



*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, August 27, 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**

None.

**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 May and June 2008 Treasurer's Reports [p. 1-7]
- 6.2 Approve City Council Meeting Minutes of: a) June 25, 2008 Special Meeting; and b) June 25, 2008 Regular Meeting [p. 1-25]
- 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 August 20, 2008 [p. 1-4]
- 6.4 Adopt [resolution](#) approving an updated parking violation fine and delinquency fee schedule and amending the Fiscal Year 2008-09 Police Department budget in the amount of \$20,000 [p. 1-10]
- 6.5 Receive report on Requests for Proposals, Qualifications, and Bids [p. 1-4]

- 6.6 Adopt [Ordinance No. 31-2008](#) amending 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) **(Second Reading)** [p. 1-3]
- 6.7 Adopt [Ordinance No.35-2008](#) 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 (EG-07-050; APNs: 134-0600-014,-016,-029,-031,-032,-034,-040, and -049) **(Second Reading)** [p. 1-5]
- 6.8 Adopt [Ordinance No. 36-2008](#) amending the City of Elk Grove Zoning Map for an approximately four acre parcel from Residential- Five (RD-5) Units per Acre to Shopping Center Commercial (SC) for the Reynolds and Brown Plaza III Project (EG-06-1051; APN 125-0030-029) **(Second Reading)** [p. 1-3]
- 6.9 Adopt [Ordinance No. 37-2008](#) 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 **(Second Reading)** [p. 1-7]
- 6.10 Adopt [Ordinance No. 38-2008](#) 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 **(Second Reading)** [p. 1-5]
- 6.11 Adopt [Ordinance No. 39-2008](#) 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 **(Second Reading)** [p. 1-2]
- 6.12 Adopt [resolution](#) authorizing the City Manager to execute a consultant services contract amendment with Quincy Engineering, Inc. for the West Stockton Boulevard at Laguna Creek Bridge Replacement Project extending the termination date to December 31, 2009 [p. 1-7]

- 6.13 Adopt [resolution](#) waiving competitive bidding requirements and authorizing the City Manager to execute a contract with NEC Corporation of America for the purchase, installation and maintenance of an NEC Global Latent Workstation in an amount of \$60,041 [p. 1-15]
- 6.14 Adopt [resolution](#) approving fees and charges for services provided by the Police Department in accordance with recommendations from Revenue & Cost Specialists, LLC and state limitations [p. 1-62]
- 6.15 Adopt [resolution](#) approving Subdivision No. 03-493.01 Allen Ranch Phase 1 and authorizing the Mayor to execute the Subdivision Improvement Agreement [p. 1-37]
- 6.16 Adopt [resolution](#) approving the submittal of a Functional Classification Change Request for local streets and roads to Caltrans [p. 1-8]
- 6.17 Adopt [resolution](#) accepting the Elk Grove-Florin Road / Campbell Road Intersection Improvements and the Franklin Boulevard / Willard Parkway Intersection Improvements Project as complete and authorizing the City Engineer to prepare, and the City Clerk to file, the Notice of Completion with the Sacramento County Recorder [p. 1-4]
- 6.18 Adopt [resolution](#) authorizing the City Manager to execute the Fiscal Year 2008-09 Measure A Allocation and Expenditure Contract between the City and the Sacramento Transportation Authority [p. 1-15]
- 6.19 Adopt [resolution](#) accepting the Elk Grove Elementary Safety Improvements Project as complete and authorizing the City Engineer to prepare, and the City Clerk to file, the Notice of Completion with the Sacramento County Recorder [p. 1-5]
- 6.20 Adopt [resolution](#) authorizing the City Manager to execute a construction contract with Biondi Paving for the Community Development Block Grant Bus Stop Improvements Project in the amount of \$159,826.90 and authorizing the City Engineer to approve change orders not to exceed the contingency amount of \$23,976.13 [p. 1-8]

