



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

SPECIAL MEETING OF THE CITY COUNCIL
Wednesday, November 18, 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 *Holiday Shop Elk Grove* Update by Rita Velasquez, Interim Executive Director, Elk Grove Chamber of Commerce
- 4.2 Youth Commission Update presentation by Youth Commissioners Salvador Rosas and Kendall Connolly
- 4.3 Federal Advocacy update regarding City priority projects by Peter Evich of Van Scoyoc Associates, Inc.

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 Automatic Clearing House (ACH) Nos. 616 through 622, and 624 through 645, General Warrant Nos. 49354 through 50044, and Electronic Fund Transfer (EFT) Nos. 2010036 through 2010047 [p. 1-83] (FINANCE)
- 6.2 Approve July and August 2009 Treasurer's Report [p. 1-5] (FINANCE)
- 6.3 Approve City Council Meeting Minutes: 1) October 28, 2009 Special Meeting; 2) October 28, 2009 Regular Meeting; and 3) October 29, 2009 Special Meeting [p. 1-32] (CITY CLERK)

- 6.4 Receive report on City Manager approved purchases and contracts authorized by Elk Grove Municipal Code Chapter 3.42 Contracts and Purchasing, filed through November 10, 2009 [p. 1-2] (CITY CLERK)
- 6.5 Receive report on Requests for Proposals, Qualifications, and Bids [p. 1-2] (CITY CLERK)
- 6.6 Adopt resolution authorizing the City Manager to implement the Local Holiday Bonus Program [p. 1-5] (FINANCE)
- 6.7 Adopt resolution authorizing the City Manager to request a grantee-to-grantee transfer of ten Federal Transit Administration funded buses from Unitrans [p. 1-5] (TRANSIT)
- 6.8 Adopt resolution amending Resolution No. 2008-146 to include the Yolo County Transportation District and Unitrans as approved Compressed Natural Gas vendors [p. 1-8] (TRANSIT)
- 6.9 Adopt resolution approving the Fiscal Year 2008-09 Annual Development Impact Fee Report and making findings required by the Mitigation Fee Act [p. 1-55] (FINANCE)
- 6.10 Adopt resolution amending the Fiscal Year 2009-10 Budget authorizing the City Manager to transfer an endowment of \$171,099 from the Swainson's Hawk Habitat Fund to The Nature Conservancy [p. 1-3] (PLANNING)
- 6.11 Adopt resolution amending the 2009-14 Capital Improvement Program and the Fiscal Year 2009-10 Budget by approving the allocation of \$187,000 of Elk Grove Roadway Fee funding for the environmental phase of the Longleaf Drive Bridge Over Elk Grove Creek Project [p. 1-5] (PUBLIC WORKS)
- 6.12 Adopt resolution authorizing the City Manager to extend contracts with Network Design Associates, Interwest Consulting Group Inc., MCE Corporation, Nolte Associates Inc, Republic Electric, Willdan, Kleinfelder Inc., and PSOMAS Inc, for Public Works services for a period of up to twelve (12) months [p. 1-4] (PUBLIC WORKS)

- 6.13 Adopt resolution authorizing the City Manager to execute a construction contract with Mike Brown Electric Company for the East Franklin Intelligent Transportation System and Traffic Signal Improvements and East Franklin Pedestrian Crossing Project in the amount of \$290,610 and authorizing the City Engineer to approve change orders not to exceed \$43,591.50 [p. 1-5] (PUBLIC WORKS)
- 6.14 Adopt resolution accepting the West Stockton Boulevard Bridge Replacement over Laguna Creek 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. 1-5] (PUBLIC WORKS)
- 6.15 Adopt resolution increasing the City Engineer's authority to expend supplemental and contingency funds for the Sheldon Road / State Route 99 Interchange Reconstruction Project by \$872,296 *[for a total amount not to exceed \$3,201,000]* [p. 1-5] (PUBLIC WORKS)
- 6.16 Adopt resolution authorizing the Mayor to execute a Safe Harbor Agreement with the United States Fish and Wildlife Service for the Shed B Channel and Whitelock Parkway Drainage Corridor [p. 1-44] (PUBLIC WORKS)
- 6.17 Adopt resolution authorizing the City Manager to accept Public Transportation Modernization, Improvement and Service Enhancement Activity (PTMISEA) grant funding for Fiscal Year 2009-10 from the California Department of Transportation (Caltrans), Office of Homeland Security (OHS) and Sacramento Area Council of Governments (SACOG) for automated fareboxes and auxiliary equipment and to apply for and accept PTMISEA funding for Corporation Yard improvements [p. 1-4] (TRANSIT)
- 6.18 Adopt resolution authorizing the Transit System Manager to accept grant funding for Fiscal Year 2008-09 and Fiscal Year 2009-10 from the Federal Transit Administration for Preventative Maintenance, Americans with Disabilities Act (paratransit) activities, Transportation Enhancement Activities, and awarded Stimulus funding and authorize submittal of any necessary amendments [p. 1-4] (TRANSIT)

