



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

James Cooper, Mayor

Michael P. Leary, Mayor Pro Tem  
Patrick Hume, Council Member

Gary Davis, Council Member  
Sophia Scherman, Council Member

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**REGULAR MEETING OF THE CITY COUNCIL**  
**Wednesday, January 24, 2007**  
**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**

3.1 Presentation by Police Officer Dan Schneppe regarding the Police Explorer Program

**4. PUBLIC COMMENT**

Members of the audience may comment on matters that are or 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.

5.1 Approve minutes of the December 13, 2006 Regular City Council meeting

5.2 Adopt [Ordinance 1-2007](#) amending the City of Elk Grove Zoning Map from BP and AR-10 to SC for Laguna Creek Shopping Center Project No. EG-04-653 [p. 1-4]  
**Second Reading**

5.3 Adopt [Ordinance 2-2007](#) amending the City of Elk Grove Zoning Map from AR-10 to RD-3, RD-4, and RD-5 for Diamante Subdivision Project No. EG-05-977 [p. 1-4]  
**Second Reading**

5.4 Adopt [Ordinance No. 3-2007](#) adding Chapter 7 to the Elk Grove Municipal Code establishing the Historic Preservation Ordinance [p. 1-28]  
**Second Reading**

5.5 Adopt [Ordinance 4-2007](#) amending subsections 2.a. and 9 of Section 5.50.112 of the Elk Grove Municipal Code, the Agreement of Formation – Sacramento Metropolitan Cable Television Commission, to provide for one annual meeting per year and to extend the term of the Commission to December 31, 2024 [p. 1-2]  
**Second Reading**

- 5.6 Adopt [Ordinance 5-2007](#) repealing and reenacting Chapter 2.64 of the Elk Grove Municipal Code relating to unclaimed property [p. 1-5]  
**Second Reading**
- 5.7 Authorize the City Manager, or his designee, to execute a contract with W. Solutions, Inc. (dba Wellness Solutions) for a term not to exceed three years with compensation not to exceed \$267,000 for the total contract period, to continue the implementation of the City's Comprehensive Health and Fitness Program [p. 1-30]
- 5.8 Adopt [resolution](#) authorizing the City Engineer to call for bids for the installation of traffic signal systems at the intersections of Whitelock Parkway / Atkins Drive and Whitelock Parkway / Bellaterra Drive [p. 1-3]
- 5.9 Adopt [resolution](#) approving the form of Indemnity Agreement between the Cosumnes Community Services District and the City of Elk Grove [p. 1-6]
- 5.10 Adopt resolution authorizing the City Manager, or his designee, to execute a contract with either Keenan and Associates or ABD Insurance Services for brokerage and consulting services in an amount not to exceed \$25,000 [p. 1-6]
- 5.11 Adopt [resolution](#) approving Waterman Square Parcel Map No. 05-861.00 [p. 1-7]
- 5.12 Adopt [resolution](#) authorizing the City Manager, or his designee, to execute a Memorandum of Agreement between the City and the U.S. Army Corps of Engineers for the provision of dedicated Corps staff support for the processing of Federal permits under Section 404 of the Federal Clean Water Act [p. 1-13]
- 5.13 Adopt [resolution](#) authorizing the City Manager, or his designee, to execute Change Order #3 to Contract No. C-06-208 in an amount not to exceed \$207,121 between the City of Elk Grove and SW Allen Construction, Inc. for construction of the police fleet facility at the corporation yard [p. 1-6]

- 5.14 Adopt [resolution](#) authorizing the City Manager, or his designee, to negotiate and execute a contract with Bob Murray & Associates in the amount of \$25,000 for professional services related to recruitment of Finance Director [p. 1-3]
- 5.15 Adopt [resolution](#) ratifying the appointment of Florin Resources Conservation District (FRCD) Board Associate Director Barrie Lightfoot as the FRCD alternate representative to the Sacramento Central Groundwater Authority [p. 1-3]
- 5.16 Receive report on City Manager approved purchases and contracts between \$20,000 and \$100,000 [p. 1-2]

## 6. **PUBLIC HEARINGS**

- 6.1 **SUBJECT: Appeal of Pasture Rose Fence (EG-06-1154:**  
Appeal of Planning Commission decision on November 16, 2006 to deny request for design review approval for a five-foot eleven-inch tall clear view (wrought iron) fence within the front yard setback of the single-family home located at 9609 Pasture Rose Way (APN: 127-0680-076) within the East Elk Grove Specific Plan [p. 1-54]

### **STAFF REPORT:**

Christopher Jordan, Planner



### **PUBLIC COMMENT:**

### **RECOMMENDATION:**

Deny appeal and sustain Planning Commission decision on Design Review for the fence as designed.

