



*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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**– \*AMENDED AGENDA –**  
**REGULAR MEETING OF THE CITY COUNCIL**  
**Wednesday, October 28, 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 Proclamation declaring October 2009 as American Pharmacist Month [p. 1]
- 4.2 Report from Steve Czarnecki, Director of the Elk Grove Economic Development Corporation

#### **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) September 8, 2009 Special Meeting; 2) October 14, 2009 Special Meeting; and 3) October 14, 2009 Regular Meeting [p. 1-29] (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 October 21, 2009 [p. 1-2] (CITY CLERK)
- 6.3 Receive report on Requests for Proposals, Qualifications, and Bids [p. 1] (CITY CLERK)

- 6.4 Adopt resolution authorizing the City Manager to execute contracts with: 1) The HLA Group in an amount not to exceed \$200,000 and 2) with Dudek in an amount not to exceed \$100,000 for landscape architecture and tree removal permit evaluation services [p. 1-47] (PLANNING)
- 6.5 Adopt resolution authorizing the Mayor to sign a cooperative agreement with the City of Fountain Hills, Arizona, to establish a dual sister city relationship with Concepción de Ataco, El Salvador [p. 1-9] (NEIGHBORHOOD SERVICES)
- 6.6 Adopt resolution authorizing the City Manager to execute a reallocation agreement with the County of Sacramento to reallocate \$579,601 of the City's Secured Property Tax Revenue for the 2009-10 Fiscal Year to the County in order to assist the County's efforts to securitize repayment of a loan of Property Tax Revenue to the State of California pursuant to Proposition 1A of 2004 [p. 1-9] (FINANCE)
- 6.7 Adopt resolution authorizing the City Manager to execute a construction contract with FBD Vanguard Construction for the Community Development Block Grant Accessibility Curb, Gutter and Sidewalk Improvements Project in the amount of \$114,685.50 and authorizing the City Engineer to approve change orders not to exceed \$17,202.83 [p. 1-5] (PUBLIC WORKS)
- 6.8 Adopt resolution adopting the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program and approving the Elk Grove Creek Trail Crossing at State Route 99 Project [p. 1-211] (PUBLIC WORKS)
- 6.9 Adopt resolution authorizing the City Manager to execute an amendment to the master services consultant contract with Stewart Title Company of Sacramento for title, escrow and related services [p. 1-11] (PUBLIC WORKS)
- 6.10 Adopt resolution approving Subdivision No. 03-479.03, Del Webb-Laguna Ridge, Village 3 [p. 1-10] (PUBLIC WORKS)

**7. PUBLIC HEARINGS**

None.

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

- 8.1 **SUBJECT:** Consider Conditional Use Permit and Design Review for the New Parish Catholic Church Project (*EG-07-100*) located at 8800 Bradshaw Road (EG-09-028; APN: 121-0220-008) [p. 1-198]

**STAFF REPORT:**

Sarah Kirchgessner, Project Planner



**PUBLIC COMMENT:**

**RECOMMENDATION:**

The following options are available to the Council:

- 1) Affirm the decision of the Planning Commission denying the New Parish Catholic Church project; or
- 2) Continue the New Parish Catholic Church project and/or direct the applicant to make changes as necessary; or
- 3) Reverse or modify the decision of the Planning Commission and approve the project with the following two motions:
  - A) Adopt resolution approving a Mitigated Negative Declaration for the New Parish Catholic Church Project No. EG-09-028 and adopting a Mitigation Monitoring and Reporting Program (MMRP); and
  - B) Adopt resolution approving a Conditional Use Permit and Design Review for the New Parish Catholic Church Project No. EG-09-028, subject to the Findings and Conditions of Approval.

- 8.2 **SUBJECT:** Adopt resolution authorizing the City Manager to execute multiple Fee Deferral Agreements with Olympic Barrington Partnership for the Elk Grove Sports Center [p. 1-6]

**STAFF REPORT:**

Heather Ross, Senior Management Analyst



**PUBLIC COMMENT:**

**RECOMMENDATION:**

Consider a request by Olympic Barrington Partnership to enter into agreements containing terms outside the scope of the adopted Fee Deferral Agreement; and, if in agreement, adopt resolution authorizing the City Manager to execute multiple fee deferral agreements with Olympic Barrington Partnership.

- 8.3 **SUBJECT:** Update on Laguna Ridge Specific Plan Fee Program [p. 1-66]

**STAFF REPORT:**

Susan Cochran, City Attorney  
Heather Ross, Senior Management Analyst



**PUBLIC COMMENT:**

**RECOMMENDATION:**

Receive update on Laguna Ridge Specific Plan Fee Program and provide direction as desired.

