



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

REGULAR MEETING OF THE CITY COUNCIL
Wednesday, July 23, 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 Certificate of Recognition to Pat Beal in recognition of the Senior Center of Elk Grove's 25th Anniversary
- 4.2 Present Certificate of Appreciation to Gaylene Hall Event Chair for the Elk Grove Relay for Life event
- 4.3 Present Certificate of Recognition to Bonnie Etcheson for over seven years of service to the City of Elk Grove

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 the April 2008 Treasurer's Report [p. 1-4]
- 6.2 Approve General Warrant No. 37964 through 38251, Warrant No. 38252 voided, and from 38253 through 38517 dated June 1, 2008 through June 30, 2008, and Electronic Fund Transfer 2008156 through 2008181, and Automatic Clearing House [p. 1-72]
- 6.3 Receive report on City Manager approved purchases and contracts authorized by Elk Grove Municipal Code Chapter 3.42 Contracts and Purchasing, filed through July 16, 2008 [p. 1-3]

- 6.4 Receive report on Requests for Proposals, Qualifications, and Bids [p. 1]
- 6.5 Approve request for a second continuance of the adoption (second reading) of Ordinance No. 31-2008 to the regularly scheduled City Council meeting of August 27, 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]
- 6.6 Adopt [Ordinance No. 34-2008](#) repealing Ordinance No. 5-2006 which previously amended 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, returning the Zoning Map of the City of Elk Grove to the applicable zoning prior to adoption of Ordinance No. 5-2006 (EG-04-787 APNs: 127-0010-002,-017,-018,-019,-020, and -040) **(Second Reading)** [p. 1]
- 6.7 Adopt [resolution](#) authorizing the City Manager to execute a construction contract with Valley Slurry Seal Company for the Micro-Surfacing and Chip Seal Project 2008 in the amount of \$1,102,879.34, authorizing a contingency fund of \$165,432, and authorizing the City Engineer to approve change orders not to exceed the contingency amount [p. 1-5]
- 6.8 Adopt [resolution](#) authorizing the City Manager to execute a consultant contract amendment with Vali Cooper & Associates, Inc. for the Grant Line Road/State Route 99 Interchange Reconstruction Project in an amount not to exceed \$307,000 [p. 1-7]
- 6.9 Adopt [resolution](#): 1) authorizing the City Manager to execute a construction contract with Central Valley Engineering & Asphalt, Inc. for the Asphalt Concrete Overlay and Curb Ramp Improvements Project 2008 in the amount of \$3,028,011.84; 2) authorizing the City Engineer to approve change orders not to exceed \$302,801; and 3) amending the 2008-13 Capital Improvement Program to include \$200,000 in CFD 2005-1 funds for the Annual Pavement Resurfacing Program [p. 1-8]

- 6.10 Adopt [resolution](#) authorizing the Mayor to execute an amendment to the Cooperative Agreement with Caltrans for the Sheldon Road/State Route 99 Interchange Reconstruction Project [p. 1-27]
- 6.11 Adopt [resolution](#) authorizing the City Manager to execute a contract with Motivational Systems, Inc. for fabrication and installation of various types of signage for the Elk Grove (Old Town) Library Project in the amount of \$51,873.53 [p. 1-3]
- 6.12 Adopt [resolution](#) accepting the public improvements for Laguna Ridge Specific Plan – Central Drainage Channel (EG-00-062 and EG-03-479) [p. 1-4]
- 6.13 Adopt [resolution](#) authorizing the City Manager to execute a contract with Les Schwab Tire Center of Elk Grove for replacement tires and roadside services for Police and other City vehicles in an amount not to exceed \$58,500 [p. 1-25]
- 6.14 Adopt [resolution](#) authorizing the City Manager to execute an agreement with S&G Enterprises for the installation, repair and removal of emergency response equipment and safety lighting for Police and City vehicles in an amount not to exceed \$73,000 [p. 1-26]
- 6.15 Adopt [resolution](#) authorizing financing of certain public capital improvements through the Statewide Community Infrastructure Program, approving form and substance of the Acquisition Agreement, authorizing changes thereto, and execution by the City Manager [p. 1-15]
- 6.16 Adopt [resolution](#) declaring intention to annex territory to Community Facilities District No. 2006-1 (Maintenance Services) and to levy a special tax to pay for certain maintenance services (Annexation No. 10) [p. 1-38]
- 6.17 Adopt [resolution](#) approving the Fiscal Year 2008-09 Transportation Development Act Claim and authorizing submission by the City Manager to Sacramento Area Council of Governments for Local Transportation Funds and State Transit Assistance in an amount of \$5,179,397 [p. 1-8]

