



Incorporated July 1, 2000
Website: www.elkgrovecity.org

Rick Soares, Mayor

Sophia Scherman, Mayor Pro Tem
Daniel Briggs, Councilmember

Jim Cooper, Councilmember
Michael Leary, Councilmember

REGULAR MEETING OF THE CITY COUNCIL
Wednesday, February 22, 2006
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. APPROVAL OF AGENDA

3. PRESENTATIONS/ANNOUNCEMENTS

1. Pacific West Communities – Agave Apartment Homes presentation by Dane Hillyard, Principal; (Beth Thompson)

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. 018183 through 018930 dated January 19, 2006 through February 10, 2006 [p. 1- 60]
- 5.2 Approve Minutes of the January 25, 2006 Regular City Council Meeting [p. 1-15]
- 5.3 Adopt **Ordinance No. 4-2006**, 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-7 for Lakemont 25 Project No. EG-04-589 **Second Reading** [p. 1-3]
- 5.4 Accept subdivision improvements for Fife Ranch Estates and Sleepy Hollow II (**Resolution**) [p.1 -3]
- 5.5 Authorize City Manager, or his designee, to execute a construction contract with Vanguard Construction, Inc., for the Laguna Boulevard overcrossing of the Union Pacific Railroad

- (UPRR) sidewalk, curb and gutter improvements project
([Resolution](#)) [p. 1-3]
- 5.6** Approve Final Map for Subdivision No. 04-687.00 Somerfield at Lakeside for condominium purposes ([Resolution](#)) [p. 1-8]
- 5.7** Approve Final Map for Subdivision No. 04-789 Laguna Oaks Condominiums ([Resolution](#)) [p. 1-6]
- 5.8** Authorize the Mayor to sign and submit an application for the Preserve America Program ([Resolution](#)) [p. 1-6]
- 5.9** Resolution endorsing legislative proposal to alter the voting structure of the Sacramento Regional Transit District Board of Directors ([Resolution](#)) [p. 1-29]
- 5.10** Authorize the City Manager, or his designee, to execute real estate related contracts and documents for the Sheldon Road/State Route 99 Interchange Reconstruction Project ([Resolution](#)) [p. 1-8]
- 5.11** Authorize the City Manager, or his designee, to execute real estate agreements and related documents for the acquisition of right-of-way for the Grant Line Road Widening Project ([Resolution](#)) [p. 1-19]
- 5.12** Authorize the City Engineer to execute all applications, agreements, amendments and payment requests needed to apply for and secure funding through the SB 1346 Rubberized Asphalt Concrete Grant Program ([Resolution](#)) [p. 1-6]
- 5.13** Authorize the City Engineer, or his designee, to execute Utility Relocation Agreements with utility companies impacted by the construction of the Grant Line Road/State Route 99 Interchange Reconstruction Project ([Resolution](#)) [p. 1-3]
- 5.14** Authorize the City Manager, or his designee to purchase a Nicelog audio recording unit, not to exceed \$53,144.49, from Capture Technology, and to amend the police department 2005-06 budget (Police Services) ([Resolution](#)) [p. 1-5]

- 5.15** Authorize the City Manager or his designee to negotiate and execute a contract with Motorola for voice radio consoles in the dispatch center (Police Services) ([Resolution](#)) [p. 1-4]
- 5.16** Authorize the City Manager or his designee to execute a contract with Verizon for 9-1-1 Customer premise equipment for the Police Department Communication Center and amend the Police Department Fiscal Year 2005-06 budget ([Resolution](#)) [p.1-8]

6. PUBLIC HEARINGS

- 6.1 SUBJECT:** A public hearing to consider Conway Rezone, Project No. EG-05-895, an application to rezone from AR-5 to AR-2, a tentative parcel map and exceptions from the public water requirement and public street frontage requirement.
Location: east side of Excelsior Road between Sheldon Road and Calvin Road [p. 1-151]

STAFF REPORT: Christine Crawford, Development Serv.
Sarah Kirchgessner, Project Planner

PUBLIC COMMENT:

PLANNING COMMISSION RECOMMENDATION:

1. Adopt a Mitigated Negative Declaration and MMRP for Conway Rezone, Parcel Map, and Exception Project No. EG-05-895
2. Introduce and waive the full reading, by substitution of title only, an Ordinance amending the City of Elk Grove Zoning Map from AR-5 to AR-2 for Conway Rezone, Parcel Map, and Exception Project No. EG-05-895
3. Adopt a [resolution](#) approving a Tentative Parcel Map and Exceptions for Conway Rezone, Parcel Map, and Exception Project No. EG-05-895, subject to the Findings and Conditions of Approval/MMRP

COUNCIL ACTION:

- 6.2** **SUBJECT:** A public hearing to consider McCown Rezone, Project No. EG-04-720, an application to rezone from AR-5 to AR-2, a tentative parcel map, an exception from the requirement for public water, and an exception from the public street frontage requirement. [p. 1-152]
Location: east side of Excelsior Road between Sheldon Road and Calvine Road

STAFF REPORT: Christine Crawford, Development Serv.
Sarah Kirchgessner, Project Planner

PUBLIC COMMENT:

PLANNING COMMISSION RECOMMENDATION:

