



Incorporated July 1, 2000
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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, October 22, 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 Stephanie Brown-Trafton 2008 Olympic discus gold medal winner
- 4.2 Judge James P. Henke to administer the Oath of Office to Robert M. Lehner, Chief of Police (*to be followed by community reception*)

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 General Warrant No. 40110 through 40772 dated September 1, 2008 through September 30, 2008, Electronic Fund Transfer 2009024, and 2009031 through 2009048, and Automatic Clearing House [p.1-63]
- 6.2 Approve City Council Meeting Minutes of: a) October 8, 2008 Special Meeting; and b) October 8, 2008 Regular Meeting [p. 1-9]
- 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 October 14, 2008 [p. 1-3]

- 6.4 Receive report on Requests for Proposals, Qualifications, and Bids [p. 1-2]
- 6.5 Adopt Ordinance 49-2008 amending sections 23.12.040, 23.12.050, 23.14.050, 23.62.070(2)(D), 23.90.020, 23.90.040, 23.98.030, and Table 23.14-1 of the Elk Grove Zoning Code, Title 23 of the Municipal Code, pertaining to Planning Director interpretations, appeals, Uniform Sign Programs, Second Dwelling Units, and Zoning Code definitions **(Second Reading)** [p. 1-5]
- 6.6 Adopt Ordinance 50-2008 adding Article III E to Chapter 4.10 of the Elk Grove Municipal Code, regulating smoking lounges **(Second Reading)** [p. 1-9]
- 6.7 Adopt resolution authorizing the City Manager to execute a contract amendment with MV Transportation, Inc. for the provision of fixed route transit services to extend the non-renewal notification and termination dates by two months [p. 1-5]
- 6.8 Adopt resolution accepting the Stockton Boulevard Rehabilitation 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]
- 6.9 Adopt resolution accepting the Intelligent Transportation Systems Phase 1B 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. 1-3]
- 6.10 Adopt resolution authorizing the City Manager to execute contracts with Dell Inc. in the amount of \$84,569.69 for the purchase of computers, and EnvisionWare in the amount of \$70,939.45 for the purchase self-checkout equipment for the Elk Grove (Old Town) Library Project utilizing State of California and Sacramento Public Library cooperative purchasing agreements [p. 1-4]

- 6.11 Adopt resolution accepting the East Stockton Boulevard Bikeway 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. 1-3]
- 6.12 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. 11) [p. 1-33]
- 6.13 Adopt resolution authorizing the City Manager to act on behalf of the project and submit the grant assurances for Proposition 1B Fiscal Year 2007-08 Transit System Safety, Security and Disaster Response Account funds and amending the Fiscal Year 2008-09 Transit and 2009-13 Capital Improvement Program Budgets in the amount of \$111,856 [p. 1-11]

7. **PUBLIC HEARINGS**

- 7.1 **SUBJECT:** A public hearing to consider a rezone and design review for the Meadows Senior Assisted Living Facility Project located at 9325 East Stockton Boulevard (EG-07-126; APN 116-0090-020) [p.1-48]

STAFF REPORT:

Nina Stevens, Planner



PUBLIC COMMENT:

PLANNING COMMISSION RECOMMENDATION:

1. Introduce and waive the full reading, by substitution of title only, an ordinance amending the City of Elk Grove Zoning Map for a 3.2 acre parcel from Residential - Five Units per Acre (RD-5) to Residential - 30 Units per Acre (RD-30) for the Meadows Senior Assisted Living Facility Project; and
2. Adopt resolution approving the design review for the Meadows Senior Assisted Living Facility project, subject to the findings and Conditions of Approval.

- 7.2** **SUBJECT:** A public hearing to consider adoption of resolutions: 1) approving an abandonment of a portion of West Stockton Boulevard adjacent to the Lent Ranch Marketplace, 2) quitclaiming a portion of the aforementioned West Stockton Boulevard to M & H Realty Partners Affiliated Fund III, L.P. and 3) approving Parcel Map No. 08-009, Elk Grove Promenade - Lot G, (Promenade Square) (EG-08-009) [p.1-31]

STAFF REPORT:

Fritz Buchman, Interim Public Works Director



PUBLIC COMMENT:

RECOMMENDATION:

1. Adopt resolution approving the abandonment of a portion of West Stockton Boulevard adjacent to State Highway 99 and the Lent Ranch Marketplace and reserving three easements from said abandonment; and
2. Adopt resolution quitclaiming a portion of abandoned West Stockton Boulevard to M & H Realty Partners Affiliated Fund III, L.P.; and
3. Adopt resolution approving Parcel Map No. 08-009, Elk Grove Promenade - Lot G, (Promenade Square).

- 7.3** **SUBJECT:** *(Request for continuance)* A public hearing to consider the rezone for the Treasure Homes Subdivision located at 7401 Bilby Road within the Laguna Ridge Specific Plan (EG-03-486: APN 132-0050-066) [p.1]

STAFF REPORT:

Jessica Shalamunec, Planning Manager



PUBLIC COMMENT:

RECOMMENDATION:

Continue the Treasure Homes Rezone public hearing to the regularly scheduled meeting of December 10, 2008.

8. REGULAR AGENDA ACTION ITEMS/RECOMMENDATIONS

- 8.1 **SUBJECT:** Consider adopting resolution approving the third amendment to the Allied Waste Franchise Agreement for residential refuse collection and transportation to disposal facilities, recyclables and green waste collection, processing and marketing [p.1-14]

STAFF REPORT:

Cedar Kehoe, Integrated Waste Program Manager



PUBLIC COMMENT:

RECOMMENDATION:

Adopt resolution authorizing the City Manager to execute the Third Amendment to the Franchise Agreement with Allied Waste Services of North America, LLC

- 8.2 **SUBJECT:** Fiscal Year 2008-09 1st Quarter Financial Review [p.1-18]

STAFF REPORT:

Troy Brown, Budget Manager



PUBLIC COMMENT:

RECOMMENDATION:

This is an informational report; no City Council action is required.

- 8.3 **SUBJECT:** Introduce an ordinance amending the purchasing ordinance to exempt student internship programs from competitive bid requirements [p.1-4]

STAFF REPORT:

Jeannine Seher, Human Resources Manager



PUBLIC COMMENT:

RECOMMENDATION:

Introduce and waive the full reading, by substitution of title only, an ordinance amending the Elk Grove Municipal Code Chapter 3.42 – Contracts and Purchasing to add an exemption from competitive bidding for internship programs.

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.