- 6.2 SUBJECT:** A public hearing to consider High Density Residential General Plan Amendment and Rezone Project, which includes text revisions to the Land Use Element, amendments to land use designations of 12 sites to High Density Residential and associated rezones of the 12 sites to RD-20 or RD-30 [p. 1-268]

**STAFF REPORT:**

Jessica Shalamunec, Planner



**PUBLIC COMMENT:**

**PLANNING COMMISSION RECOMMENDATION:**

1. Adopt a Resolution making Findings, Adopting a Statement of Overriding Considerations, and Adopting a Mitigation Monitoring and Reporting Program and approving an Amendment to the Elk Grove General Plan amending General Plan Land Use Element Policy LU-33 and adding Land Use Element Policy LU-40, as follows:

- a. LU-33 – The following general criteria shall apply to the South Pointe Policy Area as shown in Figures LU-1 and LU-6:

At least 5.5 percent of the total land area shall be designated high density residential development. (3-1)

- b. LU-40 - Between 10 and 15 acres (net) within APN 116-0012-051 shall be designated high density residential development. (3-0; 1 abstention)

And amending the General Plan Land Use Map as follows:

- c. From Office to High Density Residential for APNs 116-0012-055, -057 (Site H); located at the northeast and southeast corners of Big Horn Boulevard and Lewis Stein Road. (4-0)
- d. From Commercial to High Density Residential for APN 125-0010-003 (Site J); located at the northeast corner of East Stockton Boulevard and State Route 99. (3-1)

2. Introduce and waive the full reading, by substitution of title only, an Ordinance amending the City of Elk Grove Zoning Map as follows:
  - a. From SPA (MP) to RD-20 for APNs 116-0012-055, -057 (Site H); located at the northeast and southeast corner of Big Horn Boulevard and Lewis Stein Road. (4-0)
  - b. From LC to RD-30 for APN 125-0010-003 (Site J); located at the northeast corner of East Stockton Boulevard and State Route 99. (3-1)
  
3. Consider the proposed land use change and rezone of Site A (APNs 115-0180-002, -020; 8770 and 8786 Calvine Road) and Site K (APN 125-0050-010; located on East Stockton Boulevard, approximately one-quarter mile south of Elk Grove Boulevard) and direct staff to prepare a resolution and ordinance as appropriate. (2-2)
  
4. Deny the land use change and rezone for:
  - a. Site B (APNs 115-0180-012, -013; 8480 and 8484 Elk Grove Florin Road) (3-1)
  - b. Site C (APNs 121-0180-003, -004, -015, and -059; 9300 and 9350 Calvine Road, 8425 Waterman Road, and 8.81 acres east of Waterman Road and south of Calvine Road) (4-0)
  - c. Site D (APN 121-0180-007; 9450 Calvine Road) (4-0)
  - d. Site E (APNs 115-0170-031, -021, -022, -032, and -033; 8645, 8651, 8665, 8679, and 8693 Sheldon Road) (3-1)
  - e. Site G (APN 116-0030-053; Southeast corner of East Stockton Boulevard and Cantwell Drive) (4-0)
  - f. Site L (APNs 134-0640-022 and 134-0670-013; East side of Iron Rock Way, south of Hampton Oak Drive) (4-0)
  - g. Site M (APN 134-0182-001; 10240 Grant Line Road) (3-1)

**6.3** **SUBJECT:** A continued public hearing (*from 01/10/07*) to consider adoption of a resolution establishing Historic Preservation Fees [p. 1-12]

**STAFF REPORT:**  
John Smoley, Planner

**PUBLIC COMMENT:**

**RECOMMENDATION:**  
Adopt [resolution](#) establishing Historic Preservation fees.

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

**7.1** **SUBJECT:** Consider the appointing authority over the Office of the City Clerk [p. 1-8]

**STAFF REPORT:**  
Frank Oviedo, Deputy City Manager

**PUBLIC COMMENT:**

**RECOMMENDATION:**

1. Staff recommends the City Council affirm their decision to move the City Clerk position under the purview of the City Council and review each item listed below to clarify the relationship between the City Clerk and the City Council then direct staff to return on February 14, 2007 Council meeting with an ordinance consistent with Council's direction on each of the items listed in the staff report. Further, City Council should direct staff to prepare a resolution appointing Peggy Jackson as the City Clerk.
2. Take no action at this time

- 7.2 **SUBJECT:** Review Council appointments to regional boards, commissions, and committees [p. 1-31]

**STAFF REPORT:**

Peggy Jackson, City Clerk



**PUBLIC COMMENT:**

**RECOMMENDATION:**

Review Council appointments to regional boards, commissions, and committees, and other vacancies and provide direction.

- 7.3 **SUBJECT:** Consider how the Mayor is selected and provide direction as necessary [p. 1-2]

**STAFF REPORT:**

Peggy Jackson, City Clerk



**PUBLIC COMMENT:**

**RECOMMENDATION:**

Consider how the Mayor is selected and provide further direction as necessary.

- 7.4 **SUBJECT:** Master planning for the area south of Elk Grove [p. 1-5]

**STAFF REPORT:**

Phil Carter, Development Services



**PUBLIC COMMENT:**

**RECOMMENDATION:**

Direct staff to begin the process to accomplish the comprehensive master planning for the two future study areas identified in the adopted General Plan, which would emphasize a public participation process, include open space and habitat preservation, environmental analysis, as well as potential urban uses and (if desired) annexation of lands south of the current city limits.

- 7.5 **SUBJECT:** Introduce ordinance repealing the provisions of purchasing ordinances 04-2001 and 24-2005 and adopt a new ordinance titled purchasing ordinance [p. 1-32]

**STAFF REPORT:**

Frank Oviedo, Deputy City Manager



**PUBLIC COMMENT:**

**RECOMMENDATION:**

Introduce and waive the full reading, by substitution of title only, an ordinance repealing the provisions of purchasing ordinances 04-2001 and 24-2005 and adopt a new ordinance titled purchasing ordinance.

8. **GENERAL ADMINISTRATION INFORMATION**

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

1. 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)  
Two (2) Cases

## **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.**