- 6.18 Adopt [resolution](#) approving Parcel Map No. 06-1150.00 Richert Parcel Map [p. 1-7]
- 6.19 Adopt [resolution](#) authorizing the City Manager to execute a construction contract with Granite Construction Company for the Elk Grove Boulevard/Elk Grove-Florin Road Intersection Improvements Project in the amount of \$413,054, authorizing a contingency fund of \$61,958, and authorizing the City Engineer to approve change orders not to exceed the contingency amount [p. 1-6]
- 6.20 Adopt [resolution](#): 1) amending the Fiscal Year 2008-09 budget to reflect \$275,000 in Proposition 1B Transit Funding from Sacramento Area Council of Governments to the Compressed Natural Gas Facility; 2) authorizing the City Manager to execute a construction contract with Performance Mechanical, Inc. in the amount of \$176,679; 3) authorizing a contingency fund of \$26,502; 4) and authorizing the City Engineer to approve change orders not to exceed the contingency amount [p. 1-6]
- 6.21 Adopt [resolution](#) authorizing an amendment to the 2008-13 Capital Improvement Program to include the Elk Grove-Florin Road and Brown Road/Silverberry Avenue Traffic Signal and Intersection Improvement Project [p. 1-6]
- 6.22 Adopt [resolution](#) authorizing the City Manager to ratify the expenditure of funds, without contract, to Parsons Brinckerhoff Quade & Douglas, Inc. for the Railroad Crossing Safety and Train Whistle Study and establishment of Quiet Zones Project in an amount of \$11,535.37 [p. 1-5]
- 6.23 Adopt [resolution](#) authorizing the City Manager to execute a consultant services contract with URS Corporation for the Elk Grove Creek Trail Crossing at State Route 99 Project in an amount not-to-exceed \$945,015 [p. 1-34]

7. **PUBLIC HEARINGS**

- 7.1 **SUBJECT:** A public hearing (*continued from July 9, 2008*) to consider a Mitigated Negative Declaration, Mitigation Monitoring and Reporting Program, General Plan amendment and Rezone 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. 1-84]

STAFF REPORT:

Gerald Park, Senior Planner



PUBLIC COMMENT:

RECOMMENDATION:

1. Adopt a Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program for the CMD Court Project; and
2. Introduce and waive the full reading, by substitution of title only, an ordinance amending the City of Elk Grove Zoning Map from General Commercial (GC) and Heavy Industrial (M-2) to Special Planning Area (SPA) for the CMD Court Project.

- 7.2 **SUBJECT:** A public hearing to consider an Environmental Impact Report, Mitigation Monitoring and Reporting Program, General Plan Amendment, Rezone from Residential five units per acre (RD-5) to Shopping Center Commercial, Tentative Parcel Map, Design Review, Variance and Uniform Sign Program for the Reynolds and Brown Plaza III Project located at 9603-9641 East Stockton Boulevard (EG-06-1051; APN 125-0030-029) [p. 1-153]

STAFF REPORT:

Nina Stevens, Planner



PUBLIC COMMENT:

PLANNING COMMISSION RECOMMENDATION

1. Adopt [resolution](#) certifying the Final Environmental Impact Report for the Reynolds and Brown Plaza III project, making findings of fact, adopting a Statement of Overriding Considerations, and adopting a Mitigation Monitoring and Reporting Program;
2. Introduce and waive the full reading, by substitution of title only, an ordinance amending the City of Elk Grove Zoning Map for an approximately four acre parcel from Residential-five units per acre (RD-5) to Shopping Center Commercial (SC); and
3. Adopt [resolution](#) approving the Tentative Parcel Map, Design Review, Variance, and Uniform Sign Program for the Reynolds and Brown Plaza III project, subject to the findings and conditions of approval.

- 7.3** **SUBJECT:** A public hearing to consider General Plan Amendments and Zoning Code Text Amendments [p. 1-22]

STAFF REPORT:

Jessica Shalamunec, Planning Manager



PUBLIC COMMENT:

PLANNING COMMISSION RECOMMENDATION:

1. Adopt [resolution](#):
 - amending Policy LU-3 and LU-3-Action 1 in the Land Use Element of the General Plan Project EG-08-002;
 - amending the General Plan Land Use Designation from Heavy Industrial to Commercial for the CMD Court Project EG-07-050; and
 - amending the General Plan Land Use Designation from Public/Quasi-Public to Commercial for the Reynolds and Brown Plaza III Project EG-06-1051; and
2. Introduce and waive the full reading, by substitution of title only, an ordinance amending Table 23.24-1 to delete the “General Plan Land Use Designation Implemented by Zoning District” column and making minor text revisions to reflect this change within Zoning Code Chapters 23.24, 23.28, and 23.30.

- 7.4 **SUBJECT:** A Public Hearing to consider approval of the report of delinquent utility charges and their collection on the tax roll [p. 1-26]

STAFF REPORT:

Bonnie Puleo, Revenue Manager



PUBLIC COMMENT:

RECOMMENDATION:

Adopt [resolution](#) approving and confirming the report of delinquent utility charges and requesting Sacramento County to collect such charges on the Fiscal Year 2008-09 tax roll.

