



Incorporated July 1, 2000
Website: www.elkgrovecity.org

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, July 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 Present Certificate of Achievement to Erikka Burke – National Finalist in Official Youth Skills Competition of Major League Baseball Pitch, Hit & Run Program

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 2009 Treasurer’s Report [p. 1-3] (FINANCE)
- 6.2 Approve City Council Meeting Minutes: 1) July 8, 2009 Special Meeting; and 2) July 8, 2009 Regular Meeting [p. 1-12] (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 July 15, 2009 [p. 1-2] (CITY CLERK)
- 6.4 Receive report on Requests for Proposals, Qualifications, and Bids [p. 1-2] (CITY CLERK)
- 6.5 Adopt Ordinance No. 15-2009 amending Chapter 16.90 of the Elk Grove Municipal Code relative to Construction Permit Fees **(Second Reading)** [p. 1-9] (DEVELOPMENT SERVICES)

- 6.6 Adopt resolution directing staff to proceed with design and environmental study on Alternative 3 for the Quiet Zone #3 Crossing Improvements and to concurrently pursue construction funding [p. 1-13] (PUBLIC WORKS)
- 6.7 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 Maintenance Services (Annexation No. 13) [p. 1-36] (FINANCE)
- 6.8 Adopt resolution authorizing the City Manager to execute a contract amendment with Les Schwab Tire Center of Elk Grove for tire and roadside services for City vehicles extending the contract term one year in an amount of \$55,000 *[for a total compensation amount not to exceed \$113,500]* [p. 1-5] (ADMINISTRATIVE SERVICES)
- 6.9 Adopt resolution authorizing the City Manager to execute a contract amendment with S&G Enterprises for the installation, repair and removal of vehicle emergency response equipment extending the contract term one year in an amount of \$187,000 *[for a total compensation amount not to exceed \$352,000]* [p. 1-5] (ADMINISTRATIVE SERVICES)
- 6.10 Adopt resolution finding the Police Fence Project exempt from the California Environmental Quality Act and directing the filing of a Notice of Exemption, and authorizing the City Manager to execute a construction contract with Peterson Developments for an amount not to exceed \$146,740 and authorizing the City Engineer to approve change orders not to exceed accumulative amount of \$13,000 [p. 1-5] (ADMINISTRATIVE SERVICES)
- 6.11 Adopt resolution finding the City Hall Tenant Improvement Project exempt from the California Environmental Quality Act and directing the filing of a Notice of Exemption, and authorizing the City Manager to execute a construction contract with Maloney and Bell General Contractors, Inc. for an amount not to exceed \$80,749 and authorizing the City Engineer to approve change orders not to exceed accumulative amount of \$12,000 [p. 1-5] (ADMINISTRATIVE SERVICES)

- 6.12 Adopt resolution authorizing the City Manager to execute the necessary documents to apply for Homeless Prevention and Rapid Re-Housing Program Grant Funds and to finalize documents upon determination of an award [p. 1-4] (PLANNING)
- 6.13 Adopt resolution waiving the competitive bid process and authorizing the City Manager to execute a three year contract with Frontier Communications for provision of phone and internet services in an amount not to exceed \$788,000 [p. 1-22] (ADMINISTRATIVE SERVICES)
- 6.14 Adopt resolution authorizing the City Manager to award construction contracts for all Federal economic stimulus projects and pavement maintenance projects [p. 1-7] (PUBLIC WORKS)
- 6.15 Adopt resolution authorizing the City Manager to execute a contract amendment with Spinitar for operation and maintenance of City Hall Audio Visual Equipment extending the contract term two years in an amount of \$170,000 *[for a total compensation amount not to exceed \$340,000]* [p. 1-8] (ADMINISTRATIVE SERVICES)

7. **PUBLIC HEARINGS**

- 7.1 **SUBJECT:** A Public Hearing to consider approval of the report of delinquent utility charges and their collection on the tax roll [p. 1-21]

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 2009-10 tax roll.

