



*Incorporated July 1, 2000*  
*Website: [www.elkgrovecity.org](http://www.elkgrovecity.org)*

Daniel Briggs, Mayor

Jim Cooper, Mayor Pro Tem  
Sophia Scherman, Councilmember

Michael Leary, Councilmember  
Rick Soares, Councilmember

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**REGULAR MEETING OF THE CITY COUNCIL**  
**Wednesday, April 27, 2005**  
**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 by Girl Scout Troop 1583 (Michelle McDonald, Leader)

**2. APPROVAL OF AGENDA**

**3. PRESENTATIONS/ANNOUNCEMENTS**

- 3.1 Presentation of plaque to City of Elk Grove by SMUD Director Genevieve Shiroma in recognition of City's participation in Greenergy Program
- 3.2 Transit services update by Transit Manager Carlos Tobar
- 3.3 Trails Committee presentation by staff liaison to the committee, Eric Norris and Mark Mendenhall, Chair of the Trails Committee

4. **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.

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 General Warrant Nos. 012252 through 012378, dated March 8, 2005; and General Warrant Nos. 012379 through 012503 dated March 22, 2005. [p. 1-35 ]
- 5.2 Approve Monthly Treasurer's Report for February 2005 [p. 1-5 ]
- 5.3 Approve Minutes of the February 16, 2005 Regular and Special City Council Meetings and the Special City Council meetings of March 29, 2005 and April 5, 2005. [p. 1-24]
- 5.4 Adopt [Ordinance No. 11-2005](#), an ordinance of the City Council of the City of Elk Grove amending the City of Elk Grove Zoning

- Map from RD-5 to BP for Liberty Center II Project No. EG-04-666 **(Second Reading)** [p. 1-4]
- 5.5** Adopt [Ordinance No. 12-2005](#), an ordinance of the City Council of the City of Elk Grove amending the City of Elk Grove Zoning Map from AR-5 to AR-2 for Thompson Rezone, Project No. EG-04-711 **(Second Reading)** [p. 1-4]
- 5.6** Adopt [Ordinance No. 13-2005](#), an ordinance of the City Council of the City of Elk Grove establishing or revising the speed limit on various roadway segments: Bellaterra Drive-Poppy Ridge Rd to Poppy Ridge Rd, 35 mph; Bilby Road-UPRR/City limits to Willard Pkwy., 35 mph; Cresleigh Pkwy./Allesandria Dr.-Elk Grove Blvd. to Bellaterra Drive, 35 mph; Fire Poppy Drive-Elk Grove Blvd. to Bellaterra Drive, 35 mph; Pleasant Grove School Rd.-Bader Rd. to Grant Line Rd., 35 mph; Sheldon Road-Elk Grove-Florin Rd to Grant Line Rd., 45 mph **(Second Reading)** [p. 1-4]
- 5.7** Authorize issuance of a Request for Proposals (RFP) to solicit proposals to provide for technical and logistical improvements to the Council Chamber (Reconfiguration and Update of Audio Visual Equipment) and authorize an amendment to the 2004-05 FY budget (RFP 05-05) [p. 1-6] ([Resolution](#))
- 5.8** Approve the Comprehensive Annual Financial Report, (CAFR) for Fiscal Year Ended June 30, 2004 [p. SR-1 - 196] ([Resolution](#))
- 5.9** Approve a summary vacation of a portion of an easement for drainage purposes over Lot 35 of Kapalua Estates ([Resolution](#)) [p. 1-7]
- 5.10** Approve Parcel Map No. 04-650.00 Gerbitz Parcel Map ([Resolution](#)) [p. 1-6]
- 5.11** Authorize the Mayor to execute the subdivision improvement agreement with Elk Grove Waterworks, LLC, subdivider, and approve the final map for Subdivision No. 03-497.03, Newton Ranch Unit No. 3 ([Resolution](#)) [p. 1-23]