- 6.21 Adopt **resolution** authorizing the City Manager to execute a construction contract with Valley Slurry Seal Company for the Slurry and Chip Seal Project 2008 in the amount of \$551,904 and authorizing the City Engineer to approve change orders not to exceed the contingency amount of \$82,786 [p. 1-6]
- 6.22 Adopt **resolution** authorizing the City Manager to execute a Contribution Agreement with Caltrans to perform design for the I-5 / Elk Grove Boulevard On-Ramp Project for an amount not to exceed \$60,000 [p. 1-10]
- 6.23 Adopt **resolution** approving the agreement for maintenance of joint transportation facilities between the City of Elk Grove and the County of Sacramento, authorizing the Mayor to execute the agreement and authorizing the City Manager to approve mutually agreed revisions on an annual basis [p. 1-15]
- 6.24 Adopt **resolution** authorizing the City Manager to execute a consultant services contract amendment with Quincy Engineering, Inc. for the Sheldon Road / State Route 99 Interchange Reconstruction Project for an amount not to exceed \$378,500 and to extend the termination date to December 31, 2010 [p. 1-7]

## 7. **PUBLIC HEARINGS**

- 7.1 **SUBJECT:** A public hearing to consider the rezone of approximately 1.12 acres from Travel Commercial (TC) to General Commercial (GC) within the Laguna West community for the Longport Court Rezone Project located at 2301 Longport Court (EG-08-038, APN 119-1990-007) [p. 1-18]

**STAFF REPORT:**

Kyra O'Malley, Planner



**PUBLIC COMMENT:**

**PLANNING COMMISSION RECOMMENDATION:**

Introduce and waive the full reading, by substitution of title only, an ordinance amending the City of Elk Grove Zoning Map for an approximately 1.12 acre parcel from Travel Commercial (TC) to General Commercial (GC) for the Longport Court Rezone Project.

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

- 8.1 SUBJECT:** Consider introductions of ordinances and a resolution relating to the enforcement of City ordinances, including administrative citations [p. 1-26]

**STAFF REPORT:**

Susan Cochran, City Attorney



**PUBLIC COMMENT:**

**RECOMMENDATION:**

1. Introduce and waive the full reading, by substitution of title only, an Ordinance repealing and adopting Chapter 1.04 of the Elk Grove Municipal Code relating to enforcement of the Code;
2. Introduce and waive the full reading, by substitution of title only, an Ordinance adding Chapter 1.08 of the Elk Grove Municipal Code relating to Code enforcement;
3. Introduce and waive the full reading, by substitution of title only, an Ordinance amending Chapter 1.11 of the Elk Grove Municipal Code relating to Appeals;
4. Introduce and waive the full reading, by substitution of title only, an Ordinance adding Chapter 1.12 of the Elk Grove Municipal Code relating to administrative citations; and
5. Adopt [resolution](#) repealing and replacing fees for Administrative Appeal Hearings.

- 8.2 SUBJECT:** Review draft of response to Grand Jury Report and direct staff regarding further actions [p. 1-8]

**STAFF REPORT:**

Susan Cochran, City Attorney



**PUBLIC COMMENT:**

**RECOMMENDATION:**

Review the draft "Response to the Grand Jury Report," provide direction regarding the City Council's response to the Grand Jury Report and other action deemed appropriate by the City Council regarding matters discussed by the Grand Jury.

- 8.3** **SUBJECT:** Good Shepherd Church partial impact fee waiver request [p. 1-4]

**STAFF REPORT:**

Rebecca Craig, Finance Director



**PUBLIC COMMENT:**

**RECOMMENDATION:**

Consider the request from the Good Shepherd Church, located at 9539 Racquet Court, to waive a portion of the Roadway Fee related to its facility expansion project application.

- 8.4** **SUBJECT:** Consider a City of Elk Grove Facility Naming Policy [p. 1-6]

**STAFF REPORT:**

Kara Reddig, Assistant to the City Manager



**PUBLIC COMMENT:**

**RECOMMENDATION:**

Adopt resolution approving City of Elk Grove Facility Naming Policy.

