



*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, March 14, 2007**  
**6:00 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. Because there is a great deal of business to conduct, the City Council requests that you limit your presentation to three (3) minutes per person so that all present will have time to participate. 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 consideration of the agenda item.

**AGENDA**

**1. CALL TO ORDER/ROLL CALL**

1.1 Roll Call

1.2 Pledge of Allegiance

**2. APPROVAL OF AGENDA**

**3. CLOSED SESSION**

None.

#### **4. PRESENTATIONS/ANNOUNCEMENTS**

- 4.1 Present Certificate of Appreciation to Bill Durant and Linda Deavens representing ParaTransit, Inc.
- 4.2 Present Certificate of Recognition to Karen R. Johnson representing the Jon Johnson Assist One Foundation
- 4.3 Presentation by Robert Anderson, California Committee of Employer Support of the Guard and Reserve, in recognition of the Elk Grove Police Department being named a Patriotic Employer
- 4.4 Presentation by Robert Waste Ph.D. regarding “Elk Grove 20/20’ Citizen Outreach Project: A Roadmap for Community Visioning”

#### **5. 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.

#### **6. 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**

- 6.1 Adopt [Ordinance 14-2007](#) amending the Elk Grove Zoning Map from Light Industrial to General Commercial for the California Family Fitness General Plan Amendment and Rezone Project (EG-06-1014) APN 119-0120-075 [p. 1-5]  
**(Second Reading)**
- 6.2 Adopt [Ordinance 15-2007](#) amending the Elk Grove Zoning Map for the Laguna Ridge Specific Plan Auto Mall Lot 13 Amendment Project (EG-06-1135) APN 132-1100-040 [p. 1-3]  
**(Second Reading)**

- 6.3 Adopt **resolution** authorizing the City Manager, or his designee, to execute a professional services contract in an amount not to exceed \$46,000 with Blais & Associates for grant writing services and transferring \$18,000 from the General Fund contingency to the 2006-07 Police Department Budget [p. 1-29]
- 6.4 Adopt **resolution** approving Transit Services Policy and Procedures for placement of Public Service Announcements inside City Transit vehicles [p. 1-7]
- 6.5 Receive the January 2007 Treasurer's Report [p. 1-6]
- 6.6 Receive report on City Manager approved purchases and contracts authorized by City Purchasing Ordinance, filed through March 2, 2007 [p. 1-2]
- 6.7 Authorize City Clerk to solicit applications for recruitment of Historic Preservation Committee members [p. 1-29]
- 6.8 Approve minutes of the February 28, 2007 Regular City Council meeting [p. 1-20]

## 7. **PUBLIC HEARINGS**

- 7.1 **SUBJECT:** A *continued* public hearing to consider the Elk Grove Boulevard and Waterman Road Pharmacy application for a Design Review for two retail buildings and a Special Planning Area (SPA) amendment to amend the Old Town Elk Grove SPA to allow a drive-through on this site for Project No. EG-06-1022 located at the southwest corner of Elk Grove Boulevard and Waterman Road [p. 1-129]

### **STAFF REPORT:**

Nina Stevens, Planner



### **PUBLIC COMMENT:**

**RECOMMENDATION:**

The Planning Commission recommended denial of the project as presented to them. The project has been revised since the Planning Commission hearing. Staff recommends that the City Council deny the Design Review and Special Planning Area Amendment for the Elk Grove Boulevard and Waterman Road Pharmacy project (EG-06-1022), subject to the findings.

The City Council can take the following actions:

- Adopt resolution denying the project.
- Remand the revised project back to the Planning Commission for review and recommendation.
- Continue the item indefinitely and direct staff to complete CEQA review and bring back findings and conditions for approval.

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

- 8.1 SUBJECT:** Authorize City Manager to execute agreements with Frontier Communications of America, Inc. to deploy a wireless network in the City of Elk Grove [p. 1-56]

**STAFF REPORT:**

Frank Oviedo, Deputy City Manager



**PUBLIC COMMENT:**

**RECOMMENDATION:**

Adopt [resolution](#) authorizing the City Manager, or his designee, to execute the Wireless Network Deployment and Facilities Access Agreement and accompanying financial compensation agreement with Frontier Communications of America, Inc. to establish a wireless fidelity network within the City of Elk Grove.

- 8.2 SUBJECT:** Adoption of the City of Elk Grove's Americans with Disabilities Act, Title II, Self-Evaluation and Transition Plan [p. 1-4] [Resolution](#)

**STAFF REPORT:**

Kara Myers, Management Analyst



**PUBLIC COMMENT:**

**RECOMMENDATION:**

Adopt the Americans with Disabilities Act, Title II, Self-Evaluation and Transition Plan as recommended by a unanimous vote of the Elk Grove Disability Advisory Committee.