- 7.2 **SUBJECT:** A public hearing to consider *e-tran* and *e-van* service adjustments [p. 1-63]

STAFF REPORT:

Tiffani Fink, Transit System Manager



PUBLIC COMMENT:

RECOMMENDATION:

Adopt resolution approving service adjustments on e-tran and e-van and authorizing the City Manager to implement the adjustments effective September 1, 2009.

- 7.3 **SUBJECT:** A public hearing to consider modifying the transit fare structure definition of “transfers” [p. 1-10]

STAFF REPORT:

Tiffani Fink, Transit System Manager



PUBLIC COMMENT:

RECOMMENDATION:

Adopt resolution modifying the transit fare structure definition of “transfers” to limit transfers to only City-operated services, effective September 1, 2009.

- 7.4 **SUBJECT:** A public hearing to consider approving revised Planning Application and Public Works Fee Schedules, establishing a Deposit Replenishment Policy and establishing an Overhead Rate Policy for Private Development Projects [p. 1-14]

STAFF REPORT:

Heather Ross, Senior Management Analyst



PUBLIC COMMENT:

RECOMMENDATION:

Adopt resolution:

- 1) Revising the Planning Application Fee and Deposit Schedule; and
- 2) Revising the Public Works Fee and Deposit Schedule; and
- 3) Adopting a Planning and Public Works Deposit Replenishment Policy; and
- 4) Establishing a Development Services Overhead Rate Policy.

- 7.5** **SUBJECT:** A public hearing to consider minor amendments to the City of Elk Grove Zoning Code [p. 1-23]

STAFF REPORT:

Sarah Kirchgessner, Project Planner



PUBLIC COMMENT:

PLANNING COMMISSION RECOMMENDATION:

Introduce and waive the full reading, by substitution of title only, an ordinance amending Elk Grove Municipal Code Title 23, the Elk Grove Zoning Code.

- 7.6** **SUBJECT:** A public hearing to consider adoption of the 2008-13 Housing Element of the Elk Grove General Plan [p. 1-213]

STAFF REPORT:

Jessica Shalamunec, Current Planning Manager



PUBLIC COMMENT:

PLANNING COMMISSION RECOMMENDATION:

Adopt resolution approving the 2008-13 Housing Element of the Elk Grove General Plan.

8. REGULAR AGENDA ACTION ITEMS/RECOMMENDATIONS

- 8.1** **SUBJECT:** Provide direction to Charter Commission regarding draft charter language [p. 1-20]

STAFF REPORT:

Susan Blackston, City Clerk



PUBLIC COMMENT:

RECOMMENDATION:

Review draft Elk Grove Charter language and provide direction as deemed appropriate.

- 8.2 **SUBJECT:** Consider 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 and adopt a Special Tax and Assessment District Delinquency Management Policy [p. 1-88]

STAFF REPORT:

Andrew Keys, Finance Analyst



PUBLIC COMMENT:

RECOMMENDATION:

Adopt resolutions:

- 1) 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; and
- 2) Adopting the Special Tax and Assessment District Delinquency Management Policy.

- 8.3 **SUBJECT:** Consider a request by the Jubilee Community Worship Center to pay the Conditional Use Permit application fee in monthly installments [p. 1-13]

STAFF REPORT:

Don Hazen, Planning Director



PUBLIC COMMENT:

RECOMMENDATION:

Consider a request by the Jubilee Community Worship Center to pay for the \$5,223 Conditional Use Permit fee in installments of \$163.22 per month for a period of 32 months.

- 8.4 **SUBJECT:** Receive Information from the owner of the Elk Grove Sports Center regarding Impact Fees [p. 1-9]

STAFF REPORT:

Heather Ross, Senior Management Analyst



PUBLIC COMMENT:

RECOMMENDATION:

There is no recommended action. This item has been placed on agenda at the property owner's request.

- 8.5 **SUBJECT:** Consider future use of the Elk Grove Community Garden [p. 1-19]

STAFF REPORT:

Kara Reddig, Assistant to the City Manager



PUBLIC COMMENT:

RECOMMENDATION:

Review several options concerning the future use of the Elk Grove Community Garden and direct staff to take action as necessary.