1. Adopt a Mitigated Negative Declaration and MMRP for McCown Rezone Project No. EG-04-720
2. Introduce and waive the full reading, by substitution of title only, an Ordinance amending the City of Elk Grove Zoning Map from AR-5 to AR-2 for McCown Rezone Project No. EG-04-720
3. Adopt a [resolution](#) approving a Tentative Parcel Map and Exceptions for McCown Rezone Project No. EG-04-720, subject to the Findings and Conditions of Approval/MMRP

COUNCIL ACTION:

- 6.3** **SUBJECT:** A public hearing to consider JACC Investment, Project No. EG-05-826, an application to rezone from AR-5 to AR-2, a tentative parcel map, design review, and an exception from the requirement for public water [p. 1-84]
Location: west side of Bader Road, approximately 800 feet south of the intersection of Bader Road and Calvine Road, in the rural northeastern area of Elk Grove

STAFF REPORT: Christine Crawford, Development Svcs.
Eric Lee, Project Planner

PUBLIC COMMENT:

PLANNING COMMISSION RECOMMENDATION:

1. Adopt a Mitigated Negative Declaration and MMRP for JACC Investments Project No. EG-05-826
2. Introduce and waive the full reading, by substitution of title only, an Ordinance amending the City of Elk Grove Zoning Map from AR-5 to AR-2 for JACC Investments Project No. EG-05-826
3. Adopt a [resolution](#) approving a Tentative Parcel Map, Design Review and Exception for JACC Investments Project No. EG-05-826, subject to the Findings and Conditions of Approval/MMRP

COUNCIL ACTION:

- 6.4 **SUBJECT:** A public hearing to consider Vista Creek Village, Unit No. 3 – Project No. EG-05-840, an application to rezone from AR-5 to RD-4 and a tentative subdivision map [p. 1-189]

STAFF REPORT: Christine Crawford, Development Serv.
Steve Flint, Project Planner



PUBLIC COMMENT:

PLANNING COMMISSION RECOMMENDATION:

1. Adopt a Mitigated Negative Declaration and MMRP for Vista Creek Village, Unit 3 Project No. EG-05-840
2. Introduce and waive the full reading, by substitution of title only, an Ordinance amending the City of Elk Grove Zoning Map from AR-5 to RD-4 for a Tentative Subdivision Map known as Vista Creek Village, Unit 3 Project No. EG-05-840
3. Adopt a [resolution](#) approving Tentative Subdivision Map known as Vista Creek Village, Unit 3 Project No. EG-05-840, subject to the findings and Conditions of Approval

COUNCIL ACTION:

- 6.5** **SUBJECT:** A public hearing to consider Sheldon Farms Rezone Project No EG-05-963, an application to rezone from AR-2 to LC [p. 1-19]
Location: 10527 Sheldon Road

STAFF REPORT: Christine Crawford, Development Serv.
Jessica Shalamunec, Project Planner

PUBLIC COMMENT:

PLANNING COMMISSION RECOMMENDATION: Introduce and waive the full reading, by substitution of title only, an Ordinance amending the City of Elk Grove Zoning Map from AR-2 to LC for the Sheldon Farms Rezone Project No. EG-05-963

COUNCIL ACTION:

7. REGULAR AGENDA ACTION ITEMS/RECOMMENDATIONS

- 7.1** **SUBJECT:** Authorize the expenditure of \$66,816 from Swainson's Hawk Habitat Fund for a Swainson's Hawk survey and adjust the FY 2005/06 budget [p. 1-11] ([Resolution](#))

STAFF REPORT: Christine Crawford, Planning Director
Taro Echiburu, Environmental Plan Mgr.

PUBLIC COMMENT:

RECOMMENDATION: Authorize the expenditure of \$66,816 from the Swainson's Hawk Habitat Fund for the funding of a Swainson's Hawk survey in South Sacramento County and adjust the FY 2005-06 budget

COUNCIL ACTION:

- 7.2** **SUBJECT:** Discussion of Big Box regulations [p.1-101]

STAFF REPORT: Christine Crawford, Development Svcs.

PUBLIC COMMENT:

RECOMMENDATION: Consider information relative to Big Box development and provide direction as deemed appropriate

COUNCIL ACTION:

7.3 **SUBJECT:** Consider Community Service Grant Funding Guidelines [p. 1-4]

STAFF REPORT: Katy Baumbach, Management Analyst

PUBLIC COMMENT:

RECOMMENDATION: Staff recommends the City Council adopt guidelines to facilitate the annual award of community service grants

COUNCIL ACTION:

8. **GENERAL ADMINISTRATION INFORMATION**

(a) Police activities report – Chief Simmons

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

(b) Reports on Regional Boards, Commissions, Committees

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 – Anticipated
Litigation**

Pursuant to GC Section 54956.9 (b)
One (1) Case

B) EXISTING LITIGATION

Pursuant to GC 54596.9(a)
Four (4) cases

1. Elk Grove Community Services District v. City of Elk Grove, Sacramento Superior Court Case No. 05AS00612
2. Kalwani and Sheldon Business Park LTD v. City of Elk Grove, et. al., Sacramento County Court of Appeal No. C051246
3. Super Pallet Recycling Corporation, Gyan Kalwani v. City of Elk Grove City Council, City of Elk Grove
Sacramento County Superior Court Case No. 06CS00044
4. Ahmad and Banzon v. City of Elk Grove, et. al.
Sacramento Superior Court Case No. 05CS01760

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.