



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, May 26, 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 Deputy 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

None.

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 April 2010 Treasurer's Report [p. 1-2] (FINANCE)
- 8.2 Approve May 12, 2010 Special City Council Meeting Minutes [p. 1-5] (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 19, 2010 [p. 1-3] (CITY CLERK)
- 8.4 Receive report on Requests for Proposals, Qualifications, and Bids [p. 1] (CITY CLERK)

- 8.5 Adopt Ordinance No. 9-2010 adopting Elk Grove Municipal Code Chapter 3.70 entitled "Utility Services Billing" **(Second Reading)** [p. 1-7] (INTEGRATED WASTE)
- 8.6 Adopt Ordinance No. 10-2010 repealing Elk Grove Municipal Code Chapters 6.06 and 6.10 and adopting Title 30 regarding Solid Waste Management **(Second Reading)** [p. 1-73] (INTEGRATED WASTE)
- 8.7 Adopt Ordinance No. 11-2010 amending Elk Grove Municipal Code Chapter 15.10 titled Storm Drainage Fee **(Second Reading)** [p. 1-11] (PUBLIC WORKS)
- 8.8 Adopt Ordinance No. 12-2010 adding Elk Grove Municipal Code Chapter 4.13 relating to unattended donation boxes **(Second Reading)** [p. 1-6] (CITY ATTORNEY)
- 8.9 Adopt resolution approving distribution of free compost to residents who either: 1) attend composting workshops held at the Elk Grove Community Garden, or 2) drive to the Allied Waste, Elder Creek Transfer Station located at 8642 Elder Creek Road, Sacramento, and bag and remove compost for their personal use [p. 1-4] (INTEGRATED WASTE)
- 8.10 Adopt resolution authorizing the City Manager to execute an agreement with J4 Systems for On-Call Information Technology Services in an amount not to exceed \$94,000 [p. 1-24] (POLICE)
- 8.11 Adopt resolution authorizing the City Manager to execute the Sacramento Regional Radio Communications System license agreement with the County of Sacramento [p. 1-24] (POLICE)
- 8.12 Adopt resolution authorizing the City Manager to execute a construction contract with B & B Asphalt Inc. for the Corporation Yard Improvements (Elkmont Way Entrance Replacement) Project for an amount not to exceed \$83,351 and authorizing the City Engineer to approve change orders not to exceed \$20,000 [p. 1-5] (PUBLIC WORKS)

- 8.13 Adopt resolution authorizing the City Manager to execute a construction contract with Granite Construction Company for the Asphalt Concrete Overlay and Curb Ramp Improvements 2010 Project in the amount of \$1,906,609 and authorizing the City Engineer to approve change orders not to exceed \$191,000 [p. 1-5] (PUBLIC WORKS)
- 8.14 Adopt resolutions: 1) amending the 2009-14 Capital Improvement Program and the Fiscal Year 2009-10 Budget by approving the allocation of \$55,000 of Elk Grove Roadway Fee funding for the Elk Grove-Florin Road / Brown Road-Silverberry Avenue Traffic Signal and Intersection Improvement Project, and 2) authorizing the City Manager to execute a construction contract with Tim Paxin's Pacific Excavation, Inc. for the Elk Grove-Florin Road / Brown Road-Silverberry Avenue Traffic Signal and Intersection Improvement Project in the amount of \$177,363 and authorizing the City Engineer to approve change orders not to exceed \$27,000 [p. 1-7] (PUBLIC WORKS)
- 8.15 Adopt resolution approving the agreement for maintenance of joint transportation facilities between the City of Elk Grove and the City of Sacramento, authorizing the City Manager to execute the agreement and authorizing the City Engineer to approve mutually agreed revisions within his spending authority [p. 1-14] (PUBLIC WORKS)
- 8.16 Adopt resolution authorizing the City Manager to execute a task order with Nolte Associates, Inc. to provide resident engineering and construction inspection services for the Grant Line Channel Restoration Project in an amount not to exceed \$70,409.90 [p. 1-13] (PUBLIC WORKS)
- 8.17 Adopt resolution authorizing the City Manager to execute a professional services contract with Sharp Public Affairs for City Newsletter Services for three, one-year terms, and authorizing an expenditure of funds not to exceed \$400,715 [p. 1-30] (COMMUNICATIONS)
- 8.18 Authorize recruitment to fill one vacancy on the Historic Preservation Committee [p. 1-4] (CITY CLERK)