- 5.12** Approve a request to the Sacramento Regional Information System Cooperative to formally modify its membership agreement to allow for associate member to obtain equal voting status. ([Resolution](#)) [p. 1-9]
- 5.13** Accept subdivision improvements for Van Ruiten Ranch Unit No. 2, Vista Creek Unit Nos. 1 and 2 ([Resolution](#)) [p. 1-3]
- 5.14** Authorize the City Engineer to call for bids for the Asphalt Concrete Overlay and Curb Ramp Improvements Project 2005 (PRJ 05-07) ([Resolution](#)) [p. 1-7]
- 5.15** Approve the purchase of a modular building for the City's Corporation Yard Warehouse, funded by a change order to the MV Transportation contract No. C-04-142 ([resolution](#)) [p. 1-6]
- 5.16** Authorize the City Manager or his designee to execute a contract with Parsons, Brinkerhoff, Quade & Douglas to perform Railroad Crossing Safety and Train Whistle Study (C-05-115) ([Resolution](#)) [p. 1-32]
- 5.17** Authorize the City Manager or his designee to sign a contract with Townsend, Raimundo, Besler & Usher for a Street Lighting and Roadway Safety Lighting Public Education and Outreach Program (C-05-116) ([Resolution](#)) [p. 1-25 ] Tubbs
- 5.18** Authorize the City Manager or his designee to execute a contract with Gov Delivery for a citywide e-mail subscription service (C-05-121) [p. 1-25]
- 5.19** Initiate proceedings with the Sacramento Local Agency Formation Commission (LAFCO) to detach the City of Elk Grove from County Service Area 1; and direct staff to prepare all necessary application materials to achieve the detachment ([Resolution](#)) [p. 1-8]
- 5.20** Authorize the City Manager or his designee to enter into a Lease/Option to Purchase Agreement with Jackson II, LLC for the real property located at 8401 Laguna Palms Way, identified

as APN 116-0860-0048 for the expansion of City Hall (C-05-120) (Resolution) [p. 1-7]

- 5.21** Authorize the execution of a Memorandum of Understanding with Raymond and Gloria Melavic Family Trust related to a condition of approval for roadway maintenance and police services funding for the Crooked Creek Estates subdivision (C-05-119) (Resolution) [p. 1-9]
- 5.22** Authorize the City Manager or his designee to execute real estate related documents for the Bond Road and Grant Line Road Intersection Improvements project (Resolution) [p. 1-7]
- 5.23** Authorize the City Manager or his designee to execute a Memorandum of Understanding between the City of Elk Grove and the Old Town Merchants Association for Land Tenure Requirements and Operations and Maintenance of the Bike Path in Old Town Elk Grove (Resolution) (C-05-114) [p. 1-5]
- 5.24** Authorize the City Engineer to call for bids for the Grant Line Rd/Bond Rd Intersection Improvements Project (PRJ 05-06) (Resolution) [p. 1-3]
- 5.25** Adopt the City of Elk Grove Investment Policy and Internal Control Guidelines (Resolution) [p. 1-19]
- 5.26** Accept the Elk Grove Blvd. Rehabilitation Project as complete and authorize the City Engineer to send the "Notice of Completion" to the County Clerk Recorder; appropriate additional funding for the project (Resolution) [p. 1-5]
- 5.27** Authorize the City Manager or his designee to execute a contract with Lucy and Company for City-wide public involvement and community outreach. (C-05-117) [p. 1-25]
- 5.28** Approve communication to Sacramento County regarding to the Conditional Use Permit (CUP) for Sunset SkyRanch [p. 1-4]
- 5.29** Authorize the execution of a Memorandum of Understanding with Johan Otto and Cambridge Homes, LP for the Crooked

Creek Estates subdivision related to a condition of approval for roadway maintenance and police services funding (resolution) (C-05-118) (Resolution) [p. 1-9]

**5.30** Approve a proclamation recognizing the dedication of Jan Rau Park on May 7, 2005. [p. 1]

## **6. PUBLIC HEARINGS**

**6.1 SUBJECT:** Continued Public Hearing: Elk Grove Retail Center Project No. EG-04-824: to consider an appeal by Petrovich Development Company of the Planning Commission approval of EG-04-639; the project entails Design Review for the architectural treatment of the buildings' exteriors and project site layout; the project site is currently zoned Limited Commercial (LC) [p. 1-23]

*Location: West side of Elk Grove-Florin Road and south of Calvine Road*

**STAFF REPORT:** Christine Crawford, Development Services  
Steve Flint, Project Planner



### **PUBLIC COMMENT:**

**RECOMMENDATION:** Staff recommends the City Council uphold the decision of the Planning Commission and deny the appeal allowing the Elk Grove Florin Retail Center developer to construct the site plan as approved by the Planning Commission on February 24, 2005.

