



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, October 20, 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 led by Cub Scout Troop 179

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

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 September 23, 2004 (Warrants 09969 through 10166) and a Approve Warrant Listing through October 5, 2004 (Warrants 10167 through 10276) [p. 1-38]

5.2 Approve Monthly Treasurer's Report for August 2004 [p. 1-6]

5.3 Accept subdivision improvements for Tributary Pointe Unit A Village 2B and Windsor Glen ([Resolution](#)) [p. 1-4]

5.4 Adopt [Ordinance](#) No. 27-2004, 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 Elk Meadows, Project No. EG-03-457 (**Second Reading**) [p. 1-4]

5.5 Adopt [Ordinance](#) No. 28-2004, an ordinance of the City Council of the City of Elk Grove adding Chapter 4.62 to Elk Grove Municipal Code requiring the Licensing of Tobacco Retailers and adding Chapter 1.11 to Elk Grove Municipal Code concerning Administrative Hearings (**Second Reading**) [p. 1-10]

- 5.6 Adopt [Ordinance](#) No. 29-2004, 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. 3 **(Second Reading)** [p. 1-2]
- 5.7 Adopt [Ordinance](#) No. 30-2004, an ordinance of the City Council of the City of Elk Grove amending Chapter 15.10 of Elk Grove Municipal Code relating to storm drainage service fees **(Second Reading)** [p. 1-2]
- 5.8 Approve the transfer of \$3,500,000 from the General Fund Reserve Account to the Internal Service-Facility Fund for future acquisition of capital facilities ([Resolution](#)) [p. 1-2]
- 5.9 Authorize the Mayor to execute Reimbursement Agreement No. RC2004-09 with Centex Homes for landscaping improvements along Drainage Shed B in the Laguna South Public Facilities Fee Program ([Resolution](#)) [p. 1-10]
- 5.10 Authorize the Mayor to execute three Joint Community Facilities District agreements with the County of Sacramento for the Laguna, the Laguna West and the Lakeside Community Facilities Districts ([Resolution](#)) [p. 1-32]
- 5.11 Approve the final map for Fife Ranch Estates, Subdivision No. 02-380.00 and authorize the Mayor to execute a subdivision improvement agreement with KB Home North Bay, Inc. ([Resolution](#)) [p. 1-30]
- 5.12 Approve the final map for Newton Ranch Unit 2, Subdivision No. 02-370.02 and authorize the Mayor to execute a subdivision improvement agreement with Elk Grove Water Works, LLC ([Resolution](#)) [p. 1-36]
- 5.13 Authorize the City Manager or his designee to execute an agreement with Wood Rodgers, Inc. for the Franklin Boulevard Widening Project ([Resolution](#)) [p. 1-46]

- 5.14** Authorize the City Manager or his designee to execute an agreement with Biondi Paving, Inc. for the Grant Line Road at Sheldon Road Intersection Improvement Project ([Resolution](#)) [p. 1-4]
- 5.15** Authorize the City Manager or his designee to execute an agreement with Pacific Excavation, Inc. for the Grant Line Road and East Stockton Boulevard Traffic Signal Project ([Resolution](#)) [p. 1-4]
- 5.16** Authorize the City Manager or his designee to execute an agreement with Martin General Engineering, Inc. for the East Stockton Boulevard and Sheldon Road Interim Improvement Project ([Resolution](#)) [p. 1-4]
- 5.17** Authorize the City Manager or his designee to cast the City's ballot in favor of levying a stormwater drainage fee on City-owned properties: Assessor Parcel Numbers 132-002-0151-0000, 132-003-0063-0000, 132-003-0062-0000, 132-003-0072-0000, and 132-150-0099-0000 ([Resolution](#)) [p. 1-4]
- 5.18** Approve traffic calming measures for the Camden /Eagle Point /Sheldon North Neighborhood Livability Pilot Program and construction of Phase A Traffic Calming Plan ([Resolution](#)) [p. 1-10]
- 5.19** Authorize the City Manager or his designee to execute an agreement with Elk Grove Unified School District for use of an Emergency Services Wireless Communications System and purchase equipment ([Resolution](#)) [p. 1-8]
- 5.20** Authorize the City Manager or his designee to execute an amended agreement with Network Design Associates (NDA) for information technology consulting services ([Resolution](#)) [p. 1-26]
- 5.21** Authorize the City Manager or his designee to execute an amended agreement with Transit Marketing, LLC for development of branding and identity of transit system and ridership promotion ([Resolution](#)) [p. 1-28]

