



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

REGULAR MEETING OF THE CITY COUNCIL
Wednesday, April 11, 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

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.

PUBLIC COMMENT:

A) CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION
Pursuant to Government Code Section 54956.9(b)
Four (4) Cases

B) CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION
Pursuant to Government Code §54956.9(a)
Five (5) cases

1. *Elk Grove Community Services District v. City of Elk Grove, Sacramento Superior Court Case No. 05AS00612*
2. *City of Elk Grove v. Elk Grove Town Center, L.P., et al., Sacramento County Superior Court Case No. 05AS04328*
3. *City of Elk Grove v. M&H Realty, et al., Sacramento County Superior Court Case No. 05AS04337*
4. *City of Elk Grove v. Robert H. Lent, et al., Sacramento County Superior Court Case No. 05AS04453*
5. *City of Elk Grove v. Marvin L. Oates, et al., Sacramento County Superior Court Case No. 05AS04338*

4. PRESENTATIONS/ANNOUNCEMENTS

- 4.1 Present Certificate of Appreciation to Kevin Stewart of Arena Tow
- 4.2 Present Certificate of Recognition to the Elk Grove High School Mock Trial team – California State Champions
- 4.3 Present proclamation to David Brown, District Manager of the Mosquito and Vector Control Association, proclaiming April 23 – 29, 2007 as Mosquito and West Nile Virus Awareness Week in the City of Elk Grove
- 4.4 Police Chief Simmons to present proclamation to Lynn Bowler, Communications Manager, proclaiming April 8 – 14, 2007 as National Telecommunicators' Week in the City of Elk Grove
- 4.5 Presentation by Gaylene Hall regarding American Cancer Society's 2007 Relay for Life event

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 16-2007](#) levying and apportioning the special tax in territory annexed to Community Facilities District No. 2006-1 (Maintenance Services) Annexation No. 5
(Second Reading)
- 6.2 Adopt [Ordinance 17-2007](#) to pre-zone property located in the East Franklin Specific Plan Area to Low Density Residential-4 dwelling units/acre (RD-4), Low Density Residential-5 dwelling unit/acre (RD-5), and Open Space (O) for Franklin Crossing Project EG-04-727 (APNs: 132-0132-042 AND 132-1680-057)
(Second Reading)
- 6.3 Adopt [resolution](#) approving the Final Map for Subdivision No. 03-540.00 Kapalua Commons
- 6.4 Adopt [resolution](#) authorizing the City Manager to sign a contract amendment with the Eidam Corporation (dba Lucy & Company) not to exceed \$150,000 per year for public information and professional community facilitation services
- 6.5 Adopt [resolution](#) approving Transit Services Policy and Procedure 2007-0003 "Solicit and Consider Public Comment Prior to a Fare Increase, Fare Decrease, or Major Service Reduction"
- 6.6 Adopt [resolution](#) authorizing the City Manager to execute a construction contract in the amount of \$317,497 with Tim Paxin's Pacific Excavation, Inc. for installation of traffic signal systems at Whitelock Parkway/Atkins Drive and at Whitelock Parkway/Bellaterra Drive, amending the Fiscal Year 2006-07 Budget and amending the Capital Improvement Program

- 6.7 Adopt [resolution](#) accepting the Old Courthouse Renovation Project as complete and authorizing the City Engineer to prepare the Notice of Completion and the City Clerk to file the Notice of Completion with the Sacramento County Recorder
- 6.8 Receive report on City Manager approved purchases and contracts authorized by City Purchasing Ordinance, filed through March 16, 2007
- 6.9 Adopt [resolution](#) ratifying the appointment of Florin Resources Conservation District General Manager Leo D. Havener, Jr. as the FRCD Alternate Representative to the Sacramento Central Groundwater Authority
- 6.10 Approve minutes of the March 28, 2007 Special and Regular City Council meetings
- 6.11 Receive the February 2007 Treasurer's Report
- 6.12 Adopt [resolution](#) authorizing the Mayor to execute a Cooperative Agreement with Caltrans for the construction of the Sheldon Road/State Route 99 Interchange Reconstruction Project, amending the Fiscal Year 2006-07 Budget and Capital Improvement Program by \$7,511,957
- 6.13 Approve General Warrant No. 27275 through 28741 dated February 1, 2007 through March 23, 2007 and Electronic Fund Transfer 2007075 through 2007097

7. **PUBLIC HEARINGS**

- 7.1 **SUBJECT:** A public hearing to consider appeal of the Planning Commission denial of the Zraggen Ranch Tentative Subdivision Map, Design Review (EG-03-480) [Resolution](#)

STAFF REPORT:

Jessica Shalamunec, Planner
Fritz Buchman, P.E., Dev. Eng. Manager



PUBLIC COMMENT:

RECOMMENDATION:

In response to this appeal, the following actions are available to the City Council:

1. Uphold the Planning Commission denial of the Zgraggen Ranch Tentative Subdivision Map and Design Review and direct staff to prepare a Resolution and Findings for denial; or
2. Approve the Zgraggen Ranch Tentative Subdivision Map and Design Review project; or
3. Continue the Zgraggen Ranch Tentative Subdivision Map and Design Review project and direct staff to bring back additional information if necessary.