- 8.4 **SUBJECT:** Growth Management Policies [p. 1-85]

**STAFF REPORT:**

Don Hazen, Planning Director



**PUBLIC COMMENT:**

**RECOMMENDATION:**

Consider the information included in the staff report and provide direction as desired.

- 8.5 **SUBJECT:** Adopt resolution authorizing the creation of an Economic Recovery Zone under the provisions of the American Recovery and Reinvestment Act of 2009 [p. 1-15]

**STAFF REPORT:**

Andrew Keys, Finance Analyst



**PUBLIC COMMENT:**

**RECOMMENDATION:**

- 1) Adopt resolution authorizing the creation of a Recovery Zone under the provisions of the American Recovery and Reinvestment Act of 2009 for the purposes of issuing Recovery Zone Economic Development Bonds and Recovery Zone Facility Bonds; and
- 2) Acknowledge the proposed land acquisition for and construction of a Household Hazardous Waste Facility as the best use for the Recovery Zone Economic Development Bonds (authorized for financing public projects). *Such action would not approve the financing of said project, but would provide staff with the direction to evaluate this financing instrument in planning for said project and not for other projects; and*
- 3) Acknowledge the Request for Projects conforming to both Recovery Zone Facility Bond and the City of Elk Grove's Economic Development Incentive Program as the best use for the Recovery Zone Facility Bonds (authorized for financing private projects). *Such acknowledgement would not approve the financing, but would provide staff with sufficient direction to draft and conduct the Request for Proposal process for Council's approval of the selected project; and*
- 4) Provide staff with direction to seek an increased allocation of Recovery Zone Economic Development Bonds and Recovery Zone Facility Bonds from Sacramento County should the County be a willing participant.

- 8.6** **SUBJECT:** Consider introduction of an ordinance establishing a Redevelopment Agency [p. 1-6]

**STAFF REPORT:**

Don Hazen, Planning Director



**PUBLIC COMMENT:**

**RECOMMENDATION:**

Introduce and waive the full reading, by substitution of title only, an ordinance determining and declaring the need for a Redevelopment Agency to function in the City of Elk Grove and declaring the City Council of the City of Elk Grove to be the Redevelopment Agency.

- 8.7** **SUBJECT:** Consider Resolution of Intention to approve an amendment to the contract between the Board of Administration of the California Employees' Retirement System and the City Council of the City of Elk Grove and introduce an ordinance amending the contract [p. 1-11]

**STAFF REPORT:**

Jacqui Langenberg, Management Analyst



**PUBLIC COMMENT:**

**RECOMMENDATION:**

- 1) Adopt resolution giving notice of intention to approve an amendment to contract between the Board of Administration of the California Employees' Retirement System and the City Council of the City of Elk Grove to provide Government Code Section 20903 (two years additional service credit) for local miscellaneous members and local safety members; and
- 2) Introduce and waive the full reading, by substitution of title only, an ordinance authorizing the Mayor to amend the contract between the City Council of the City of Elk Grove and the Board of Administration of the California Public Employees' Retirement System.

- 8.8** **SUBJECT:** Expense Reimbursement Policy [p. 1-12]

**STAFF REPORT:**

Susan Cochran, City Attorney



**PUBLIC COMMENT:**

**RECOMMENDATION:**

Adopt resolution repealing Resolution No. 2006-295 and adopting an Expense Reimbursement Policy for Members of the City Council, Planning Commission, and other Advisory Committees or Groups.

- 8.9 **SUBJECT:** Receive Draft “*City of Elk Grove City Council Norms and Procedures Manual*” and direct staff regarding community outreach process [p. 1-20]

**STAFF REPORT:**

Laura Gill, City Manager  
Susan Cochran, City Attorney



**PUBLIC COMMENT:**

**RECOMMENDATION:**

Receive the draft “*City of Elk Grove City Council Norms and Procedures Manual*” and direct staff regarding community outreach efforts.

- 8.10 **SUBJECT:** *Consider status of Charter Commission* and request to schedule a Joint City Council / Charter Commission meeting [p. 1-2]

**STAFF REPORT:**

Susan Blackston, City Clerk



**PUBLIC COMMENT:**

**RECOMMENDATION:**

*Consider status of Charter Commission* and request to schedule a Joint City Council / Charter Commission meeting; ***provide staff direction as desired.***

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**

**\*NOTE:** *Item 8.10 description amended subsequent to the original posting at 2:00 p.m. on 10/23/09.*

### **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.