



Incorporated July 1, 2000
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Patrick Hume, Mayor

Sophia Scherman, Vice Mayor
James Cooper, Council Member

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

REGULAR MEETING OF THE CITY COUNCIL
Wednesday, May 27, 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 Present Certificate of Recognition to Lovelei Sterling in honor of her 100th birthday [p. 1]
- 4.2 Earth Week 2009 Nike Reuse-A-Shoe Collection Results and Presentation to Award Winners by Andy Tai, Integrated Waste Intern
- 4.3 Intelligent Transportation Systems presentation by Fritz Buchman, Assistant Public Works Director

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 City Council Meeting Minutes: 1) April 8, 2009 Special meeting, and 2) April 8, 2009 Regular meeting [p. 1-17] (CITY CLERK)
- 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 May 20, 2009 [p. 1-2] (CITY CLERK)
- 6.3 Receive report on Requests for Proposals, Qualifications, and Bids [p. 1-2] (CITY CLERK)

- 6.4 Adopt Ordinance No. 10-2009 repealing Elk Grove Municipal Code Chapter 16.84 and amending Chapter 16.95 implementing development impact fees (**Second Reading**) [p. 1-7] (FINANCE)
- 6.5 Adopt resolution authorizing the City Manager to execute a fourth contract amendment with Blais and Associates for grant writing services increasing the amount by \$6,000 *for a total compensation amount of \$102,000* [p. 1-6] (NEIGHBORHOOD SERVICES)
- 6.6 Adopt resolution accepting the Elk Grove (Old Town) Library Construction Project as complete and authorizing the City Engineer to prepare, and the City Clerk to file, a Notice of Completion with the Sacramento County Recorder [p. 1-3] (PUBLIC WORKS)
- 6.7 Adopt resolution authorizing the City Manager to accept an appropriation from the State Supplemental Law Enforcement Services Fund in the amount of \$222,500 and increase the Police Department's revenue and expense budget by \$222,500 [p. 1-5] (POLICE)
- 6.8 Adopt resolution authorizing the City Manager to execute a contract with Ferrellgas / Elk Grove Gas & Oil for purchase of unleaded gasoline and diesel fuel from card lock facilities for a one year period in an amount not to exceed \$750,000 [p. 1-18] (FLEET)
- 6.9 Adopt resolution finding a severe fiscal hardship and declaring a statement of opposition to additional local property tax funds being seized, and additional unfunded mandates being adopted, by the State of California [p. 1-4] (FINANCE)
- 6.10 Adopt resolution authorizing the City Manager to execute a consultant services contract amendment with Quincy Engineering, Inc. for the Elk Grove Boulevard / State Route 99 Interchange Modifications Project to extend the termination date to June 30, 2010 [p. 1-7] (PUBLIC WORKS)

- 6.11 Adopt resolution authorizing the City Manager to sign a Memorandum of Understanding with Clean Energy for a Compressed Natural Gas Fast-Fill Fueling Facility [p.1-16] (TRANSIT)
- 6.12 Adopt resolution awarding a sole source contract and authorizing the City Manager to execute an agreement with Mid-Coast Gas for the repair of the existing transit Compressed Natural Gas compressor and two-year rental of a second compressor in an amount not to exceed \$104,000 [p. 1-10] (TRANSIT)

7. **PUBLIC HEARINGS**

- 7.1 **SUBJECT:** A public hearing to consider adoption of resolution confirming the Written Report of Fiscal Year 2009-10 service charges and establishing Fiscal Year 2009-10 service charges for certain miscellaneous extended services in the Laguna West Service Area (formerly County Service Area 5) [p. 1-67]

STAFF REPORT:

Andrew Keys, Finance Analyst



PUBLIC COMMENT:

RECOMMENDATION

Adopt resolution confirming the Written Report of Fiscal Year 2009-10 Service Charges and establishing Fiscal Year 2009-10 Service Charges for certain miscellaneous extended services within the Laguna West Service Area.

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

- 8.1 **SUBJECT:** Presentation of Fiscal Year 2009-10 Annual Budget and Fiscal Year 2010-11 Fiscal Plan [p. 1]

STAFF REPORT:

Katy Baumbach, Budget Manager



PUBLIC COMMENT:

RECOMMENDATION:

Receive and file the Proposed Fiscal Year 2009-10 Annual Budget and Fiscal Year 2010-11 Fiscal Plan and receive the City Manager's Budget Message.

