



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

**Patrick Hume, Mayor**

**Sophia Scherman, Vice Mayor**  
**James Cooper, Council Member**

**Gary Davis, Council Member**  
**Steven M. Detrick, Council Member**

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**REGULAR MEETING OF THE CITY COUNCIL**  
**Wednesday, April 22, 2009**  
**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 Presentation by Sacramento Regional Human Rights / Fair Housing Commission Executive Director Barbara Lehman and Sacramento Association of Realtors Executive Vice President Nelson Janes recognizing Fair Housing Month and the City of Elk Grove's commitment to affordable housing
- 4.2 Present National Volunteer Week Proclamation to Elk Grove Volunteers In Police Services program volunteers [p. 1]
- 4.3 Present Sexual Assault Awareness Month Proclamation to WEAVE Executive Director Beth Hassett [p. 1]
- 4.4 Presentation by Integrated Waste Program Manager Cedar Kehoe regarding Earth Week 2009 Activities

#### **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 February and March 2009 Treasurer's Reports [p. 1-5] (FINANCE)
- 6.2 Approve City Council Meeting Minutes of: a) March 11, 2009 Special Meeting, and b) March 11, 2009 Regular Meeting [p. 1-14] (CITY CLERK)

- 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 April 15, 2009 [p. 1-3] (CITY CLERK)
- 6.4 Receive report on Requests for Proposals, Qualifications, and Bids [p. 1-2] (CITY CLERK)
- 6.5 Adopt resolution delegating authority to the City Manager for determining Industrial Disability Retirement eligibility [p. 1-4] (HUMAN RESOURCES)
- 6.6 Adopt resolution amending the 2008-13 Capital Improvement Program and the Fiscal Year 2008-09 budget by approving the allocation of \$3,683,000 of economic stimulus funding for the Annual Pavement Resurfacing Program, Intelligent Transportation Systems Program, and the I-5 / Elk Grove Boulevard Northbound On-ramp Project [p. 1-6] (PUBLIC WORKS)
- 6.7 Adopt resolution authorizing the Public Works Director to establish and submit the Annual Anticipated Race Conscious Disadvantaged Business Enterprise Participation Level and to execute DBE Implementation Agreements and related amendments with Caltrans and the Federal Transit Administration [p. 1-5] (PUBLIC WORKS)
- 6.8 Adopt resolution authorizing the City Manager to execute a construction contract with George Reed, Inc. for the Elk Grove Boulevard Rehabilitation Project (Franklin Boulevard to Bruceville Road) in the amount of \$1,168,616.39 and authorizing the City Engineer to approve change orders not to exceed \$175,292 [p. 1-5] (PUBLIC WORKS)
- 6.9 Adopt resolution authorizing the City Manager to execute a contract with Odell's Pump and Motor Service to Furnish Backup Pump Equipment for Pump Stations D-50 and D-53 in the amount of \$119,435 [p. 1-13] (PUBLIC WORKS)
- 6.10 Adopt resolution designating the Elk Grove Redevelopment Survey Area [p. 1-6] (PLANNING)

6.11 Adopt resolution authorizing the City Manager to execute a contract amendment with Bank of America for banking services extending the contract term one year and authorizing an expenditure of funds not to exceed \$108,000 [p. 1-5] (FINANCE)

6.12 Certificate of Recognition in honor of the 25<sup>th</sup> Anniversary of the Veterans of Foreign Wars Post 2073 [p. 1] (CITY CLERK)

## 7. **PUBLIC HEARINGS**

7.1 **SUBJECT:** Continue public hearing to May 13, 2009 to consider updates to Capital Facilities and Roadway Impact Fees  
[p. 1-2]

**STAFF REPORT:**

Rebecca Craig, Finance Director  
Richard Shepard, Public Works Director  
Andrew Keys, Finance Analyst



**PUBLIC COMMENT:**

**RECOMMENDATION:**

Open the public hearing and continue it until May 13, 2009. This continuance is necessary to allow staff to incorporate technical and agreed-upon changes in the nexus studies.

7.2 **SUBJECT:** A public hearing to consider a rezone, design review, and variance request for the Elk Grove 76 Service Station Project located at 8475 Elk Grove Boulevard (EG-08-002; APN: 125-0010-005) [p. 1-66]

**STAFF REPORT:**

Jessica Shalamunec, Project Planner



**PUBLIC COMMENT:**

**PLANNING COMMISSION RECOMMENDATION:**

1. Introduce and waive the full reading, by substitution of title only, an ordinance amending the Elk Grove Zoning Map for a 0.71 acre parcel from Limited Commercial (LC) to Shopping Center (SC) for the Elk Grove 76 Service Station Project No. EG-08-002; and
2. Adopt resolution approving the Design Review and Variance request for the Elk Grove 76 Service Station Project No. EG-08-002 subject to findings and conditions of approval.

- 7.3** **SUBJECT:** A public hearing to consider approving a Letter of Public Convenience and Necessity for a Type 21 (Off-Site General) alcohol license for Rite Aid #6494 located at 9260 Elk Grove Boulevard (EG-09-013; APN: 134-0050-001) [p. 1-19]

**STAFF REPORT:**

Mike Costa, Planner



**PUBLIC COMMENT:**

**PLANNING COMMISSION RECOMMENDATION:**

Adopt resolution approving the Letter of Public Convenience and Necessity for Rite Aid #6494.

- 7.4** **SUBJECT:** A public hearing to consider adoption of resolutions calling an election and declaring results of the special election for annexation to Community Facilities District No. 2006-1 (Maintenance Services) and introduction of an ordinance levying and apportioning the special tax to the annexing area (Annexation No. 12) [p. 1-40]

**STAFF REPORT:**

Andrew Keys, Finance Analyst



**PUBLIC COMMENT:**

**RECOMMENDATION:**

1. Adopt resolution calling an election to submit the question of levying a special tax within the area proposed to be annexed to Community Facilities District No. 2006-1 (Maintenance Services) to the qualified electors;

2. (*Following tabulation and certification of ballot results by the City Clerk*) Adopt resolution declaring the results of the special election held on April 22, 2009 for the twelfth annexation to Community Facilities District No. 2006-1 (Maintenance Services); and
3. Introduce and waive the full reading, by substitution of title only, an ordinance levying and apportioning the special tax in territory annexed to Community Facilities District No. 2006-1 (Maintenance Services) Annexation No. 12.

**7.5 SUBJECT:** A public hearing to consider adoption of a resolution determining to levy street maintenance assessments for certain properties in the Eastern Area which represents annexation No. 12 into Street Maintenance District No. 1 – Zone 3-A [p. 1-9]

**STAFF REPORT:**

Andrew Keys, Finance Analyst



**PUBLIC COMMENT:**

**RECOMMENDATION:**

Conduct a public hearing on Supplement No. 12 to the Engineer's Report, the question of levying assessments within Street Maintenance District No. 1 – Zone 3 and creating a subset of Zone 3 to be titled Street Maintenance District No. 1, Zone 3-A for certain properties in the Eastern 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 3-A (Annexation 12).

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

None.

**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) 478-3635. 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.