- 6.19 Adopt a resolution amending the 2009-14 Capital Improvement Program and the Fiscal Year 2009-10 Budget by approving the allocation of \$207,500 in Elk Grove Facilities Fee funding for the project development phases of the Community Design Bus Stop Shelter Program [p. 1-5] (TRANSIT)
- 6.20 Adopt resolution authorizing the City Manager to execute Amendment No. 1 to the Commuter, Fixed Route, ADA Complementary Paratransit and Dial-A-Ride Operations and Maintenance Contract with MV Transportation, Inc. incorporating the service restoration of August 31, 2009 [p. 1-16] (TRANSIT)
- 6.21 Adopt resolution authorizing the City Manager to execute options with New Flyer of America for eight 40-foot Compressed Natural Gas transit buses in an amount not to exceed \$4 million [p. 1-26] (TRANSIT)
- 6.22 Adopt resolution accepting the City Hall Tenant Improvements Construction Project as complete and authorizing the Deputy City Manager to prepare, and the City Clerk to file, the Notice of Completion with the Sacramento County Recorder [p. 1-3] (FACILITES)

7. PUBLIC HEARINGS

- 7.1 **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. 14) [p. 1-43]

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 November 18, 2009 for the fourteenth 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. 14.

- 7.2** **SUBJECT:** A public hearing to consider resolutions approving:
- 1) abandonments in the vicinity of the Grant Line Road / State Route 99 Interchange of portions of East and West Stockton Boulevards, portions of CMD Court (now East Stockton Boulevard), a Slope Easement, Public Utility Easements, and an Irrevocable Offer of Dedication; 2) setting aside a portion of City-owned property for public street and public utility easement purposes; and 3) quitclaiming a portion of the aforementioned East Stockton Boulevard to Elk Grove V Partners, LLC [p. 1-30]

STAFF REPORT:

Fritz Buchman, Assistant Public Works Director/City Engineer



PUBLIC COMMENT:

RECOMMENDATION

- 1) Adopt resolution abandoning portions of East and West Stockton Boulevards, CMD Court (now East Stockton Boulevard), a slope easement, Public Utility Easements and an abandonment of an Irrevocable Offer of Dedication while reserving easements for public utilities; and
- 2) Adopt resolution to set-aside a portion of City owned property for Public Street and Highway Purposes and an adjacent Public Utility Easement; and
- 3) Adopt resolution quitclaiming a portion of East Stockton Boulevard to Elk Grove V Partners, LLC pursuant to City agreement C-08-304.

- 7.3** **SUBJECT:** A public hearing to consider the appeal by the Old Town Elk Grove Foundation of the Planning Commission's decision on October 1, 2009 to approve the Capital Ink Tattoo and Body Piercing business located at 9044 Elk Grove Boulevard (APN: 125-0222-005; Project EG-09-049) [p. 1-45]

STAFF REPORT:

Mike Costa, Associate Planner



PUBLIC COMMENT:

RECOMMENDATION

The City Council may reverse, modify, or affirm the decision of the Planning Commission in whole or in part. Staff prepared alternative recommendations for Council to consider as follows:

- 1) Adopt resolution affirming the Planning Commission's approval of Capital Ink Tattoo and Body Piercing's request within the Old Town Elk Grove Special Planning Area as a Commercial – Personal Services use; or
- 2) Adopt resolution granting the Applicant's appeal of the Planning Commission's approval and denying Capital Ink Tattoo and Body Piercing's request to locate at 9044 Elk Grove Boulevard.

- 7.4** **SUBJECT:** A public hearing to consider adopting the Substantial Amendment to the 2008-09 Community Development Block Grant Action Plan and the 2009-10 Community Development Block Grant Action Plan [p. 1-34]

STAFF REPORT:

Sarah Bontrager, Grants Specialist



PUBLIC COMMENT:

RECOMMENDATION

Adopt resolution approving the Substantial Amendment to the Fiscal Year 2008-09 Community Development Block Grant (CDBG) Action Plan and the FY 2009-10 CDBG Action Plan.

