

This meeting of the Elk Grove City Council was not video taped in its entirety due to technical difficulties. The portion of the tape recorded is available. The audio tape of the City Council meeting may be attained by contacting the City Clerk's Office at 478-2286



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, June 28, 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. Presentation by the Elk Grove Cal Ripkin Baseball League thanking the City Council for their support

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 No. 20877 through 21530 dated May 15, 2006 through June 16, 2006 [p. 1-67]
- 5.2 Adopt [Ordinance No. 25-2006](#), an Ordinance making the City eligible for Commission on Police Officer Standards and Training (POST) aid and authorizing the Chief of Police to deputize qualified persons [p.1-3] **Second Reading**
- 5.3 Adopt [Ordinance No. 27-2006](#), an Ordinance levying and apportioning the special tax in Community Facilities District No. 2006-1 (Maintenance Services) [p. 1-2] **Second Reading**

- 5.4 Approve the Transportation Development Act (TDA) claim and authorize submission to SACOG for local transportation funds and State transit assistance for fiscal year 2006-07 [p. 1-3] [Resolution](#)
- 5.5 Adopt [Ordinance No. 28-2006](#), an Ordinance amending the City of Elk Grove Zoning Map for the City Initiated Commercial Rezone Project [p. 1-4] **Second Reading**
- 5.6 Adopt a [resolution](#) authorizing the City Manager, or his designee, to execute a contract amendment with Madeira Group International for pre-employment background investigation services (Police Services) [p. 1-24]
- 5.7 Adopt a [resolution](#) approving the California Disaster and Civil Defense Master Mutual Aid Agreement (Police Services) [p. 1-9]
- 5.8 Adopt a [resolution](#) providing for the levy of a special tax in Community Facilities District No. 2003-1 (Poppy Ridge) for fiscal year 2006-2007 [p. 1-8]
- 5.9 Adopt a [resolution](#) providing for the levy of the special tax in Community Facilities District No. 2003-2 (Police Services) for fiscal year 2006-2007 [p.1-7]
- 5.10 Proclamation to recognize the Red, White and Blue celebration for July 4, 2006 [p.1] Resolution
- 5.11 Approve Final Map and Subdivision Improvement Agreement for Subdivision No. 04-617.00 The Excelsior Group [p.1-32][Resolution](#)
- 5.12 Reject the bid received for construction of the Harbour Point Drive Improvements Project and authorize the City Engineer to re-advertise for bids for the installation of signals at Renwick Avenue and Galen Drive [p.1-3] [Resolution](#)
- 5.13 Acceptance of subdivision improvements for South Meadows Unit 2, Gilliam Meadows 2A, Gilliam Meadows 2D, Gilliam Meadows 2E, and Gilliam Meadows 2F [p.1-3] [Resolution](#)

- 5.14 Accept the Various Bicycle and Pedestrian Improvements Project as complete and authorize the City Engineer to file a Notice of Completion with the Sacramento County Recorder [p.1-4] [Resolution](#)
- 5.15 Authorize the City Manager to purchase up to fifty-five camera systems from A4S security through exercising options from the San Joaquin Regional Rail Commission and to amend the 2006-2007 transit budget by \$271,635 [p.1-2] [Resolution](#)
- 5.16 Adopt a [resolution](#) of the City Council of the City of Elk Grove amending options for calculating commercial hauler refuse fees [p.1-4]
- 5.17 Authorize the City Manager to execute a contract with Transit Marketing, LLC for promotion of public transit services and amend the fiscal year 2006-07 transit budget [p.1-25] [Resolution](#)
- 5.18 Adopt a [resolution](#) authorizing the City Manager to execute an agreement with Paratransit Inc. for the provision of demand responsive transit services [p.1-13]
- 5.19 Approve budget adjustments for fiscal year 2005-2006 [p. 1-5] [Resolution](#)
- 5.20 Authorize the City Manager, or his designee to execute a contract with SW Allen Construction, Inc. for construction of the Elk Grove Police Fleet Facility at the corporation yard (Police Services) [p.1-9] [Resolution](#)

6. PUBLIC HEARINGS

- 6.1 **SUBJECT:** A public hearing to consider adoption of resolutions calling an election and declaring results of the special election for annexation (Annexation No. 2) to Community Facilities District No. 2006-1 (Maintenance Services) and the first reading of an ordinance levying and apportioning of the special levy [p. 1-25]

STAFF REPORT: Joe Chinn, Finance Director



PUBLIC COMMENT:

RECOMMENDATION:

- 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. 2006-1 (Maintenance Services) to the qualified electors

After the City Clerk has tabulated the votes cast in the election called by the first resolution, City staff recommends that City Council adopt the resolution:

- Adopt a **resolution** declaring the results of the special election held on June 28, 2006 for the second annexation to Community Facilities District 2006-1 (Maintenance Services)

If the two preceding resolutions are approved by City Council, staff recommends that City Council conduct the first reading of the ordinance:

- Introduction 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. 2006-1 (Maintenance Services) (Annexation No. 2)

COUNCIL ACTION:

- 6.2 **SUBJECT:** A public hearing to consider adoption of resolutions calling an election and declaring results of the special election for annexation (Annexation No. 11) to Community Facilities District No. 2003-2 (Police Services) and the first reading of an ordinance levying and apportioning of the special levy [p.1-18]