- 8.5** **SUBJECT:** Consider transfer of a Swainson's hawk foraging habitat conservation easement, finalize and execute a Monitoring Funding Agreement, and transfer an endowment from the Swainson's Hawk Habitat Fund to The Nature Conservancy in the amount of \$171,099 [p. 1-47]

**STAFF REPORT:**

Taro Echiburú, Environmental Manager



**PUBLIC COMMENT:**

**RECOMMENDATION:**

Adopt [resolution](#) authorizing the City Manager to:

1. Finalize and execute a Swainson's hawk foraging habitat conservation easement over the City's habitat mitigation property on behalf of The Nature Conservancy;
2. Finalize and execute an Endowment Agreement with The Nature Conservancy for the Swainson's hawk foraging habitat conservation easement; and
3. Transfer \$171,099 from the Swainson's Hawk Habitat Fund to The Nature Conservancy.

- 8.6 **SUBJECT:** Appoint a member and delineate the appointments of each member to Historic Preservation Committee [p. 1-4]

**STAFF REPORT:**

Jessica Shalamunec, Planning Manager



**PUBLIC COMMENT:**

**RECOMMENDATION:**

Adopt resolution appointing Tal Crump to the Historic Preservation Committee and delineate the appointments of each Historic Preservation Committee Member.

- 8.7 **SUBJECT:** Consider introduction of an ordinance adding Elk Grove Municipal Code Chapter 2.12 relating to creation of a Youth Commission [p. 1-14]

**STAFF REPORT:**

Jim Miller, Youth Services Manager



**PUBLIC COMMENT:**

**RECOMMENDATION:**

Introduce and waive the full reading, by substitution of title only, an ordinance adding Chapter 2.12 creating a Youth Commission.

- 8.8** **SUBJECT:** Consider request for waiver of the policies and procedures for reimbursement of privately constructed public facilities under Reimbursement Agreement RC2004-06 by Norwest Properties, LLC [p. 1-6]

**STAFF REPORT:**

Fritz Buchman, City Engineer  
Ann Herner, Senior Engineer



**PUBLIC COMMENT:**

**RECOMMENDATION:**

Consider and provide direction to staff regarding the requested waiver.

- 8.9** **SUBJECT:** Consider request for waiver of the policies and procedures for reimbursement of privately constructed public facilities under Reimbursement Agreement RC2006-02 by Reynen & Bardis (Laguna Ridge), LP and Pulte Homes Corporation [p.1-6]

**STAFF REPORT:**

Fritz Buchman, City Engineer  
Ann Herner, Senior Engineer



**PUBLIC COMMENT:**

**RECOMMENDATION:**

Consider and provide direction to staff regarding the requested waiver.

- 8.10** **SUBJECT:** Consider an impact fee waiver request for second dwelling unit at 10294 Wrangler Drive [p. 1-3]

**STAFF REPORT:**

Laura Gill, City Manager  
Susan Cochran, City Attorney



**PUBLIC COMMENT:**

**RECOMMENDATION:**

Consider the request from Mr. Underwood to waive the Roadway fee related to the construction of a second dwelling unit at 10294 Wrangler Drive.

- 8.11 **SUBJECT:** Consider an Economic Incentive Agreement with Reynolds & Brown [p. 1-13]

**STAFF REPORT:**

Heather Ross, Management Analyst  
Susan Cochran, City Attorney



**PUBLIC COMMENT:**

**RECOMMENDATION:**

Review and, if appropriate, authorize the City Manager to execute an Economic Incentive Agreement with Elk Grove III Partners, LLC for the Reynolds & Brown Plaza III Project. ([Resolution](#))

- 8.12 **SUBJECT:** Consider appointment to Charter Commission [p.1-3]

**STAFF REPORT:**

Susan Blackston, City Clerk



**PUBLIC COMMENT:**

**RECOMMENDATION:**

Review applications submitted and appoint one (1) member to the Charter Commission. ([Resolution](#))

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.**