Project ([Resolution](#)) [p. 1-4]
(Bid Date August 12, 2004)
- 5.28** Authorize the City Engineer to call for bids for the Big Horn Boulevard / New Country Drive Traffic Signal System Project ([Resolution](#)) [p. 1-4]
(Bid Date August 26, 2004)
- 5.29** Authorize the City Manager to execute an amended contract with McGuire Management Consultancy to continue to provide technical support and staff augmentation services related to the City's transit operations not to exceed \$80,000 ([Resolution](#)) [p. 1-26]
- 5.30** Authorize the City Manager to execute a contract with Quincy Engineering for professional services for the West Stockton Boulevard Bridge replacement over Laguna Creek ([Resolution](#)) [p. 1-36]
- 5.31** Authorize the City Manager to execute a contract with the HLA Group, Landscape Architects & Planners to perform a Recreation and Park Feasibility Study in an amount not to exceed \$55,000 [p. 1-28] ([Resolution](#))

5.32 Adopt a Resolution declaring the City Council's Intention to Levy Storm Drainage Fees by annexing all remaining properties within the City limits that are not subject to a Storm Drainage Levy ([Resolution](#)) [p. 1-28]

Schedules a Public Hearing for September 15, 2004

5.33 Authorize the Assistant City Manager to execute a work order with Psomas, Inc. for professional consultant services for the Lewis Stein road extension Project ([Resolution](#)) [p. 1-4]

6. PUBLIC HEARINGS

6.1 SUBJECT: Public Hearing: Call an election and declare the results of the special election for annexation to the Community Facilities District (CFD) No. 2003-1 (Poppy Ridge) Annexation No. 1 to levy a special tax to pay for infrastructure and police services [p. 1-36]

STAFF REPORT: Joe Chinn, Finance Administrator
Kate Rosenlieb, Finance Analyst



PUBLIC COMMENT:

RECOMMENDATION: After the close of the public hearing, City staff recommends the following:

1. Adopt a [resolution](#) calling an election to submit the question of levying a special tax within the area proposed to be annexed into the Community Facilities District (CFD) No. 2003-1 (Poppy Ridge) to the qualified electors
2. Direct the City Clerk to tabulate the votes cast and certify the election results to the City Council
3. Adopt a [resolution](#) declaring the results of the special election for the Community Facilities District 2003-1 (Poppy Ridge) Annexation No. 1
4. Introduce and waive the full reading, by substitution of title only, an ordinance of the City Council of the City of Elk Grove levying and apportioning the special tax in territory annexed into the Community Facilities District 2003-1 (Poppy Ridge) Annexation No. 1

COUNCIL ACTION:

- 6.2 **SUBJECT:** Public Hearing: Call an election and declare the results of the special election for annexation to the Community Facilities District (CFD) No. 2003-2 (Police Services) Annexation No. 2, and levy and apportion the special tax to pay for police services [p. 1-22]

STAFF REPORT: Joe Chinn, Finance Administrator
Kate Rosenlieb, Finance Analyst



PUBLIC COMMENT:

RECOMMENDATION: After the close of the public hearing, staff recommends the following:

1. Adopt a [resolution](#) calling an election to submit the question of levying a special tax within the area proposed to be annexed to Community Facilities District No. 2003-2 (Police Services), Annexation No. 2 to the qualified electors
2. Direct the City Clerk to tabulate the votes cast and certify the election results to the Council.
3. Adopt a [resolution](#) declaring the results of the special election for the Community Facilities District 2003-2 (Police Services) Annexation No. 2
4. Introduce and waive the full reading, by substitution of title only, an ordinance of the City Council of the City of Elk Grove levying and apportioning the special tax in territory annexed into the Community Facilities District (CFD) 2003-2 (Police Services) Annexation No. 2

- 6.3 **SUBJECT:** Public Hearing: Determining to levy assessments in the Street Maintenance District No. 1, Zone 1 Annexation No. 1 for certain properties in the East Franklin Area [p. 1-8] ([Resolution](#))

STAFF REPORT: Joe Chinn, Finance Administrator
Kate Rosenlieb, Finance Analyst



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 Supplement No. 1 to the Engineer's Report, and levy the assessments within Street Maintenance District No. 1, Zone 1 Annexation No. 1 for certain properties in the East Franklin Area

COUNCIL ACTION:

- 6.4 **SUBJECT:** Public Hearing: Determining to levy assessments in Street Maintenance District No. 1, Zone 2 Annexation No. 1 certain properties in the Laguna Area [p. 1-8] ([Resolution](#))

STAFF REPORT: Joe Chinn, Finance Administrator
Kate Rosenlieb, Finance Analyst



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 Supplement No. 1 to the Engineer's Report, and levy the assessments within Street Maintenance District No. 1, Zone 2 Annexation No. 1 for certain properties in the Laguna Area

COUNCIL ACTION:

- 6.5 **SUBJECT:** Public Hearing: Determining to levy assessments in Street Maintenance District No. 1, Zone 3 Annexation No. 1 in the Eastern Area [p. 1-8] ([Resolution](#))

STAFF REPORT: Joe Chinn, Finance Administrator
Kate Rosenlieb, Finance Analyst



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 Supplement No. 1 to the Engineer's Report, and levy the assessments within Street Maintenance District No. 1, Zone 3 Annexation No. 1 for certain properties in the Eastern Area

COUNCIL ACTION:

