



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

Gary Davis, Mayor

Patrick Hume, Vice Mayor  
James Cooper, Council Member

Michael P. Leary, Council Member  
Sophia Scherman, Council Member

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**REGULAR MEETING OF THE CITY COUNCIL**  
**Wednesday, May 28, 2008**  
**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 Assistant 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**

None.

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

- 4.1 Present proclamation to Ellison Cowles of the Elk Grove Garden Club & Patti Jong of the Gardeners of the Grove proclaiming June 1-7 as National Garden Week in the City of Elk Grove [1 pg]
- 4.2 Allied Waste to present \$1,000 award to Laguna Creek High School and Joseph Sims Elementary for their Nike Reuse-a-shoe efforts
- 4.3 Present Certificate of Recognition to Volunteers in Police Service [1 pg]

#### **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 Receive March 2008 Treasurer's Report [p. 1-4]
- 6.2 Approve General Warrant No. 36587 through 37235 dated April 1, 2008 through April 30, 2008 and Electronic Fund Transfer 2008122 through 2008133, and Automated Clearing House [p. 1-57]

- 6.3 Approve City Council Meeting Minutes of: a) May 12, 2008 Special Meeting; b) May 14, 2008 Special Meeting; and c) May 14, 2008 Regular Meeting [p. 1-24]
- 6.4 Receive report on City Manager approved purchases and contracts authorized by Elk Grove Municipal Code Chapter 3.42 Contracts and Purchasing, filed through May 21, 2008 [p. 1-2]
- 6.5 Receive report on Requests for Proposals, Qualifications, and Bids [p. 1-2]
- 6.6 Adopt [Ordinance No. 14-2008](#) amending the City of Elk Grove Zoning Map from AR-5 to RD-3 for the Vineyard Ranch Estates Residential Subdivision (EG-05-946; APNs: 121-0200-007 and 121-0200-008) **(Second Reading)** [p. 1-4]
- 6.7 Adopt [Ordinance No. 15-2008](#) amending the City of Elk Grove Zoning Map from AR-5 to RD-4 for the Vineyard Knolls Residential Subdivision (EG-06-1116; APN: 121-0190-012) **(Second Reading)** [p. 1-4]
- 6.8 Adopt [resolution](#) authorizing the Mayor to execute a letter seeking representatives from Caltrans, Galt City Council and Lodi City Council to discuss State Route 99 transportation issues in a joint meeting, and to serve as a representative for the City of Elk Grove in the discussion [p.1-7]
- 6.9 Adopt [resolution](#) authorizing the City Manager to execute a construction contract in the amount of \$46,352.40 with Cal Sierra Construction, Inc. for the Elk Grove Elementary Safety Improvements Project and authorizing the City Engineer to approve change orders not-to-exceed \$6,950 [p. 1-7]
- 6.10 Adopt [resolution](#) authorizing the City Engineer to execute Change Order #6 (not to exceed \$45,000) to the construction contract with Hedman Drilling for the destruction of domestic water wells on the Sheldon Road/State Route 99 Interchange Reconstruction Project [p. 1-5]

- 6.11 Adopt [resolution](#) authorizing the City Manager to execute and record Quitclaim Deeds to release Temporary Construction Easements [p. 1-4]
- 6.12 Adopt [resolution](#) authorizing the City Manager to execute an agreement for access to Sacramento County California Law Enforcement Teletype System and California Justice Information System applications with the County of Sacramento for an amount not to exceed \$55,464 [p. 1-11]
- 6.13 Adopt [resolution](#) eliminating the term limitation for Disability Advisory Committee Members [p. 1-4]
- 6.14 Adopt [resolution](#) authorizing the distribution of 31 Treatment Capacity Bank Sewer Credits to The Commons at Sabrina Lane, LLC [p. 1-7]

## 7. **PUBLIC HEARINGS**

- 7.1 **SUBJECT:** A public hearing to consider the appeal of Daniel Dominguez regarding the Planning Commission decision on December 20, 2007 to deny the Dominguez Variance Project for three accessory structures (EG-07-114; APN: 127-0110-061) [p. 1-136]

### **STAFF REPORT:**

Jeff Garrigues, Planner



### **PUBLIC COMMENT:**

### **RECOMMENDATION:**

Adopt [resolution](#) denying the appeal of Daniel Dominguez and upholding the Planning Commission decision to deny a variance for three structures located at 10338 Pleasant Grove School Road.

