



*Incorporated July 1, 2000*  
*Website: [www.elkgrovecity.org](http://www.elkgrovecity.org)*

James Cooper, Mayor

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

Gary Davis, Council Member  
Sophia Scherman, Council Member

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**REGULAR MEETING OF THE CITY COUNCIL**  
**Wednesday, November 14, 2007**  
**6:00 P.M.**

**Elk Grove City Hall**  
**8400 Laguna Palms Way, Elk Grove, CA 95758**  
**City Council Chambers**

The Elk Grove City Council welcomes, appreciates, and encourages participation in the City Council Meeting. 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 Deputy 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
- 1.3 Moment of Silence

**2. APPROVAL OF AGENDA**

### **3. 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 REAL PROPERTY NEGOTIATORS**

Property Negotiation Pursuant to Government Code §54956.8

Property Description: APN Nos. 134-0600-035 and 134-0600-036

City Negotiators: Jim Estep, Interim City Manager  
John Almazan, Real Property Manager

Negotiating Party: Lansford Development

Under Negotiation: Price and Terms

#### **B) CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION**

Pursuant to Government Code §54956.9(a)

Two (2) cases:

1. Quail Ranch Estate Association v. City of Elk Grove, et. al.  
Sacramento County Superior Court Case No. 06CS00442
2. California Department of Transportation v. City of Elk Grove, et. al.  
Sacramento County Superior Court Case No. 06CS00462

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

**4.1** Presentation by the Strauss Festival of Elk Grove to the City of Elk Grove in appreciation of its Festival sponsorship

**4.2** Presentation of American Public Transportation Association Award to the City of Elk Grove for the “Best Small Transit Agency in North America”

### **5. PUBLIC COMMENT**

Members of the audience may comment on any item of interest to the public within the subject matter jurisdiction of the City Council. 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 non-agendized items 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. Members of the audience wishing to address a specific agendized item are encouraged to offer their public comment during consideration of that item.

## **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 [resolution](#) approving the amended agreement regarding Regional Mall, fees, and infrastructure with Elk Grove Town Center, L.P. and authorizing the City Manager to execute the agreement in substantially the form presented
- 6.2 Adopt [resolution](#) authorizing the City Manager to execute a construction contract in the amount of \$32,220,080 with RGW Construction, Inc. for the Sheldon Road / State Route 99 Interchange Reconstruction Project and authorizing the City Engineer to expend supplemental and contingency funds in a not-to-exceed amount of \$2,328,704 for additional project costs beyond the construction contract
- 6.3 Adopt [resolution](#): 1) accepting the Bond Road Widening (Elk Grove-Florin Road to Poplar Hollow Lane) Project as complete, 2) authorizing the City Engineer to prepare a Notice of Completion and the City Clerk to file the Notice of Completion with the Sacramento County Recorder, 3) amending the Fiscal Year 2007-08 budget by \$680,010 for Bond Road Phases 1 and 2, 4) amending the terms of the Inter-Fund Loan Agreement, and 5) amending the Fiscal Year 2007-08 budget by \$45,000 for the Bradshaw Road to Grant Line Road - Project ID #PT0044
- 6.4 Adopt [resolution](#) endorsing the California Children's Outdoor Bill of Rights
- 6.5 Adopt [resolution](#) approving the filing of an application for local assistance funds from the Roberti-Z'Berg-Harris Urban Open Space and Recreation Block Grant Program and repealing Resolution No. 2001-86

- 6.6 Adopt [resolution](#) approving Parcel Map No. 04-777.00 Sandage Estates and authorizing the Mayor to execute the Subdivision Improvement Agreement
- 6.7 Approve General Warrant No. 32859 through 33412 dated October 1, 2007 through October 31, 2007, Electronic Fund Transfer 2008033 through 2008040, and Automatic Clearing House
- 6.8 Adopt [resolution](#) ratifying expenditures of \$123,268.42 and authorizing the City Manager to pay for all remaining unpaid expenditures for compressed natural gas (CNG) for transit buses and to purchase CNG fuel from various vendors in an amount not to exceed \$645,000
- 6.9 Adopt [resolution](#) authorizing the City Manager to execute amendment number two to the agreement with MV Public Transportation for the rental of ten buses at \$35,000 per month
- 6.10 Receive report on City Manager approved purchases and contracts authorized by City Purchasing Ordinance, filed through November 2, 2007
- 6.11 Adopt [resolution](#) authorizing the City Manager to enter into a ten-year lease agreement with the Sacramento Public Library to provide library authority services at 8900 Elk Grove Boulevard
- 6.12 Approve City Council Meeting Minutes of: a) October 24, 2007 Special Meeting; and b) October 24, 2007 Regular Meeting
- 6.13 Adopt [resolution](#) authorizing the City Manager to execute a consultant services contract amendment with Quincy Engineering, Inc. to increase compensation by \$69,775 and extend the termination date to June 30, 2009, and increasing the Fiscal Year 2007-08 budget by \$86,000 (from \$520,000 to \$606,000) for the Elk Grove Boulevard State / Route 99 Interchange Modifications Project
- 6.14 Adopt [resolution](#) authorizing the City Manager to execute a consultant services contract amendment in the amount of \$33,930 with Quincy Engineering, Inc. for the West Stockton Boulevard at Laguna Creek Bridge Replacement Project

