



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

Sophia Scherman, Mayor

Steven M. Detrick, Vice Mayor
James Cooper, Council Member

Gary Davis, Council Member
Patrick Hume, Council Member

REGULAR MEETING OF THE CITY COUNCIL
Wednesday, January 27, 2010
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 Census 2010 Complete Count Committee update from co-chair
Daphne Harris

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 the Regular City Council Meeting Minutes of January 13, 2010 [p. 1-20] (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 January 20, 2010 [p. 1-3] (CITY CLERK)
- 6.3 Receive report on Requests for Proposals, Qualifications, and Bids [p. 1-2] (CITY CLERK)
- 6.4 Adopt Ordinance No. 1-2010 amending the City of Elk Grove Zoning Map from Agricultural General (AG-80) to Agricultural Residential (AR-2) for Sheldon and Waterman Tentative Subdivision Map Project EG-06-1146, APN 127-0010-077 **(Second Reading)** [p. 1-3] (PLANNING)

- 6.5 Adopt resolution ratifying the nomination of Florin Resources Conservation District (FRCD) Board Director Chuck Dawson as the FRCD Representative to the Sacramento Central Groundwater Authority [p. 1-3] (CITY CLERK)
- 6.6 Accept the Comprehensive Annual Financial Report and associated Management Letter for Fiscal Year ending June 30, 2009 [p. 1-226] (FINANCE)
- 6.7 Adopt resolution authorizing the Finance Director to exercise the sale and disposal of surplus City property in the form of police and animal services vehicles, law enforcement equipment, and transit buses [p. 1-5] (FINANCE)
- 6.8 Adopt resolution approving a Conflict of Interest Code for the Redevelopment Agency of the City of Elk Grove [p. 1-9] (PLANNING)
- 6.9 Adopt resolution authorizing the City Manager to execute a contract with De Novo Planning Group, Michael Brandman Associates, and EDAW, Inc. for Environmental / California Environmental Quality Act On-Call Services [p. 1-66] (PLANNING)
- 6.10 Adopt resolution amending the 2009-14 Capital Improvement Program and the Fiscal Year 2009-10 Budget by approving the allocation of \$1,978,315 in Elk Grove Roadway Fee funding for the Elk Grove Boulevard / State Route 99 Interchange Modification Project and transferring \$231,465 in Measure A Construction funds to the Program Management/Advance Planning Program [p. 1-6] (PUBLIC WORKS)
- 6.11 Adopt resolution authorizing the Mayor to execute a deed granting the Cosumnes Community Services District joint ownership of Promenade Park in the Laguna Ridge Specific Plan area [p. 1-5] (PUBLIC WORKS)
- 6.12 Adopt resolution authorizing the Mayor to execute a landscape maintenance agreement with the Cosumnes Community Services District [p. 1-19] (PUBLIC WORKS)

6.13 Adopt resolution rescinding Resolution No. 2007-107 concerning the conduct of City Council meetings and amending the rules of procedure [p. 1-7] (CITY CLERK)

7. PUBLIC HEARINGS

7.1 **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: 9679 & 9697 Johnston Road, Elk Grove, CA) [p. 1-23]

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 interests necessary to construct the Civic Center Park (Project) within the Laguna Ridge Specific Plan Area.

7.2 **SUBJECT:** A public hearing to consider introduction of an ordinance amending Elk Grove Municipal Code Chapter 14.10 and codifying the California Department of Water Resources Model Efficient Landscape Ordinance pursuant to AB 1881 and adopt a Resolution approving a plant list implementing Elk Grove Municipal Code Section 14.10.280 [p. 1-72]

STAFF REPORT:

Mike Costa, Associate Planner



PUBLIC COMMENT:

RECOMMENDATION

- 1) Introduce and waive the full reading, by substitution of title only, an Ordinance amending Elk Grove Municipal Code Chapter 14.10 and codifying the California Department of Water Resources' Model Water Efficient Landscape Ordinance pursuant to AB 1881; and
- 2) Adopt resolution approving a commonly used plant species list implementing Elk Grove Municipal Code Section 14.10.280.

8. REGULAR AGENDA ACTION ITEMS/RECOMMENDATIONS

- 8.1 SUBJECT:** Receive report regarding charges by Tom Waltman filed on December 9, 2009 [p. 1-13]

REPORT:

Matthew Crider, Colantuono & Levin, PC



PUBLIC COMMENT:

RECOMMENDATION:

Receive report from Matthew Crider of Colantuono & Levin, PC regarding December 9, 2009 charges of Tom Waltman against Vice Mayor Detrick.

- 8.2 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. 1-412]

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.

8.3 **SUBJECT:** Consider allocation of funds to support the Arden Arcade Incorporation [p. 1-3]

STAFF REPORT:

Laura Gill, City Manager



PUBLIC COMMENT:

RECOMMENDATION:

Consider whether to provide \$5,000 to support the Arden Arcade Incorporation effort.

8.4 **SUBJECT:** Receive the Fiscal Year 2009-10 Mid-Year Budget Review and Amend the Fiscal Year 2009-10 Budget, Fiscal Year 2009-14 Capital Improvement Program, and Position Classification Plan [p. 1-12]

STAFF REPORT:

Katy Baumbach, Budget Manager



PUBLIC COMMENT:

RECOMMENDATION:

Review the adopted Fiscal Year 2009-10 Budget's mid-year financial status and amend the Fiscal Year 2009-10 Budget, Fiscal Year 2009-14 Capital Improvement Program, and Position Classification Plan as needed.

- 8.5** **SUBJECT:** Discussion of Community Development Block Grant and Community Grant Priorities [p. 1-5]

STAFF REPORT:

Sarah Bontrager, Grants Specialist



PUBLIC COMMENT:

RECOMMENDATION:

Discuss priorities for Fiscal Year 2010-11 funding of Community Development Block Grant and City Community Grant projects.

- 8.6** **SUBJECT:** Introduction of an Ordinance Amending the Fee Deferral Program and provide direction on the possible extension of the Program [p. 1-7]

STAFF REPORT:

Heather Ross, Senior Management Analyst



PUBLIC COMMENT:

RECOMMENDATION:

- 1) Provide direction on the possible extension of the program;
- 2) Introduce and waive the full reading, by substitution of title only, an Ordinance amending Elk Grove Municipal Code Chapter 16.120 relative to the deferral of certain impact fees to include the Citywide Fire Fees as an applicable fee program and extending the program expiration date.

- 8.7** **SUBJECT:** Receive information related to the process for establishing the office of elected mayor and provide direction [p. 1-21]

STAFF REPORT:

Susan Blackston, City Clerk
Susan Cochran, City Attorney



PUBLIC COMMENT:

RECOMMENDATION:

Receive information related to the process for establishing the office of elected mayor and provide direction.

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.