9. PUBLIC HEARINGS

- 9.1 SUBJECT:** A continued public hearing (*March 10, 2010*) to consider Elk Grove Old Town Special Planning Area Design Standards and Guidelines Triennial Review Amendments [p. 1-175]

STAFF REPORT:

Gerald Park, Senior Planner



PUBLIC COMMENT:

RECOMMENDATION

Receive presentation of proposed revisions to the Elk Grove Old Town Special Planning Area Design Standards and Guidelines and provide direction on desired amendments.

The following options are available to the Council:

- 1) Send the subsequent revisions back to the Planning Commission for review and recommendation; or
- 2) Approve, modify, or reject any combination of recommendations from the Planning Commission and the Special Planning Area amendment workgroup and approve the item with the following motion:
 - A) Introduce and waive the full reading, by substitution of title only, an Ordinance amending the Elk Grove Old Town Special Planning Area Design Standards and Guidelines.

- 9.2 SUBJECT:** A continued public hearing (*May 12, 2010*) 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. 1-34]

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 adoption of the 2010-11 Community Development Block Grant Action Plan [p. 1-24]

STAFF REPORT:

Sarah Bontrager, Grants Specialist



PUBLIC COMMENT:

RECOMMENDATION

Adopt resolution approving the Fiscal Year 2010-11 Community Development Block Grant (CDBG) Action Plan and authorizing the City Manager to execute and file all documents required to receive US Department of Housing and Urban Development CDBG funds.

- 9.4 **SUBJECT:** Continue public hearing to June 9, 2010 to consider update on the Development of Proposed Service Adjustments to *e-tran* based on the revised Sacramento Regional Transit Schedule, and *e-van* services based on conversations with the Disability Assistance Council, as well as, a revised public outreach schedule [p. 1-2]

STAFF REPORT:

Tiffani Fink, Transit System Manager



PUBLIC COMMENT:

RECOMMENDATION

Open the public hearing and continue it until June 9, 2010. This continuance is necessary to allow time to receive final information from Sacramento Regional Transit District which may impact service delivery by *e-tran*.

- 9.5** **SUBJECT:** A public hearing to consider adoption of resolution approving the abandonment of a portion of Dwight Road adjacent to the Union Pacific Railroad as a first step to implement a Quiet Zone [p. 1-22]

STAFF REPORT:

Fritz Buchman, Assistant Public Works Director / City Engineer
Gwen Owens, Project Manager



PUBLIC COMMENT:

RECOMMENDATION

Adopt resolution approving the abandonment of Dwight Road west of Portofino Drive.

- 9.6** **SUBJECT:** A public hearing to consider adoption of resolution confirming the Written Report of Fiscal Year 2010-11 service charges and establishing Fiscal Year 2010-11 service charges for certain miscellaneous extended services in the Laguna West Service Area (formerly County Service Area 5) [p. 1-73]

STAFF REPORT:

Andrew Keys, Finance Analyst



PUBLIC COMMENT:

RECOMMENDATION

Adopt resolution confirming the Written Report of Fiscal Year 2010-11 Service Charges and establishing Fiscal Year 2010-11 Service Charges for certain miscellaneous extended services within the Laguna West Service Area.

10. REGULAR AGENDA ACTION ITEMS/RECOMMENDATIONS

- 10.1** **SUBJECT:** Presentation of Fiscal Year 2010-11 Annual Budget [p. 1]

STAFF REPORT:

Katy Baumbach, Budget Manager



PUBLIC COMMENT:

RECOMMENDATION:

Receive and file the Proposed Fiscal Year 2010-11 Annual Budget, and receive the Annual Budget Message.