- 7.2** **SUBJECT:** A public hearing to consider appeal of the Planning Commission denial of the Madeira East Tentative Subdivision Map, Large Lot Map, Design Review for Subdivision Layout and Abandonment of Various Easements (EG-03-481) [Resolution](#)

STAFF REPORT:

Jessica Shalamunec, Planner
Fritz Buchman, P.E., Dev. Eng. Manager



PUBLIC COMMENT:

RECOMMENDATION:

In response to this appeal, the following actions are available to the City Council:

1. Uphold the Planning Commission denial of the Madeira East Tentative Subdivision Map, Large Lot Map, Design Review for Subdivision Layout, and Abandonment of Various Easements and direct staff to prepare a Resolution with findings for denial; or
2. Approve the Madeira East project; or
3. Continue the Madeira East project and direct staff to bring back additional information if necessary.

- 7.3** **SUBJECT:** A public hearing to consider an appeal of the Planning Commission denial of the Madeira South Tentative Subdivision Map Amendment (EG-07-012) [Resolution](#)

STAFF REPORT:

Jessica Shalamunec, Planner
Fritz Buchman, P.E., Dev. Eng. Manager



PUBLIC COMMENT:

RECOMMENDATION:

In response to this appeal, the following actions are available to the City Council:

1. Uphold the Planning Commission denial of the Madeira South Tentative Subdivision Map Amendment project and direct staff to prepare a Resolution and Findings for denial; or
2. Approve the Madeira South Tentative Subdivision Map Amendment project; or
3. Continue the Madeira South Tentative Subdivision Map Amendment project and direct staff to bring back additional information if necessary.

- 7.4 **SUBJECT:** A public hearing to consider Stone Springs Estates Unit 2 - Specific Plan Amendment, Rezone, Tentative Subdivision Map, and Subdivision Design Review (EG-05-970)

STAFF REPORT:

Christopher Jordan, Planner



PUBLIC COMMENT:

PLANNING COMMISSION RECOMMENDATION

1. Adopt [resolution](#) approving the Mitigated Negative Declaration and adopt the Mitigation Monitoring and Reporting Program prepared for this project, subject to the findings included in the staff report; and
2. Adopt resolution denying the Specific Plan Amendment, Rezone, and Tentative Subdivision Map for the proposed Stone Springs Estates Unit 2 (EG-05-970)

- 7.5** **SUBJECT:** A public hearing to consider amendment of the Elk Grove Design Guidelines to add Chapter 6, Voluntary Public Art Design Guidelines and to amend Chapters 3A, 4A, and 5A to include statements referring to the Voluntary Public Art Design Guidelines

STAFF REPORT:
John Smoley, Planner

PUBLIC COMMENT:

RECOMMENDATION:
Adopt [resolution](#) amending the Elk Grove Design Guidelines to add Chapter 6, Voluntary Public Art Design Guidelines and to amend Chapters 3A, 4A, and 5A to include statements referring to the Voluntary Public Art Design Guidelines as unanimously recommended by the Planning Commission.

8. REGULAR AGENDA ACTION ITEMS/RECOMMENDATIONS

- 8.1** **SUBJECT:** Proposed increases to solid waste service rates

STAFF REPORT:
Cedar Kehoe, Integrated Waste Program Manager

PUBLIC COMMENT:

RECOMMENDATION:
Adopt [resolution](#) calling a public hearing to be held on June 27, 2007 to consider approval of proposed increases to the City's solid waste service rates and authorize staff to prepare and mail the necessary notices.

- 8.2** **SUBJECT:** Council representative appointment to the Regional Human Rights / Fair Housing Commission Advisory Board

STAFF REPORT:
Peggy Jackson, City Clerk

PUBLIC COMMENT:

RECOMMENDATION:

Adopt [resolution](#) appointing a public member to represent the City of Elk Grove on the Regional Human Rights / Fair Housing Commission Advisory Board.

- 8.3 **SUBJECT:** Fiscal Year 2007-08 Community Development Block Grant (CDBG) Funding – Discussion of funding preferences for the 2007-08 CDBG Program

STAFF REPORT:

Sarah Bontrager, Grants Manager



PUBLIC COMMENT:

RECOMMENDATION:

Provide preliminary approval to the allocation of Fiscal Year 2007-08 CDBG funds and authorize the 2007-08 Action Plan to be released for public review.

- 8.4 **SUBJECT:** Elk Grove Committee for the Arts; 2007 Art Purchase Recommendation

STAFF REPORT:

Kara Myers, Assistant to the City Manager



PUBLIC COMMENT:

RECOMMENDATION:

Option 1: Authorize the expenditure of funds for the purchase of 6 selected pieces of artwork to hang in city-owned buildings.

Option 2: - View and select pieces of artwork individually on a piece-by-piece basis from the 6 pieces recommended by the Committee and authorize the expenditure of funds.

Option 3: - Authorize the Committee to explore other options for purchasing artwork and bring those options back to the Council.

Option 4: - Not authorize the expenditure of the funds on artwork at this time.

8.5 SUBJECT: Budget Workshop Presentation

STAFF REPORT:

Michael McGrane, Budget Manager



PUBLIC COMMENT:

RECOMMENDATION:

Informal budget presentation; no formal action is requested.

8.6 SUBJECT: Provide direction to staff regarding the content of a letter to the Elk Grove Water Service in regard to their proposed water rate increases

STAFF REPORT:

Jim Estep, Assistant City Manager



PUBLIC COMMENT:

RECOMMENDATION:

Provide direction to staff regarding the content of a letter to the Elk Grove Water Service in regard to their proposed water rate increases

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.