- 7.5 **SUBJECT:** A Public Hearing to consider adoption of resolution confirming the Written Report of Fiscal Year 2008-09 service charges and establishing Fiscal Year 2008-09 services charges for certain miscellaneous extended services in the Laguna West Service Area (formerly County Service Area 5) [p. 1-69]

STAFF REPORT:

Troy Brown, Budget Manager
Andrew Keys, Finance Analyst



PUBLIC COMMENT:

RECOMMENDATION:

Adopt [resolution](#) confirming the Written Report of Fiscal Year 2008-09 Service Charges and Establishing Fiscal Year 2008-09 Service Charges for certain miscellaneous extended services within the Laguna West Service Area.

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

- 8.1 **SUBJECT:** Review and approve the proposed Development Services System Assessment Report Implementation Plan [p. 1-22]

STAFF REPORT:

Laura Gill, City Manager



PUBLIC COMMENT:

RECOMMENDATION:

Adopt a [resolution](#) approving the proposed Implementation Plan for the report entitled “Development Services System Assessment Report” and approving a statement prioritizing process streamlining and customer service.

- 8.2 **SUBJECT:** Consider introduction of an ordinance amending Elk Grove Municipal Code sections 6.20.030 and 6.20.520 relating to residential solid waste handling service charges [p.1-17]

STAFF REPORT:

Cedar Kehoe, Integrated Waste Manager



PUBLIC COMMENT:

RECOMMENDATION:

Introduce and waive the full reading, by substitution of title only, an ordinance amending Article 1, Section 6.20.030 - *Definitions* and Article 5, Section 6.20.520 - *Owner Liability for Service Charges* of the City of Elk Grove Municipal Code relating to residential solid waste handling service charges.

- 8.3 **SUBJECT:** Consider approval of compensation survey jurisdictions [p. 1-4]

STAFF REPORT:

Jeannine Seher, Human Resources Manager



PUBLIC COMMENT:

RECOMMENDATION:

Approve use of jurisdictions listed in the staff report to conduct the total compensation (salary and benefits) survey for employees.

- 8.4** **SUBJECT:** Consider introduction of an ordinance to amend the Historic Preservation Ordinance adding an alternate member to the Historic Preservation Committee, and adoption of a resolution appointing an alternate member to the Historic Preservation Committee [p. 1-5]

STAFF REPORT:

Jessica Shalamunec, Planning Manager



PUBLIC COMMENT:

RECOMMENDATION:

1. Introduce and waive the full reading, by substitution of title only, an ordinance amending Subsection B in Section 7.00.040 of the City of Elk Grove Municipal Code adding an alternate position to the Historic Preservation Committee; and
2. Adopt resolution appointing an alternate member to the Historic Preservation Committee

- 8.5** **SUBJECT:** Adopt resolution levying the Fiscal Year 2008-09 special taxes or special assessments for seven Community Facilities and Special Districts and recognizing Ordinance No. 32-2008 amending the Elk Grove Zoning Map from RD-10, RD-15 and RD-20 to RD-30 and SC for the Laguna Ridge Town Center Project recorded after June 1, 2008 as the applicable designation when applying the levy [p. 1-45]

STAFF REPORT:

Troy Brown, Budget Manager
Andrew Keys, Finance Analyst



PUBLIC COMMENT:

RECOMMENDATION:

Adopt [resolution](#) levying the Fiscal Year 2008-09 special taxes or special assessments for seven Community Facilities and Special Districts and recognizing Ordinance No. 32-2008 amending the Elk Grove Zoning Map from RD-10, RD-15 and RD-20 to RD-30 and SC for the Laguna Ridge Town Center Project recorded after June 1, 2008 as the applicable designation when applying the levy.

- 8.6** **SUBJECT:** Cosumnes Community Services District Roadway Impact Fee Waiver Request [p. 1-3]

STAFF REPORT:

Rebecca Craig, Finance Director



PUBLIC COMMENT:

RECOMMENDATION:

Consider the request from the Cosumnes Community Services District to waive the Roadway fee related to its facility expansion project application.

- 8.7** **SUBJECT:** Adopt resolution ordering the collection of delinquent special taxes in Community Facilities Districts 2002-1 (East Franklin), 2003-1 (Poppy Ridge) and 2005-1 (Laguna Ridge) by action to foreclose the lien of special tax [p. 1-35]

STAFF REPORT:

Troy Brown, Budget Manager



PUBLIC COMMENT:

RECOMMENDATION:

Adopt [resolution](#) ordering the collection of delinquent special taxes in Community Facilities Districts 2002-1 (East Franklin), 2003-1 (Poppy Ridge) and 2005-1 (Laguna Ridge) by action to foreclose the lien of special tax.

- 8.8** **SUBJECT:** Designation of voting delegate and alternate to the 2008 League of California Cities Annual Conference [p. 1-5]

STAFF REPORT:

Susan Blackston, City Clerk



PUBLIC COMMENT:

RECOMMENDATION:

Appoint a voting delegate and alternate delegate to represent the City of Elk Grove at the 2008 League of California Cities Annual Conference business 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 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.