10.2 SUBJECT: Provide direction on the Request for Proposals model for the Public Works Department [p. 1-21]

STAFF REPORT:

Marsha Ley, Finance Analyst
Richard Shepard, Public Works Director / City Engineer



PUBLIC COMMENT:

RECOMMENDATION:

Consider and provide direction as appropriate on the proposed Public Works Request For Proposals Model.

10.3 SUBJECT: Provide direction and possible action regarding award or rejection of bids for Street Sweeping services (*continued from May 12, 2010*) [p. 1-7]

STAFF REPORT:

Fritz Buchman, Assistant Public Works Director / City Engineer
John R. Scott, Operations & Maintenance Manager



PUBLIC COMMENT:

RECOMMENDATION:

Adopt resolution **either:**

- 1) Rejecting all bids for Street Sweeping services; **or**
- 2) Authorizing the City Manager to execute a maintenance contract with Szeremi Sweeping Service for citywide street sweeping services in the amount of \$183,601 and authorizing the City Engineer to approve changes orders not exceed \$25,000 for the term of the contract.

10.4 SUBJECT: Adopt resolution levying the Fiscal Year 2010-11 Special Taxes or Special Assessments for seven Community Facilities and Special Districts [p. 1-48]

STAFF REPORT:

Andrew Keys, Finance Analyst



PUBLIC COMMENT:

RECOMMENDATION:

Adopt resolution levying the Fiscal Year 2010-11 Special Taxes or Special Assessments for seven Community Facilities and Special Districts.

10.5 SUBJECT: Introduce ordinance amending Elk Grove Municipal Code Chapter 3.40 relating to Utility User Tax [p. 1-24]

STAFF REPORT:

Katy Baumbach, Budget Manager



PUBLIC COMMENT:

RECOMMENDATION:

Introduce and waive the full reading, by substitution of title only, an ordinance amending Elk Grove Municipal Code Chapter 3.40 relating to Utility User Tax.

10.6 SUBJECT: Adopt resolution calling and giving notice to the qualified electors of the City of Elk Grove a measure relating to the **Utility User Tax** to be included in the consolidated General Municipal Election of November 2, 2010 [p. 1-26]

STAFF REPORT:

Jason Lindgren, Interim City Clerk



PUBLIC COMMENT:

RECOMMENDATION:

Adopt resolution calling and giving notice to the qualified electors of the City of Elk Grove a measure relating to the Utility User Tax (UUT) to be included in the consolidated General Municipal Election of November 2, 2010

10.7 SUBJECT: Adopt resolution calling and giving notice to the qualified electors of the City of Elk Grove measures relating to the **Elective Office of Mayor** to be included in the consolidated General Municipal Election of November 2, 2010 [p. 1-7]

STAFF REPORT:

Jason Lindgren, Interim City Clerk



PUBLIC COMMENT:

RECOMMENDATION:

Adopt resolution calling and giving notice to the qualified electors of the City of Elk Grove measures relating to the Elective Office of Mayor to be included in the consolidated General Municipal Election of November 2, 2010.

10.8 SUBJECT: Adopt resolution calling and giving notice to the qualified electors of the City of Elk Grove two Advisory Question Measures relating to the **number of council member residency districts** to be included in the consolidated General Municipal Election of November 2, 2010 [p. 1-5]

STAFF REPORT:

Jason Lindgren, Interim City Clerk



PUBLIC COMMENT:

RECOMMENDATION:

Adopt resolution calling and giving notice to the qualified electors of the City of Elk Grove two Advisory Question Measures relating to the number of council member residency districts to be included in the consolidated General Municipal Election of November 2, 2010.

10.9 SUBJECT: Requested formation (*continued from May 12, 2010*) 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.

- 10.10 SUBJECT:** Consider appointment of one at-large member to the Historic Preservation Committee [p. 1-8]

STAFF REPORT:

Jason Lindgren, Interim City Clerk



PUBLIC COMMENT:

RECOMMENDATION:

Appoint one at-large member to the Historic Preservation 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 Office of the City Clerk 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 Office of the City Clerk, 8401 Laguna Palms Way, Elk Grove, CA.