7.5 **SUBJECT:** A public hearing to consider adoption of a resolution declaring the necessity and authorizing the commencement of eminent domain proceedings to secure real property interests necessary to construct Civic Center Park within the Laguna Ridge Specific Plan (APN: 132-0270-022; Site Address: 9697 & 9679 Johnston Road, Elk Grove, CA) [p. 1-22]

STAFF REPORT:

Julie Cline, Real Property Manager



PUBLIC COMMENT:

RECOMMENDATION

Adopt resolution declaring the necessity and authorizing the commencement of eminent domain proceedings to secure real property interest necessary to construct Civic Center Park (Project) within the Laguna Ridge Specific Plan Area.

8. REGULAR AGENDA ACTION ITEMS/RECOMMENDATIONS

8.1 **SUBJECT:** Fiscal Year 2009-10 First Quarter Financial and Performance Review [p. 1-24]

STAFF REPORT:

Katy Baumbach, Budget Manager



PUBLIC COMMENT:

RECOMMENDATION:

Receive and file the informational report.

8.2 **SUBJECT:** Receive report on discussions with the Sacramento Regional Transit District [p. 1-7]

STAFF REPORT:

Tiffani Fink, Transit Manager



PUBLIC COMMENT:

RECOMMENDATION:

Receive a report on discussions with the Sacramento Regional Transit District. The Council may wish to provide direction to staff as deemed appropriate.

- 8.3 **SUBJECT:** Introduce the Abandoned Residential Property Registry Ordinance and adopt resolution setting registration fee [p. 1-13]

STAFF REPORT:

Shane Diller, Community Enhancement Manager



PUBLIC COMMENT:

RECOMMENDATION:

- 1) Introduce, by substitution of title only, an ordinance enacting Elk Grove Municipal Code Chapter 16.17 entitled Abandoned Residential Property Registration; and
- 2) Adopt resolution setting fees associated with the Abandoned Residential Property Registry.

- 8.4 **SUBJECT:** Introduce the Rental Housing Registry Ordinance and adopt resolution setting registration fee [p. 1-11]

STAFF REPORT:

Shane Diller, Community Enhancement Manager



PUBLIC COMMENT:

RECOMMENDATION:

- 1) Introduce, by substitution of title only, an ordinance amending Elk Grove Municipal Code Chapter 16.20 to add Article XII regarding the Rental Housing Registration Program; and
- 2) Adopt resolution setting fees associated with the Rental Housing Registry.

- 8.5** **SUBJECT:** Approve resolutions: 1) certifying the Final Environmental Impact Report (FEIR) for the Transfer Station Master Plan, adopting Findings of Fact, a Statement of Overriding Considerations, and a Mitigation Monitoring and Reporting Program, and 2) adopting the Transfer Station Master Plan Project (SW0001) [p. 1-220]

STAFF REPORT:

Cedar Kehoe, Integrated Waste Program Manager
Bob Williamson, Project Manager



PUBLIC COMMENT:

RECOMMENDATION:

Adopt resolutions:

- 1) Certifying the Final Environmental Impact Report (FEIR) for the Transfer Station Master Plan, Adopting Findings of Fact, a Statement of Overriding Considerations, and a Mitigation Monitoring and Reporting Program; and
- 2) Approving the Transfer Station Master Plan Project.

- 8.6** **SUBJECT:** Receive Staff Report and Draft Memorandum of Understanding with County of Sacramento regarding the City of Elk Grove's proposed expansion of its Sphere of Influence [p. 1-19]

STAFF REPORT:

Taro Echiburú, Environmental Planning Manager



PUBLIC COMMENT:

RECOMMENDATION:

Receive the staff report and Draft Memorandum of Understanding (MOU) with the County of Sacramento regarding Elk Grove's proposed expansion of its Sphere of Influence (SOI) and direct staff to initiate a public outreach plan on the Draft MOU.

8.7 SUBJECT: Appointment to the Charter Commission [p. 1]

STAFF REPORT:

Susan Blackston, City Clerk



PUBLIC COMMENT:

RECOMMENDATION:

Receive information from Council Member Davis on his appointment to the Elk Grove Charter Commission.

8.8 SUBJECT: Appointment to the Trails Committee [p. 1]

STAFF REPORT:

Susan Blackston, City Clerk



PUBLIC COMMENT:

RECOMMENDATION:

Receive information from Vice Mayor Scherman on her appointment to the Elk Grove Trails 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, 8401 Laguna Palms Way, Elk Grove, CA.