- 8.6 **SUBJECT:** Consider introduction of an ordinance amending Title 8 of the Elk Grove Municipal Code regarding the sale and advertisement of puppies, kittens, dogs, and cats and requiring a microchip on animals prior to licensing [p. 1-8]

STAFF REPORT:

Maureen Null, Community Enhancement Supervisor



PUBLIC COMMENT:

RECOMMENDATION:

Introduce and waive the full reading, by substitution of title only, an ordinance amending Elk Grove Municipal Code Title 8, Chapter 8.02 regarding the laws and regulations pertaining to general provisions, custody, care, and control of animals, and amending Chapters 8.01 and 8.03 regarding animal licensing implementing a microchip requirement.

- 8.7 **SUBJECT:** Consider adjustments to Animal Licensing Fees
[p. 1-6]

STAFF REPORT:

Maureen Null, Community Enhancement Supervisor
Shane Diller, Community Enhancement Manager



PUBLIC COMMENT:

RECOMMENDATION:

Consider adjustments to Animal Licensing Fees and direct staff to return at the August 26, 2009 Council meeting with a resolution adopting a revised fee schedule.

- 8.8 **SUBJECT:** Consider relief of fees assessed by Animal Services against animal owner at 4613 Stuben Court [p. 1-3]

STAFF REPORT:

Shane Diller, Community Enhancement Manager



PUBLIC COMMENT:

RECOMMENDATION:

Reject the animal owner's request for relief of fees and reaffirm the fees assessed.

- 8.9 **SUBJECT:** Sphere of Influence Amendment Listening Sessions Update [p. 1-34]

STAFF REPORT:

Taro Echiburú, Environmental Planning Manager



PUBLIC COMMENT:

RECOMMENDATION:

Review the report and provide direction regarding the Sphere of Influence Amendment application.

8.10 SUBJECT: Consider the Building Services Contract Request for Proposals [p. 1-5]

STAFF REPORT:

Richard S. Renfro, Building Official



PUBLIC COMMENT:

RECOMMENDATION:

Provide direction on the proposed Building Department organization structure, which will guide the development of a Request for Proposals for future Building Department services.

8.11 SUBJECT: Consider adding nine positions to the Department of Public Works [p. 1-6]

STAFF REPORT:

Richard Shepard, Public Works Director / City Engineer



PUBLIC COMMENT:

RECOMMENDATION:

1) Review and provide input on the proposed Department of Public Works organization; and
2) Adopt resolution creating nine new staff positions in the Department of Public Works and amending the Fiscal Year 2009-10 budget to add employee services line items to Development Services Fund-Department of Public Works.

8.12 SUBJECT: Consider actions regarding government relations services [p. 1-3]

STAFF REPORT:

Kara Reddig, Assistant to the City Manager



PUBLIC COMMENT:

RECOMMENDATION:

Direct staff to take the following actions regarding government relations services:

- 1) Return at a future Council meeting with updated Government Relations Services contracts for Van Scoyoc Associates, Inc. (Federal) and Joe A. Gonsalves & Son (State); and
- 2) Direct Interwest Consulting Group to terminate their agreement with California Strategies & Advocacy (Smith, Watts & Company, LLC) and provide 30 days written notice of termination to end on August 31, 2009.

- 8.13 SUBJECT:** Consider establishing guidelines for review of specific nonresidential development projects that will benefit the City's local and regional economy [p. 1-7]

STAFF REPORT:

Jessica Shalamunec, Current Planning Manager



PUBLIC COMMENT:

RECOMMENDATION:

Adopt resolution approving guidelines for review of specific nonresidential development projects that will benefit the City's local and regional economy.

- 8.14 SUBJECT:** Reschedule the November 11, 2009 City Council meeting [p. 1]

STAFF REPORT:

Laura Gill, City Manager



PUBLIC COMMENT:

RECOMMENDATION:

Reschedule the November 11, 2009 City Council meeting due to the Veterans' Day holiday. Staff recommends the meeting be rescheduled to November 18, 2009, or a mutually agreed upon date/time by the City Council.

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.