## **7. PUBLIC HEARINGS**

- 7.1 SUBJECT:** A public hearing to consider the introduction of an Ordinance amending Title 16 of the Elk Grove Municipal Code relating to buildings and construction and adopting by reference the 2007 California Administrative Code, California Building Code, California Plumbing Code, California Electrical Code, and the California Mechanical Code

**STAFF REPORT:**

Richard Renfro, Building Official



**PUBLIC COMMENT:**

**RECOMMENDATION:**

Introduce and waive the full reading, by substitution of title only, an Ordinance amending Title 16 of the Elk Grove Municipal Code relating to buildings and construction and adopting by reference the 2007 California Administrative Code, 2007 California Building Code, 2007 California Plumbing Code, 2007 California Electrical Code; 2007 California Mechanical Code, and all the appendices thereof.

- 7.2 SUBJECT:** A public hearing to consider the Laguna Gateway Phase 3 application for a Rezone, Specific Plan Amendment, Tentative Parcel Map, and Design Review for two commercial buildings totaling 48,624 square feet

**STAFF REPORT:**

Gerald Park, Senior Planner



**PUBLIC COMMENT:**

**RECOMMENDATION:**

The Planning Commission recommends that the City Council:

1. Adopt a Mitigated Negative Declaration for the Laguna Gateway Phase 3 Project No. EG-05-820 (4-1);
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 SC and amending the Ordinance SZC-99-0036 of the Elk Grove Zoning Code governing the Laguna Gateway Special Planning Area Project No. EG-05-820, APNs 116-0050-013, 027, 030, and 031 (4-1); and

3. Adopt [resolution](#) approving a Tentative Parcel Map, and Design Review for the Laguna Gateway Phase 3 Project No. EG-05-820, subject to the Findings and Conditions of Approval (4-1).

- 7.3 **SUBJECT:** A public hearing to consider adoption of a [resolution](#) approving the Rural Roads Improvement Policy and the Rural Roads Improvement Standards

**STAFF REPORT:**

Pam Johns and Lisa Burke, Planning



**PUBLIC COMMENT:**

**RECOMMENDATION:**

The Planning Commission recommends that the City Council adopt a Resolution approving the Rural Roads Improvement Policy and the Rural Roads Improvement Standards.

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

- 8.1 **SUBJECT:** Report on the stakeholder workshops for the affordable housing loan process, adoption of a resolution approving the Affordable Housing Loan Program Guidelines and amending the Fiscal Year 2007-08 budget, and adoption of a [resolution](#) establishing an Affordable Housing Loan Committee

**STAFF REPORT:**

Jim Carney, Housing Advisor



**PUBLIC COMMENT:**

**RECOMMENDATION:**

Review the report on the stakeholder workshops held for the affordable housing loan process and if, deemed appropriate, adopt a Resolution approving the Affordable Housing Loan Program Guidelines and amending the Fiscal Year 2007-08 Budget to include an offset of \$10,000 from the General Fund, consisting of \$5,000 from the Affordable Housing Fund and \$5,000 from the Very Low Income Housing Trust Fund; and adopt a [Resolution](#) establishing an Affordable Housing Loan Committee and authorizing the recruitment of appointee candidates and alternate candidates.

- 8.2** **SUBJECT:** Adopt a [resolution](#) approving a financial commitment of \$9,100,000 from the City's Affordable Housing Fund and Very Low Income Housing Trust Fund, and the implementing loan documents and regulatory agreement for the Seasons Apartment Affordable Housing Development by Seasons Apartments LP and a Density Bonus

**STAFF REPORT:**

Jim Carney, Housing Advisor



**PUBLIC COMMENT:**

**RECOMMENDATION:**

Adopt resolution for a financial commitment of \$9,100,000 from the City's Affordable Housing Fund and Very Low Income Housing Trust Fund, and loan documents and a regulatory agreement in the same substantial form as those attached to the staff report to implement the City's financial commitment for the development of The Seasons Affordable Senior Housing Project. The Regulatory Agreement also serves as the Density Bonus Agreement, which satisfies the project's obligation per Section 23.50.040 of the Zoning Code to receive a Density Bonus.

- 8.3** **SUBJECT:** Regional Housing Needs Assessment Update

**STAFF REPORT:**

Jim Carney, Housing Advisor



**PUBLIC COMMENT:**

**RECOMMENDATION:**

Review the draft Regional Housing Needs Assessment Housing Unit Allocation and provide direction as appropriate.

- 8.4 **SUBJECT:** Adopt [resolution](#) approving the City of Elk Grove Investment Policy and Internal Control Guidelines

**STAFF REPORT:**

Rebecca Craig, Finance Director



**PUBLIC COMMENT:**

**RECOMMENDATION:**

Adopt resolution approving the City of Elk Grove's revised Investment Policy and Internal Control Guidelines for Fiscal Year 2007-2008 as required by California Government Code Section 53646 (a).

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.

**GOVERNMENT CODE 54957.5 et seq.**

Public records, including writings relating to an agenda item for open session of a regular meeting and distributed less than 72 hours prior to the meeting, are available for public inspection at the City Clerk's Office, 8380 Laguna Palms Way, Suite 200, Elk Grove, CA.