STAFF REPORT: Joe Chinn, Finance Director



PUBLIC COMMENT:

RECOMMENDATION:

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

- 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) to the Qualified Electors

After the City Clerk has tabulated the votes cast in the election called by the first resolution, City staff recommends that City Council adopt the resolution:

- Adopt a **resolution** declaring the results of the special election held on June 28, 2006 for the eleventh annexation to Community Facilities District 2003-2 (Police Services)

If the two preceding resolutions are approved by City Council, staff recommends that City Council conduct the first reading of the ordinance:

- Introduction 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. 11)

COUNCIL ACTION:

- 6.3** **SUBJECT:** Public hearing and resolution of the City Council determining to levy Street Maintenance Assessments for certain properties in the eastern area which represents Annexation No. 9 into Street Maintenance District No. 1 - Zone 3 [p. 1 - 5]

STAFF REPORT: Joe Chinn, Finance Director

PUBLIC COMMENT:

RECOMMENDATION:

Staff recommends that the City Council conduct a public hearing on Supplement No. 9 to the Engineer's Report and the question of levying assessments within Street Maintenance District No. 1 – Zone 3 for certain properties in the Eastern Area pursuant to the Benefit Assessment Act of 1982.

Following the close of the public hearing and tabulation of ballot results, staff recommends:

Adopt a [resolution](#) determining to levy assessments in Street Maintenance District No. 1 – Zone 3 (Annexation 9)

COUNCIL ACTION:

- 6.4 **SUBJECT:** Jennings Wine Cellar - A public hearing to consider a Public Convenience and Necessity Letter (PCN) to allow a Type 20 and Type 42 alcohol license [p.1-15]
Location: 8351 Elk Grove Boulevard

STAFF REPORT: Christine Crawford, Dev. Services
Mikel Dreling, Project Planner

PUBLIC COMMENT:

RECOMMENDATION:

Adopt a [resolution](#) approving the request for a Public Convenience and Necessity Letter to obtain a Type 20 and Type 42 alcohol license for Jennings Wine Cellar at 8351 Elk Grove Boulevard

COUNCIL ACTION:

7. REGULAR AGENDA ACTION ITEMS/RECOMMENDATIONS

- 7.1 SUBJECT:** Consider funding request from the Northern California World Trade Center and consider appointing a council member and alternate to the Board of Directors [p.1-8]

STAFF REPORT: Cody Tubbs, Director of Communications

PUBLIC COMMENT:

RECOMMENDATION: Staff recommends that the City Council consider whether to make a \$5000 annual contribution to the Northern California World Trade Center and, if it's the desire of the council to make the annual contributions, appoint a council member and alternate to serve on the board of directors.

COUNCIL ACTION:

- 7.2 SUBJECT:** Consider the Teen Center USA Elk Grove request for City representation on its board and appoint a representative and an alternative representative [p.1-10]

STAFF REPORT: Kara Myers, Management Analyst

PUBLIC COMMENT:

RECOMMENDATION:

Staff recommends that the City Council of the City of Elk Grove consider the Teen Center USA Elk Grove request for City representation on its Board and appoint a representative and an alternate representative to serve on the Board.

COUNCIL ACTION:

- 7.3 **SUBJECT:** Ordinance repealing certain specified chapters of the Elk Grove Municipal Code and amending chapter 2.09 providing the City Manager the authority to adopt revised personnel rules and regulations [p.1-4]

STAFF REPORT: Frank Oviedo, Deputy City Manager
Doug Furman, Human Resources Manager



PUBLIC COMMENT:

RECOMMENDATION:

Introduction and waive the full reading, by substitution of title only, an ordinance of the City Council of the City of Elk Grove repealing certain chapters of the Elk Grove Municipal Code relating to personnel and modifying Elk Grove Municipal Code section 2.09

COUNCIL ACTION:

- 7.4 **SUBJECT:** Urgency ordinance of the City Council of the City of Elk Grove, prohibiting spectators at illegal speed contests and illegal exhibitions of speed

Urgency ordinance of the City Council of the City of Elk Grove, allowing for the impoundment of vehicles used in illegal speed contests and illegal exhibitions of speed [p.1-17]

STAFF REPORT: Anthony Manzanetti, City Attorney
Robert Simmons, Chief of Police



PUBLIC COMMENT:

RECOMMENDATION:

Adopt and waive the full reading, by substitution of title only, an urgency ordinance of the City Council of the City of Elk Grove, California prohibiting spectators at illegal speed contests and illegal exhibitions of speed

Adopt and waive the full reading, by substitution of title only, an urgency ordinance of the City Council of the City of Elk Grove, California, allowing for the impoundment of vehicles used in illegal speed contests and illegal exhibitions of speed

COUNCIL ACTION:

8. GENERAL ADMINISTRATION INFORMATION

9. COUNCIL COMMENTS/FUTURE AGENDA ITEMS

10. CLOSED SESSION

EXISTING LITIGATION

Pursuant to GC 54596.9(a)

One (1) case

1. City of Elk Grove v. Martin L. Feletto, et al., Sacramento County Superior Case No. 05AS04339

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.

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.