**7.2 SUBJECT:** A public hearing to consider the Sterling Meadows Project, Environmental Impact Report, General Plan Amendment, Rezone, Development Agreement, Tentative Subdivision Maps, and Abandonment of Drainage Easement (EG-01-130; APN: 132-0152-001) [p. 1-1645]

**STAFF REPORT:**

Christine Crawford, Planning Director



**PUBLIC COMMENT:**

**RECOMMENDATION:**

Alternative 1:

Approve the Sterling Meadows project:

1. Adopt [resolution](#) certifying the Final Environmental Impact Report, making findings of fact, adopting a Statement of Overriding Considerations, and approving a Mitigation Monitoring and Reporting Program;
2. Adopt [resolution](#) approving the General Plan amendment, tentative subdivision map, “Large Lot” tentative subdivision map, and abandonment of drainage easements subject to the findings and Conditions of Approval;
3. Introduce and waive the full reading, by substitution of title only an ordinance amending the City of Elk Grove Zoning Map from AG-80 to RD-5, RD-6, RD-7, RD-15, RD-20 and “O” Zone Districts on Assessor Parcel 132-0152-001; and
4. Introduce and waive the full reading, by substitution of title only an ordinance adopting and implementing a development agreement between the City of Elk Grove, Cosumnes Community Services District and Elk Grove Associates, LLC.

Alternative 2:

Deny the Sterling Meadows project, in accordance with the recommendation of the Planning Commission; or

Alternative 3:

Continue the public hearing, if additional information is needed, or approve a modified version of the project.

- 7.3 SUBJECT:** A public hearing to consider ordinances for Specific Plan and Special Planning Area consistency with the Zoning Code [p. 1-32]

**STAFF REPORT:**

Christine Crawford, Planning Director



**PUBLIC COMMENT:**

**PLANNING COMMISSION RECOMMENDATION:**

1. Introduce and waive the full reading, by substitution of title only, an Ordinance amending the East Elk Grove Specific Plan updating Zoning Code references;
2. Introduce and waive the full reading, by substitution of title only, an Ordinance amending the East Franklin Specific Plan updating Zoning Code references;
3. Introduce and waive the full reading, by substitution of title only, an Ordinance amending the Laguna Ridge Specific Plan updating Zoning Code references;
4. Introduce and waive the full reading, by substitution of title only, an Ordinance amending the Elk Grove Triangle Special Planning Area updating Zoning Code references and amending Section 23.40.020(2) of the Code updating references to planning documents;
5. Introduce and waive the full reading, by substitution of title only, an Ordinance amending the Calvine Road/Highway 99 Special Planning Area updating Zoning Code references;
6. Introduce and waive the full reading, by substitution of title only, an Ordinance amending the Laguna Gateway Special Planning Area updating Zoning Code references;
7. Introduce and waive the full reading, by substitution of title only, an Ordinance amending the Old Town Special Planning Area updating Zoning Code references;
8. Introduce and waive the full reading, by substitution of title only, an Ordinance amending the Elk Grove-Florin/Bond Roads Special Planning Area updating Zoning Code references; and
9. Introduce and waive the full reading, by substitution of title only, an Ordinance amending the Laguna Community / Floodplain Special Planning Area updating Zoning Code references.

