



*Incorporated July 1, 2000*  
*Website: [www.elkgrovecity.org](http://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, July 9, 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**

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 – Existing  
Litigation**

Pursuant to Government Code § 54956.9 (a)

Two (2) Cases:

1. Bay Cities Paving and Grading, Inc. v. City of Elk Grove  
Sacramento County Superior Court Case No. 07AS03160
2. City of Elk Grove v. Hershey Land Company  
Sacramento County Superior Court Case No. 05AS04334

**4. PRESENTATIONS/ANNOUNCEMENTS**

- 4.1 Playground Partners commemorative tile dedication for Morse Park “*Leave Your Mark at the Park*” community art project
- 4.2 Present Certificates of Recognition to participants in the Run 4 Independence “Fit Fusion” Program

**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 Approve June 30, 2008 Special City Council Meeting Minutes [p. 1-4]
- 6.2 Receive report on City Manager approved purchases and contracts authorized by Elk Grove Municipal Code Chapter 3.42 Contracts and Purchasing, filed through July 2, 2008 [p. 1-2]
- 6.3 Receive report on Requests for Proposals, Qualifications, and Bids [p. 1-2]
- 6.4 Adopt [resolution](#) authorizing the City Manager to execute contracts with Agati Inc. and United Corporate Furnishings for tables, carrels and various types of chairs for the Elk Grove (Old Town) Library Project utilizing established State of California and National Joint Powers Alliance Procurement Cooperative Purchasing Agreements in the amount of \$164,801.05 [p. 1-3]
- 6.5 Adopt [Ordinance](#) No. 29-2008 levying and apportioning the special tax in territory annexed to Community Facilities District No. 2006-1 (Maintenance Services) Annexation No. 9 **(Second Reading)** [p. 1-2]
- 6.6 Adopt [Ordinance](#) No. 30-2008 levying and apportioning the special tax in territory annexed to Community Facilities District No. 2003-2 (Police Services) Annexation No. 15 **(Second Reading)** [p. 1-2]
- 6.7 Approve request for continuance of the adoption (second reading) of Ordinance No. 31-2008 to the regularly scheduled City Council meeting of July 23, 2008; Ordinance No. 31-2008 amends the City of Elk Grove Zoning Map from RD-15 to Shopping Center (“SC”) Zone District for the Vineyard at Madeira Project (EG-07-123; APNs: 132-0050-074 and 132-0050-075) [p. 1]
- 6.8 Adopt [Ordinance](#) No. 32-2008 amending the City of Elk Grove Zoning Map from RD-10, RD-15, and RD-20 to RD-30 and SC for the Laguna Ridge Town Center Project (EG-07-066; APNs: 132-2120-001, -003, -004, -005, -006, -008; 132-2110-001, -002; 132-0270-083, -084) **(Second Reading)** [p. 1-3]

- 6.9 Adopt **Ordinance** No. 33-2008 amending the Cable Television Franchise and License Ordinances to add Article 5D to Chapter 5.50 and amending section 5.50.108C of the Elk Grove Municipal Code implementing the Digital Infrastructure and Video Competition Act of 2006 and delegating authority to the Sacramento Metropolitan Cable Commission to administer and enforce the Act (**Second Reading**) [p. 1-5]
- 6.10 Adopt **resolution** authorizing the City Manager to submit and execute documents as necessary for the Fiscal Year 2008-09 Used Oil Recycling Block Grant Application, 14<sup>th</sup> Cycle, to the California Integrated Waste Management Board requesting an amount of \$34,944 [p. 1-9]
- 6.11 Adopt **resolution** authorizing the City Manager to execute an agreement with the City of Sacramento for participation at the Permanent Household Hazardous Waste Collection Facility in an amount not to exceed \$270,000 over a three year period [p. 1-9]
- 6.12 Adopt **resolution** accepting the public improvements for Laguna Ridge Specific Plan – Big Horn/Village Tree (EG-00-062 and EG-04-764) [p. 1-4]
- 6.13 Adopt **resolution** accepting the public improvements for Laguna Ridge Specific Plan – Bruceville Road Phase 1 (EG-00-062 and EG-03-479) [p. 1-4]

## 7. **PUBLIC HEARINGS**

- 7.1 **SUBJECT:** A public hearing (*continued from June 25, 2008*) to consider adoption of a **resolution** determining to levy street maintenance assessments for certain properties in the North East Franklin Area which represents annexation No. 3 into Street Maintenance District No. 1 – Zone 4 [p. 1-12]

### **STAFF REPORT:**

Andrew Keys, Finance Analyst  
Troy Brown, Budget Manager



**PUBLIC COMMENT:**

**RECOMMENDATION:**

Conduct a public hearing on Supplement No. 3 to the Engineer's Report and the question of levying assessments within Street Maintenance District No. 1 – Zone 4 for certain properties in the North East Franklin Area pursuant to the Benefit Assessment Act of 1982. Following the close of the public hearing and tabulation of ballot results, staff recommends the adoption of a resolution determining to Levy Assessments in Street Maintenance District No. 1 – Zone 4 (Annexation 3).

- 7.2 **SUBJECT:** A public hearing to consider a Mitigated Negative Declaration, Mitigation Monitoring and Reporting Program, General Plan amendment to change the General Plan land use designation from Heavy Industry to Commercial, and Rezone from General Commercial (GC) and Heavy Industrial (M-2) to Special Planning Area for the CMD Court project located at the northeast corner of Grant Line Road and East Stockton Boulevard (EG-07-050; APNs: 134-0600-014,-016,-029,-031,-032,-034,-040, and -049) [p. 1-114]

**STAFF REPORT:**

Gerald Park, Senior Planner



**PUBLIC COMMENT:**

**RECOMMENDATION:**

The Planning Commission recommends the City Council deny the CMD Court project.

- 7.3 **SUBJECT:** A public hearing to reconsider approvals granted to the Vintara Park Project (EG-04-787; APNs: 127-0010-002,-017,-018,-019,-020, and -040) [p. 1-6]

**STAFF REPORT:**

Susan Cochran, City Attorney



**PUBLIC COMMENT:**

**RECOMMENDATION:**

1. Adopt [resolution](#) repealing Resolution No. 2006-40 which approved a Mitigated Negative Declaration of environmental significance, Tentative Subdivision Map, Large Lot Map, Design Review, and Exception for the Vintara Park Project No. EG-04-787, subject to findings and Conditions of Approval; and
2. Introduce and waive the full reading, by substitution of title only, an ordinance repealing Ordinance No. 5-2006 amending the City of Elk Grove Zoning Map from RD-2, RD-4, RD-5, RD-5(F) and O to RD-5, RD-10, and O for the Vintara Park Project, No. EG-04-787

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

- 8.1 SUBJECT:** Receive presentation regarding proposed Countywide Youth and Gang Violence Prevention Initiative [p. 1-21]

**STAFF REPORT:**

Laura S. Gill, City Manager



**PUBLIC COMMENT:**

**RECOMMENDATION:**

Receive a presentation from Sacramento County Supervisor Roger Dickinson concerning the proposed Countywide Youth and Gang Violence Prevention Initiative

- 8.2 SUBJECT:** Appointment of Historic Preservation Committee Member

**STAFF REPORT:**

Susan Blackston, City Clerk



**PUBLIC COMMENT:**

**RECOMMENDATION:**

Adopt [resolution](#) appointing one member to the Historic Preservation Committee.

**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.