



Incorporated July 1, 2000
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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, May 12, 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 Earth Week 2010 Nike Reuse-A-Shoe Collection Results and Presentation to Award Winners
- 4.2 Presentation regarding new “Fantastic Fridays (and Saturdays & Sundays)” shop local program by Elk Grove Chamber of Commerce Interim Executive Director Rita Velasquez and “Think, SHOP, Live Elk Grove” Committee
- 4.3 Present proclamation to the Adult and Aging Commission recognizing May as Older American’s Month [p. 1]
- 4.4 Present proclamation recognizing May 9 to 15, 2010 as National Police Week [p. 1]
- 4.5 Present proclamation recognizing May 16 to 22, 2010 as Public Works Week [p. 1]
- 4.6 Presentation regarding *May is Bike Month* by Transit Manager Tiffani Fink
- 4.7 Youth Commission Update by Chair Amanda Cosenza and Vice Chair Rebecca Shimizu

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. GENERAL ADMINISTRATION INFORMATION

7. **COUNCIL COMMENTS/FUTURE AGENDA ITEMS**

1. Reports on Regional Boards, Commissions, Committees
2. Travel/Training Expenditures Disclosure (*in accordance with Resolution No. 2009-212 and Government Code § 53232.3(d)*)

8. **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

- 8.1 Receive Automatic Clearing House Nos. 1229 through 1429 dated April 1, 2010 through April 30, 2010, General Warrant Nos. 52713 through 53228, and Electronic Fund Transfer Nos. 2010118 through 2010136 [p. 1-63] (FINANCE)
- 8.2 Approve City Council Meeting Minutes: 1) April 28, 2010 Special Meeting, and 2) April 28, 2010 Regular Meeting [p. 1-16] (CITY CLERK)
- 8.3 Receive report on City Manager approved purchases and contracts authorized by Elk Grove Municipal Code Chapter 3.42 Contracts and Purchasing, filed through May 5, 2010 [p. 1-3] (CITY CLERK)
- 8.4 Receive report on Requests for Proposals, Qualifications, and Bids [p. 1-2] (CITY CLERK)
- 8.5 Adopt resolution authorizing the City Manager to execute a Memorandum of Understanding with the Sacramento Municipal Utilities District regarding the use of Energy Efficiency and Conservation Block Grant funds sub-granted to enhance the Sacramento Regional Energy Alliance [p. 1-15] (FINANCE)
- 8.6 Adopt resolution rejecting all bids for Street Sweeping services [p. 1-4] (PUBLIC WORKS)

- 8.7 Adopt resolution authorizing the City Manager to enter into a Land Lease with Freeport Ventures, LLC for the Real Property located 9108 Elk Grove Boulevard for use as a Public Parking Lot [p. 1-9] (PUBLIC WORKS)
- 8.8 Adopt resolution authorizing the City Manager to execute two Amended and Restated Joint Community Facilities District Agreements with the County of Sacramento to reallocate Laguna West and Lakeside Community Facilities District savings to the Harbour Point Drive Median and Rehabilitation Project [p. 1-15] (PUBLIC WORKS)

9. **PUBLIC HEARINGS**

- 9.1 **SUBJECT:** A public hearing to consider the appeal by “Residents of the Meadow Springs Area” of the Planning Commission decision on April 1, 2010 to approve the Clearwire Wireless Monopole Conditional Use Permit (EG-10-006) located at the Meadow Springs Sacramento Municipal Utilities District site in the Big Horn substation, south of Big Horn Boulevard, and west of Hidden Springs Way (Project No. EG-10-024; APN: 119-1070-003) [p. 1-41]

STAFF REPORT:

Adam Petersen, Project Planner



PUBLIC COMMENT:

RECOMMENDATION:

Staff recommends that the City Council affirm the decision of the Planning Commission approving a Conditional Use Permit for the Clearwire Wireless project.

Alternatives to the staff recommendation include the following actions:

- 1) Reverse the decision of the Planning Commission and deny the project;
- 2) Modify the Planning Commission’s approval (such as by revising or adding conditions of approval); or
- 3) Continue the Clearwire Wireless project and/or direct the applicant to make changes as necessary.