- 8.2 **SUBJECT:** Adopt resolution levying the Fiscal Year 2009-10 Special Taxes or Special Assessments for Community Facilities and Special Districts [p. 1-47]

STAFF REPORT:

Andrew Keys, Finance Analyst



PUBLIC COMMENT:

RECOMMENDATION:

Adopt resolution levying the Fiscal Year 2009-10 Special Taxes or Special Assessments for seven Community Facilities and Special Districts.

- 8.3 **SUBJECT:** Introduce an ordinance adding Chapter 9.21 to the Elk Grove Municipal Code entitled *Social Host Liability and Prohibition Against Underage Drinking* [p. 1-12]

STAFF REPORT:

Nicole York-Johnson, Management Analyst



PUBLIC COMMENT:

RECOMMENDATION:

Introduce and waive the full reading, by substitution of title only, an ordinance adding Chapter 9.21 to the Elk Grove Municipal Code entitled *Social Host Liability and Prohibition Against Underage Drinking*.

- 8.4 **SUBJECT:** Introduce an ordinance to amend Title 14 of the Elk Grove Municipal Code to establish procedures for the enforcement of investigation findings related to complaints about agricultural activities [p. 1-6]

STAFF REPORT:

Shane Diller, Community Enhancement Manager



PUBLIC COMMENT:

RECOMMENDATION:

Introduce and waive the full reading, by substitution of title only, an ordinance amending Title 14 of the Elk Grove Municipal Code to add Chapter 14.07 entitled *Agricultural Disputes*.

- 8.5 **SUBJECT:** Consider the Official Assessment Ballot regarding the Central Elk Grove Park Assessment District by the Cosumnes Community Services District [p. 1-4]

STAFF REPORT:

Laura Gill, City Manager



PUBLIC COMMENT:

RECOMMENDATION:

Consider the Official Assessment Ballot regarding the Central Elk Grove Park Assessment District by the Cosumnes Community Services District and provide direction in regard to participating in the mailed ballot election.

- 8.6 **SUBJECT:** Swainson's Hawk Ordinance Amendment Update [p. 1-28]

STAFF REPORT:

Taro Echiburú, Environmental Planning Manager



PUBLIC COMMENT:

RECOMMENDATION:

Receive the report and provide direction regarding amendment of the Swainson's Hawk Ordinance.

- 8.7 **SUBJECT:** Status update on implementation of the Development Services Assessment Report [p. 1-4]

STAFF REPORT:

Heather Ross, Senior Management Analyst



PUBLIC COMMENT:

RECOMMENDATION:

Review and discuss the status report for the Sinclair & Associates Development Services System Assessment Report Implementation Plan.

- 8.8 **SUBJECT:** Review Draft Economic Development Incentive Program [p. 1-19]

STAFF REPORT:

Heather Ross, Senior Management Analyst



PUBLIC COMMENT:

RECOMMENDATION:

Review the proposed Economic Development Incentive Program, revised Fee Deferral Program, and stimulus options related to the Roadway Impact Fee and provide direction.

- 8.9 **SUBJECT:** Adopt resolution to approve Federal Energy Efficiency and Conservation Block Grant and other energy efficiency funding requests [p. 1-12]

STAFF REPORT:

Andrew Keys, Finance Analyst
Kara Reddig, Assistant to the City Manager



PUBLIC COMMENT:

RECOMMENDATION:

Adopt resolution approving the Federal Energy Efficiency and Conservation Block Grant and other energy efficiency funding requests.

- 8.10 **SUBJECT:** Employee Benefits Summary and reconvening of the City Council Retiree Healthcare Benefit Committee [p. 1-4]

STAFF REPORT:

Frank Oviedo, Deputy City Manager



PUBLIC COMMENT:

RECOMMENDATION:

Review the City of Elk Grove Employee Benefits Report and the City's Health Reimbursement Account program and consider reconvening the Retiree Healthcare Benefit Committee.

- 8.11 SUBJECT:** Consider appointment of Census 2010 Complete Count Committee Chair / Co-Chairs [p. 1-2]

STAFF REPORT:

Susan Blackston, City Clerk



PUBLIC COMMENT:

RECOMMENDATION:

Adopt resolution appointing a Chair *[or two or more Co-Chairs]* to the Census 2010 Complete Count 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) 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.