### **COUNCIL ACTION:**

**6.2 SUBJECT:** A Public Hearing to consider an application for the Bond 40 Project No. EG-04-597, to rezone approximately 39.9 acres from AR-5 to RD-5 and 'O' Open Space, and approve a Tentative Subdivision Map to create 172 single-family residential lots and 2.9 acres of park [p. 1-129]

*Location: 9000 block of Bond Road/south side of Bond Rd. and west of Whittemore Drive; APN 127-0160-050*

**STAFF REPORT:** Christine Crawford  
Steve Flint, Project Planner

**PUBLIC COMMENT:**

**RECOMMENDATION:** Consider the Planning Commission's recommendation to:

- 1) Adopt a Mitigated Negative Declaration for the Bond Road 40 Project No. EG-04-597;
- 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 AR-5 to RD-5 and O "Open Space" zones for a Tentative Subdivision known as Bond Road 40, Project No. EG-04-597; and
- 3) Adopt a [resolution](#) of the City Council of the City of Elk Grove approving a Tentative Subdivision Map and Design Review, for the Bond Road 40 Project EG-04-597, subject to the findings and MMRP/Conditions of Approval.

**COUNCIL ACTION:**

- 6.3 **SUBJECT:** Updated East Franklin Landscape Corridor and Supplemental Drainage Fee Program and renaming certain "Laguna South" fee components to "East Franklin" fee components [p. 1-62]

**STAFF REPORT:** Joe Chinn, Director of Finance  
Kate Rosenlieb, Finance Analyst

**PUBLIC COMMENT:**

**RECOMMENDATION:**

- 1) Adopt a [resolution](#) updating landscape corridor and supplemental drainage facilities development impact fee

- amounts for the East Franklin Specific Plan area to be effective in 60 days (Monday, June 27, 2005); and
- 2) Introduce and waive the full reading by substitution of title only, an ordinance of the City Council of the City of Elk Grove adding Chapter 16.81 to the Elk Grove Municipal Code relating to Development Impact Fees in the East Franklin Specific Plan Area; and
  - 3) 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 16.83 of the Elk Grove Municipal Code relating to a development impact fee for fire protection facilities in the Laguna South area.

**COUNCIL ACTION:**

- 6.4 **SUBJECT:** Laguna West TC Moratorium: This item is no longer recommended for City Council Action. [p. 1]

**STAFF REPORT:** Christine Crawford, Planning Manager  
Darcy Goulart, Project Planner



**PUBLIC COMMENT:**

**RECOMMENDATION:** No action.

**COUNCIL ACTION:**

- 6.5 **SUBJECT:** A Public Hearing to consider the levy of Street Maintenance Assessments for certain properties in the Eastern Area which represents Annexation No. 4 into Street Maintenance District No. 1 – Zone 3 [p. 1-5]

**STAFF REPORT:** Joe Chinn, Director of Finance  
Andrew Griffin, Finance Analyst



**PUBLIC COMMENT:**

**RECOMMENDATION:** After taking public comment and closing the public hearing:

- 1) Direct the City Clerk to tabulate the ballots; and if the ballots submitted in opposition to the proposed assessment do not exceed the ballots submitted in favor of the assessment:
- 2) Adopt a [resolution](#) determining to levy street maintenance Assessments in Street Maintenance District No. 1, Zone 3 (Eastern Area), Annexation No. 4.

**COUNCIL ACTION:**

- 6.6 **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. 2 to levy a special tax to pay for infrastructure and police services [p. 1-30]

**STAFF REPORT:** Joe Chinn, Director of Finance  
Andrew Griffin, Finance Analyst



**PUBLIC COMMENT:**

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

- 1) Adopt a [resolution](#) calling for an election to submit the question of levying a special tax within the area proposed to be annexed to Community Facilities District No. 2003-1 (Poppy Ridge) to the qualified electors;  
If the proposition receives approval of more than two-thirds of the votes cast, staff recommends the Council:
- 2) Adopt a [resolution](#) declaring the election results, ordering the annexation of territory to CFD No. 2003-1 (Poppy Ridge) Annexation No. 2; and
- 3) 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 to Community Facilities District No. 2003-1 (Poppy Ridge) Annexation No. 2