- 9.2** **SUBJECT:** A public hearing to consider approving a Letter of Public Convenience and Necessity for a Type 20 (Off-Sale Beer and Wine) alcohol license for Toledo's Mexican Market located at 9059 Bruceville Road, Suite 190 (Project No. EG-10-017; APN: 116-0022-005) [p. 1-18]

STAFF REPORT:

Adam Petersen, Project Planner



PUBLIC COMMENT:

RECOMMENDATION

Adopt resolution approving a Letter of Public Convenience and Necessity for a Type 20 alcohol license for Toledo's Mexican Market, project EG-10-017.

- 9.3** **SUBJECT:** A public hearing to consider resolutions 1) approving the Negative Declaration for the Parks and Recreation Master Plan, and 2) adopting the September 2009 Parks and Recreation Master Plan [p. 1-199]

STAFF REPORT:

Jessica Shalamunec, Planning Manager



PUBLIC COMMENT:

RECOMMENDATION:

Adopt resolutions:

- 1) Approving the Negative Declaration for the Parks and Recreation Master Plan, and
- 2) Adopting the September 2009 Parks and Recreation Master Plan.

10. REGULAR AGENDA ACTION ITEMS/RECOMMENDATIONS

- 10.1** **SUBJECT:** Adopt resolution promoting awareness of the dangers of texting while driving [p. 1-3]

STAFF REPORT:

Nicole York-Johnson, Management Analyst



PUBLIC COMMENT:

RECOMMENDATION:

Adopt resolution promoting awareness of the dangers of texting while driving.

- 10.2 SUBJECT:** Review the Economic Development Element of the General Plan, including Goals and Policies, and provide direction as appropriate [p. 1-10]

STAFF REPORT:

Heather Ross, Senior Management Analyst



PUBLIC COMMENT:

RECOMMENDATION:

Receive an update on Economic Development activities achieved to date, review outstanding Goals identified in the General Plan, and provide direction as appropriate.

- 10.3 SUBJECT:** Provide Direction on the Cost Allocation of Riordan Park within the proposed Laguna Ridge Park Fee Program [p. 1-5]

STAFF REPORT:

Heather Ross, Senior Management Analyst



PUBLIC COMMENT:

RECOMMENDATION:

Provide direction on the cost allocation of park land acquisition and development of the future Riordan Park in the proposed Laguna Ridge Park Fee Program.

- 10.4 SUBJECT:** Introduce ordinances: 1) amending Elk Grove Municipal Code Title 3 entitled "Utility Services Billing", 2) repealing Chapters 6.06 and 6.10 and enacting Title 30 entitled "Solid Waste Management", and 3) amending Title 15 entitled "Storm Drainage Fee" [p. 1-99]

STAFF REPORT:

Cedar Kehoe, Integrated Waste Program Manager
Rebecca Craig, Assistant City Manager
Richard Shepard, Public Works Director / City Engineer



PUBLIC COMMENT:

RECOMMENDATION:

Introduce and waive the full reading, by substitution of title only, the following ordinances:

- 1) An ordinance adopting Elk Grove Municipal Code Chapter 3.70 entitled "Utility Services Billing;" and
- 2) An ordinance repealing Elk Grove Municipal Code Chapters 6.06 and 6.10 and adopting Title 30 regarding "Solid Waste Management"; and
- 3) An ordinance amending Elk Grove Municipal Code Chapter 15.10 entitled "Storm Drainage Fee"

- 10.5 SUBJECT:** Introduce ordinance adding Elk Grove Municipal Code Chapter 4.13 relating to unattended donation boxes [p. 1-8]

STAFF REPORT:

Susan Cochran, City Attorney



PUBLIC COMMENT:

RECOMMENDATION:

Introduce and waive the full reading, by substitution of title only, an ordinance adding Elk Grove Municipal Code Chapter 4.13 relating to unattended donation boxes

- 10.6 SUBJECT:** Requested formation of Ad Hoc City Council Subcommittee to review possible violation(s) of the City Code of Ethics [p. 1-6]

STAFF REPORT:

Laura Gill, City Manager



PUBLIC COMMENT:

RECOMMENDATION:

Discuss the formation of an Ad Hoc City Council subcommittee for the purpose of reviewing possible violation(s) of the City Code of Ethics and direct staff as appropriate.

10.7 SUBJECT: Reappointments to the Disability Advisory Committee [p. 1]

STAFF REPORT:

Jason Lindgren, Assistant City Clerk



PUBLIC COMMENT:

RECOMMENDATION:

Receive information from Council Members Davis and Hume regarding their reappointments to the Disability Advisory Committee.

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.