- 5.22** Authorize the City Manager or his designee to execute an amended agreement with Ameritran Service Corporation for engineering support / bus remanufacturing inspection services ([Resolution](#)) [p. 1-28]
- 5.23** Authorize the City Manager or his designee to execute a Memorandum of Agreement with United States Army Corps of Engineers for the provision of dedicated Corps staff support for processing federal permits under Section 404 of the Federal Clean Water Act ([Resolution](#)) [p. 1-12]
- 5.24** Appoint Mayor Pro Tem Soares as the City's representative to the Sacramento Regional Transit District Board of Directors ([Resolution](#)) [p. 1-2]
- 5.25** Approve a Proclamation of Recognition honoring Stanley Carrothers as the Elk Grove 2004 Citizen of the Year [p. 1-2]

6. PUBLIC HEARINGS

- 6.1** **SUBJECT:** Public Hearing: Determining to levy assessments in Street Maintenance District No. 1, Zone 3 Annexation No. 2 for certain properties in the Eastern Area [p. 1-10]

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. 2 to the Engineer's Report, and levy the assessments within Street Maintenance District No. 1, Zone 3 Annexation No. 2 for certain properties in the Eastern Area

COUNCIL ACTION:

6.2 **SUBJECT:** Public Hearing: Tax Equity and Fiscal Responsibility Act (TEFRA): to consider the issuance of bonds by the California Statewide Communities Development Authority for the Crossings at Elk Grove on behalf of Urban Housing communities (UHC) Elk Grove, LP [p. 1-10]

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



PUBLIC COMMENT:

RECOMMENDATION: Adopt a [resolution](#) approving the issuance of multifamily revenue bonds by the California Statewide Communities Development Authority for the Crossings at Elk Grove on behalf of UHC Elk Grove LP

COUNCIL ACTION:

6.3 **SUBJECT:** Public Hearing: Amend Chapter 1.11 of Elk Grove Municipal Code relating to Appeal Procedures and adding Chapter 1.12 to Elk Grove Municipal Code relating to Administrative Citations; and adopt a resolution establishing procedures for, and a \$1,000 fee to recover the costs of, conducting administrative hearings, and repeal the resolution which created a \$1,000 hearing officer fee specifically for stormwater related appeals [p. 1-18]

STAFF REPORT: Anthony Manzanetti, City Attorney



PUBLIC COMMENT:

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

1. 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 1.11 of Elk Grove Municipal Code relating to appeal procedures and adding Chapter 1.12 to Elk Grove Municipal Code relating to administrative citations

2. Adopt a **resolution** establishing procedures for, and a \$1,000 fee to recover the cost of, conducting administrative hearings for all purposes
3. Repeal Resolution 2004-150 which created an administrative fee to pay for the cost of conducting administrative hearings related only to the enforcement of the City's stormwater ordinance.

COUNCIL ACTION:

7. REGULAR AGENDA ACTION ITEMS/RECOMMENDATIONS

- 7.1 **SUBJECT:** Approve an agreement with Elk Grove Community Garden for improvements to the City of Elk Grove's property in Hampton Village [p. 1-10]

STAFF REPORT: Anthony Manzanetti, City Attorney



PUBLIC COMMENT:

RECOMMENDATION: Authorize the Mayor to execute an agreement with Elk Grove Food Bank Service dba Elk Grove Community Garden for improvements to the City's property in Hampton Village

COUNCIL ACTION:

- 7.2 **SUBJECT:** Adopt an ordinance of the City Council of the City of Elk Grove amending the provisions for the appointment of Planning Commissioners [p. 1-4]

STAFF REPORT: Anthony Manzanetti, City Attorney



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 Ordinance No. 2000-2, Section 4

relating to the establishment of the City of Elk Grove Planning Commission as the Planning Agency of the City

COUNCIL ACTION:

8. GENERAL ADMINISTRATION INFORMATION

9. COUNCIL COMMENTS/FUTURE AGENDA ITEMS

10. CLOSED SESSION

None.

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.

Elk Grove City Council
Regular Meeting , WEDNESDAY, October 20, 2004

I, Micki De La Fuente, declare under the penalty of perjury that the foregoing agenda for the October 20, 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**