- 8.3 **SUBJECT:** Authorize the City Manager, or his designee, to negotiate a contract with Zaha Hadid Architects and subcontractors to undertake extensive public outreach and planning services for the Elk Grove Civic Center Master Plan [p. 1-35]

**STAFF REPORT:**

Christine Crawford, Planning Director



**PUBLIC COMMENT:**

**RECOMMENDATION:**

Authorize the City Manager, or his designee, to negotiate a contract with Zaha Hadid Architects and subcontractors to undertake extensive public outreach and master planning for the Elk Grove Civic Center site.

- 8.4 **SUBJECT:** City Entrance Signs [p. 1-58]

**STAFF REPORT:**

Christine Crawford, Planning Director



**PUBLIC COMMENT:**

**RECOMMENDATION:**

Should the Council wish to proceed with a City identification signage program, provide staff direction regarding:

1. Process for determining the design and text of City identification signage, and

2. The location of City identification signage.

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

**STAFF REPORT:**

Pam Johns, Development Services



**PUBLIC COMMENT:**

**RECOMMENDATION:**

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

**8.6** **SUBJECT:** Adopt [Resolution](#) authorizing the Mayor, or his designee, to execute a Joint Exercise of Powers Agreement for the Sacramento Public Library Authority and appoint a representative and alternate to serve on the governing board [p. 1-96]

**STAFF REPORT:**

Cody Tubbs, Director of Communications



**PUBLIC COMMENT:**

**RECOMMENDATION:**

Adopt resolution authorizing the Mayor, or his designee, to execute a Joint Exercise of Powers Agreement for the Sacramento Public Library Authority to take effect on July 1, 2007 and appoint a representative and alternate to serve on the governing board.

**8.7** **SUBJECT:** Appointment of a member to the Elk Grove Trails Committee [p. 1]

**STAFF REPORT:**

Peggy Jackson, City Clerk



**PUBLIC COMMENT:**

**RECOMMENDATION:**

Receive information from Council Member Davis on his appointment to the Elk Grove Trails Committee. Council confirmation of appointee is not required.

- 8.8 **SUBJECT:** Authorize the City Manager, or his designee, to execute a professional services contract with Group 4 Architecture Research and Planning, Inc. for the design of the Elk Grove Community Library Improvements (8900 Elk Grove Boulevard) for an amount not to exceed \$854,721 and amending the project budget by \$3,150,000 [p. 1-80]

**STAFF REPORT:**

Jon Crawford, Special Projects Manager



**PUBLIC COMMENT:**

**RECOMMENDATION:**

Adopt [resolution](#) authorizing the City Manager, or his designee, to execute a professional services contract with Group 4 Architecture Research and Planning, Inc. for the design of the Elk Grove Community Library improvements for an amount not to exceed \$854,721 and to amend the previous project budget of \$3.8 million for acquisition costs by an additional \$3.15 million for a total project budget of \$6.95 million.

- 8.9 **SUBJECT:** Provide direction on the recruitment of City Legal Counsel [p. 1-2]

**STAFF REPORT:**

John Danielson, City Manager



**PUBLIC COMMENT:**

**RECOMMENDATION:**

Staff requests Council consider options for the recruitment of City legal counsel and provide direction to staff:

- 1) Appoint Jonathan Hobbs, Esq. of Kronick, Moskovitz, Tiedemann & Girard as interim legal counsel;
- AND
- 2) Prepare and distribute a Request for Proposals to solicit corporate legal services; and/or
- 3) Direct the City Manager or his designee to negotiate and execute an agreement with an executive search firm for the recruitment of legal counsel; and/or
- 4) Not recruit for legal counsel at this time.

**8.10 SUBJECT:** Discuss the timing of Swainson's Hawk mitigation [p. 1-2]

**STAFF REPORT:**

Taro Echiburu, Environmental Planning Manager  
Christine Crawford, Planning Director



**PUBLIC COMMENT:**

**RECOMMENDATION:**

Provide direction to staff as deemed appropriate. Should the City Council direct staff to change the timing of the mitigation, staff should be directed to make the appropriate modifications to the City's current ordinance and bring those modifications back for action at a future City Council meeting.

**9. GENERAL ADMINISTRATION INFORMATION**

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

1. Reports on Regional Boards, Commissions, Committees
2. Travel/Training Expenditures Disclosure (*in accordance with Resolution 2006-295 and Government Code § 53232.3(d)*)

**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.**