**7.4** **SUBJECT:** A public hearing to consider an ordinance amending Zoning Code Chapter 23.84 (Non-Conforming Uses, Buildings, and Structures) modifying the provisions regarding termination of non-conforming status by involuntary destruction [p. 1-14]

**STAFF REPORT:**

Christine Crawford, Planning Director



**PUBLIC COMMENT:**

**PLANNING COMMISSION RECOMMENDATION:**

Introduce, by waiving the full reading and substitution of title only, an ordinance amending Zoning Code Chapter 23.84 (Non-Conforming Uses, Buildings, and Structures) modifying the provisions regarding termination of non-conforming status by involuntary destruction.

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

**8.1** **SUBJECT:** Consider adoption of the proposed budget for Fiscal Year 2008-09, adoption of the annual appropriations limit, and the Capital Improvement Plan for Fiscal Years 2008-2013 [p.1-355]

**STAFF REPORT:**

Rebecca Craig, Finance Director



**PUBLIC COMMENT:**

**RECOMMENDATION:**

Adopt [resolution](#) approving the 2008-09 budget, adopting the annual appropriations limit, and the 2008-13 Capital Improvement Plan for the Fiscal Year beginning July 1, 2008 and ending June 30, 2009.

**8.2** **SUBJECT:** Consider the 2008 Corporation Yard Facilities Master Plan Update recommendations and direct staff to undertake the environmental review of these recommendations [p. 1-122]

**STAFF REPORT:**

Bob Williamson, Senior Project Architect



**PUBLIC COMMENT:**

**RECOMMENDATION:**

Consider the 2008 Corporation Yard Facilities Master Plan Update recommendations to expand the corporation yard facilities into three yard locations and direct staff to undertake environmental review of these recommendations, report back on funding options and identify operational project opportunities and potential locations for the expansion of field services facilities.

- 8.3** **SUBJECT:** Consider ordinance amending the program for the deferral of certain impact fees for Market-Rate Residential and Nonresidential Development Projects [p. 1-10]

**STAFF REPORT:**

Heather Ross, Management Analyst  
Susan Cochran, City Attorney



**PUBLIC COMMENT:**

**RECOMMENDATION:**

1. Provide policy direction on the acceptability of personal guarantees as an additional security mechanism for the Fee Deferral Program; and,
2. If the Council determines that a personal guarantee is an acceptable form of security, adopt and waive the full reading, by substitution of title only, an Urgency Ordinance amending Chapter 16.120 of the Elk Grove Municipal Code to include personal guarantees as an acceptable form of security and delegating the authority to approve the individual personal guarantees to the City Attorney; and
3. Introduce and waive the full reading, by substitution of title only, an Ordinance amending Chapter 16.120 of the Elk Grove Municipal Code to include personal guarantees as an acceptable form of security and delegating the authority to approve the individual personal guarantees to the City Attorney.

- 8.4 **SUBJECT:** Consider options regarding non-conforming fences and auxiliary structures [p. 1-3]

**STAFF REPORT:**

Shane Diller, Community Enhancement Manager  
Christine Crawford, Planning Director  
Susan Cochran, City Attorney



**PUBLIC COMMENT:**

**RECOMMENDATION:**

Discuss options regarding non-conforming fences and auxiliary structures in the City of Elk Grove and direct staff regarding enforcement activities.

- 8.5 **SUBJECT:** Consider appointments to the Charter Commission [p. 1-4] [Resolution](#)

**STAFF REPORT:**

Susan Blackston, City Clerk



**PUBLIC COMMENT:**

**RECOMMENDATION:**

Review applications submitted and appoint seven (7) members to the Charter Commission.

- 8.6 **SUBJECT:** Consider appointment of a Council Member to serve as a representative on the Elk Grove Teen Center Board of Directors [p. 1-2]

**STAFF REPORT:**

Susan Blackston, City Clerk



**PUBLIC COMMENT:**

**RECOMMENDATION:**

Appoint a Council Member to serve as a representative on the Elk Grove Teen Center Board of Directors.

**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 the City Clerk's Office 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.