**COUNCIL ACTION:**

**6.7** **SUBJECT:** Public Hearing: Call an election and declare the results of the special election for Annexation No. 5 to the Community Facilities District (CFD) No. 2003-2 (Police Services); and to levy and apportion the special tax to pay for police services [p. 1-19]

**STAFF REPORT:** Joe Chinn, Finance Administrator  
Andrew Griffin, Finance Analyst



**PUBLIC COMMENT:**

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

1) Adopt a [resolution](#) calling for 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) to the qualified electors;

If the proposition receives approval of more than two-thirds of the votes cast, staff recommends the Council:

2) Adopt a [resolution](#) declaring the election results, ordering the annexation of territory to CFD No. 2003-2 (Police Services) Annexation No. 5.; and

3) 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 to Community Facilities District No. 2003-2 (Police Services) Annexation No. 5

**COUNCIL ACTION:**

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

**7.1** **SUBJECT:** Police Department Feasibility Study and Law Enforcement Services Agreement [p. 1-126]

**STAFF REPORT:** Terry L. Fitzwater, Assistant City Manager

**PUBLIC COMMENT:**

**RECOMMENDATION:** Receive the report on the Police Department Feasibility Study and provide direction with regards to information contained in the report and impact and consequences with regards to Law Enforcement Services Agreement.

**COUNCIL ACTION:**

**7.2** **SUBJECT:** Reconsider allocation of additional funding to Fiscal Year 2004-05 community grant recipients [p. 1-15]

**STAFF REPORT:** Les Tyler, Administrative Services Director

**PUBLIC COMMENT:**

**RECOMMENDATION:** Staff recommends that the City Council review Grantee letters and provide direction for additional grant funding to Fiscal Year 2004-05 grant recipients and adopt the action by [resolution](#)

**COUNCIL ACTION:**

**7.3** **SUBJECT:** Consider adopting an Administrative Citation Ordinance, amending Chapter 1.11 of the Elk Grove Municipal Code as it relate to the administrative appeal process and adopt a Resolution to Clarify and Revise the Procedures for Administrative Appeals (Resolution) [p. 1-19]

**STAFF REPORT:** Frank Oviedo, Deputy City Manager  
Candy Armstrong, Community Enhancement Officer

**PUBLIC COMMENT:**

**RECOMMENDATION:**

- 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 certain sections of Chapters 15.12 and 16.18 of the Elk Grove Municipal Code regarding civil penalties and adding Chapter 1.12 to the Elk Grove Municipal Code regarding the issuance of administrative citations
- 2) Adopt a [resolution](#) to repeal Resolution No. 2004-263 and replace procedures for conducting administrative appeal hearings, Chapter 1.11 of the Elk Grove Municipal Code

**COUNCIL ACTION:**

- 7.4 **SUBJECT:** Consider and provide direction on a City Code of Ethics [p. 1-4]

**STAFF REPORT:** Terry Fitzwater, Assistant City Manager



**PUBLIC COMMENT:**

**RECOMMENDATION:** Staff recommends that the City Council provide direction on a City Code of Ethics.

**COUNCIL ACTION:**

- 7.5 **SUBJECT:** Mayor's response to the Findings and Recommendations of the Grand Jury and City Council's response. [p. 1-2]

**STAFF REPORT:** Mayor Dan Briggs



**PUBLIC COMMENT:**

**RECOMMENDATION:** Receive the “Mayor’s Response to the Grand Jury Report” and provide direction regarding the City Council’s response to the Grand Jury Report.

**COUNCIL ACTION:**

7.6 **SUBJECT:** Appointment of Quality of Life Task Force Members [p. 1 -4]

**STAFF REPORT:** Peggy Jackson, City Clerk

**PUBLIC COMMENT:**

**RECOMMENDATION:** Staff recommends Council appoint members to the Quality of Life Task Force

**COUNCIL ACTION:**

7.7 **SUBJECT:** An ordinance of the City Council of the City of Elk Grove related to parks [p. 1-9]

**STAFF REPORT:** Tony 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 related to parks.

**COUNCIL ACTION:**

8. **GENERAL ADMINISTRATION INFORMATION**

- a) Police activities update, Chief Simmons
- b) Report on status of reconsideration of law enforcement services contract

**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.