- 6.6 **SUBJECT:** Public Hearing: Newton Ranch Unit 3, Project No. EG-03-497: to consider a Rezone of an existing 1.95-acre (gross) parcel from AR-10 (Agricultural-Residential, 10-acre minimum) to RD-5 (Residential, 5 dwelling units per acre) and O (Open Space); Tentative Subdivision Map creating 6 residential (RD-5) parcels, a landscape parcel (Lot A), and an Open Space parcel (Lot B); exception to standards involving an off-set elbow, an off-set cul-de-sac bulb, and reduced lot depth on Lot 4; and Design Review for Residential Subdivision Map [p. 1-134] (Resolution)
Location: 9800 Waterman Road

STAFF REPORT: Christine Crawford, Development Services
Mel Pabalinas, Project Planner



PUBLIC COMMENT:

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

1. Adopt the Mitigated Negative Declaration prepared for Newton Ranch Unit 3, Project No. EG-03-497
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 Land Use Zoning Map from AR-10 to RD-5 and Open Space affecting a property for the project known as Newton Ranch Unit 3, Project No. EG-03-497

3. Adopt a [resolution](#) approving a Tentative Subdivision Map, Exception to Standards and Design Review for Newton Ranch Unit 3, Project No. EG-03-497, subject to the Findings and MMRP/Conditions of Approval

COUNCIL ACTION:

- 6.7 **SUBJECT:** Public Hearing: Bell South Tentative Subdivision Map Amendment, Project No. EG-04-660: to consider Morrison Homes' request for a reprieve from the timing of implementation of Condition of Approval #107, which requires installation of trail improvements within the Laguna Creek channel prior to occupancy of the residential portion of the an approval of Bell South Project [p. 1-88] (Resolution)

Location: *Southwestern corner of Bond Road and Elk Grove-Florin*

STAFF REPORT: Christine Crawford, Development Services
Jessica Shalamunec, Project Planner



PUBLIC COMMENT:

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

1. Adopt a [resolution](#) approving a Tentative Subdivision Map Amendment for Bell South, Project No. EG-04-660, as it relates to the timing of implementation of Condition of Approval Number 107 and subject to the findings as detailed
2. Initiate a project to review compliance with MMRP/Conditions of Approval for the commercial portion of the Bell South project

COUNCIL ACTION:

- 6.8 **SUBJECT:** Public Hearing to consider an amendment to Chapter 16.130 of the Elk Grove Municipal Code that relates to Swainson's Hawk Mitigation Fees [p. 1-16]

STAFF REPORT: Christine Crawford, Development Services
Taro Echiburu, Project Planner



PUBLIC COMMENT:

RECOMMENDATION: Adopt an urgency ordinance and introduce and waive the full reading, by substitution of title only, an ordinance of the City Council of the City of Elk Grove amending Chapter 16.130 of the Elk Grove Municipal Code relating to Swainson's Hawk Impact Mitigation

COUNCIL ACTION:

7. REGULAR AGENDA ACTION ITEMS/RECOMMENDATIONS

7.1 SUBJECT: Approve the 2009-2039 Sacramento County Transportation Sales Tax Expenditure Plan and Initial Study [p. 1-18] ([Resolution](#))

STAFF REPORT: Michael Kashiwagi, Public Works Director
Bob Lee, City Engineer



PUBLIC COMMENT:

RECOMMENDATION: Adopt a resolution approving the 2009-2039 Sacramento County Transportation Expenditure Plan and Initial Study

COUNCIL ACTION:

7.2 SUBJECT: Approve the final map and subdivision improvement agreement for Stoecker Ranch [p. 1-34] ([Resolution](#))

STAFF REPORT: Bob Lee, City Engineer



PUBLIC COMMENT:

RECOMMENDATION: Adopt a resolution approving the final map for Stoecker Ranch and authorize the Mayor to execute the subdivision improvement agreement with Pleasant Valley Investments, LC, a Nevada Limited Liability Company

COUNCIL ACTION:

- 7.3 **SUBJECT:** Reducing the speed limit on Grant Line Road between Sheldon Woods Way and Menlo Oaks Court from 45 MPH to 35 MPH [p. 1-6]

STAFF REPORT: Bob Lee, 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 establishing the speed limit on Grant Line Road between Sheldon Woods Way and Menlo Oaks Court to 35 MPH

COUNCIL ACTION:

- 7.4 **SUBJECT:** Reducing the speed limit on West Stockton Boulevard between Auto Center Drive and Poppy Ridge Road from 55 MPH to 35 MPH [p. 1-6]

STAFF REPORT: Bob Lee, 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 establishing the speed limit on West Stockton Boulevard between Auto Center Drive and Poppy Ridge Road to 35 MPH

COUNCIL ACTION:

7.5 SUBJECT: Approve the additional financial commitment to St. Anton Partners, LLC for the Geneva Pointe Apartments Supplemental Affordable Housing Fund Assistance [p. 1-6] ([Resolution](#))

STAFF REPORT: Christine Crawford, Development Services
Beth Thompson, Project Planner



PUBLIC COMMENT:

RECOMMENDATION: Adopt by resolution the additional financial commitment to St. Anton Partners, LLC for the Geneva Pointe Apartments Supplemental Affordable Housing Fund Assistance

COUNCIL ACTION:

8. GENERAL ADMINISTRATION INFORMATION

9. COUNCIL COMMENTS/FUTURE AGENDA ITEMS

10. 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**

(2 Cases)

Pursuant to Subdivision (a) of Section 54956.9

1. Gyan Kalwani, et al v. City of Elk Grove, et al., Superior Court of California Sacramento County, Case No. 04CS00177

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)

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 July 21, 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**