



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, July 28, 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

- 4.1 Presentation on *May is Bike Month* activities and presenting Awards to the Top 5 entries representing Elk Grove
- 4.2 Present Certificate of Achievement to Ally Carda for her participation in the 2010-11 USA Softball Junior Women's National Team [p. 1]
- 4.3 Presentation to recognize Youth Commissioners Rebecca Shimizu, Amanda Cosenza, Caroline Huang, Mariah Houston and Kendall Connolly for their commitment and contributions on the Youth Commission

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 May 2010 Treasurer's Report [p. 1-2] (FINANCE)

- 8.2 Approve July 21, 2010 Special City Council Meeting Minutes [p. 1-3] (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 July 21, 2010 [p. 1-3] (CITY CLERK)
- 8.4 Receive report on Requests for Proposals, Qualifications, and Bids [p. 1-3] (CITY CLERK)
- 8.5 Adopt Ordinance No. 15-2010 amending the City of Elk Grove Zoning Map from AR-5 to AR-2 for the Bakey Parcel Map Project No. EG-10-026 **(Second Reading)** [p. 1-3] (PLANNING)
- 8.6 Adopt Ordinance No. 16-2010 amending the City of Elk Grove Zoning Map from RD-4, RD-5, and O to RD-5 and O for the Franklin Crossing Amendments project EG-09-062 **(Second Reading)** [p. 1-4] (PLANNING)
- 8.7 Adopt resolution authorizing the City Manager to execute the second amendment to the contract with Les Schwab Tire Center of Elk Grove for tire and roadside services for City vehicles for one year not to exceed \$334,000 *[for a total compensation not to exceed \$447,500]* [p. 1-9] (FLEET)
- 8.8 Adopt resolution authorizing the City Manager to execute a contract with Emergency Vehicle Outfitters of Elk Grove for installation and repair of emergency response equipment and safety lighting for City vehicles in an amount not to exceed \$530,000 [p. 1-25] (FLEET)
- 8.9 Adopt resolution authorizing the City Manager to execute an amendment to the fuel service contract with Ferrellgas / Elk Grove Gas & Oil of Elk Grove to purchase bulk unleaded gasoline and card lock facility fuel for City vehicles by extending the contract term one year and authorizing and expenditure of funds not to exceed \$750,000 *[for a total compensation not to exceed \$1,500,000]* [p. 1-5] (FLEET)

- 8.10 Adopt resolution accepting the Stonebrook Drive Pedestrian / Bicycle Trail Improvement Project as complete and authorizing the City Engineer to prepare, and the City Clerk to file, a Notice of Completion with the Sacramento County Recorder [p. 1-4] (PUBLIC WORKS)
- 8.11 Adopt resolution authorizing the City Manager to execute a construction contract with California Pavement Maintenance Company, Inc. for the Slurry Seal 2010 Project in the amount of \$744,940.43 and authorizing the City Engineer to approve change orders not to exceed \$111,741 and amending the Fiscal Year 2010-11 budget and 2011-15 Capital Improvement Program [p. 1-7] (PUBLIC WORKS)
- 8.12 Adopt resolutions: 1) finding the improvements to the Sheldon Road Interchange Park and Ride lot exempt from the California Environmental Quality Act, and 2) amending the Fiscal Year 2011-15 Capital Improvement Program and the Fiscal Year 2010-11 budget, authorizing the City Manager to execute a construction contract with Dominguez Landscape Services, Inc. for the East Stockton Boulevard / Sheldon Road Park and Ride Lot Landscaping Project in the amount of \$572,777.56 and authorizing the City Engineer to approve change orders not to exceed \$86,000 [p. 1-9] (PUBLIC WORKS)
- 8.13 Adopt resolution authorizing the City Manager to execute a task order with Kimley-Horn and Associates, Inc. for engineering services for the Laguna Creek Trail – Camden Spur Project in an amount not to exceed \$104,479 [p. 1-19] (PUBLIC WORKS)
- 8.14 Adopt resolution authorizing the City Manager to execute a construction contract with Teichert Construction in the amount of \$285,917 for the East Franklin Area Roadway Improvements Project and authorizing the City Engineer to approve change orders not to exceed \$57,183 [p. 1-5] (PUBLIC WORKS)
- 8.15 Adopt resolution limiting eligibility for the Taxi Scrip Program to Americans with Disabilities Act - certified City of Elk Grove residents and implementing a 60-day expiration date [p. 1-4] (TRANSIT)

- 8.16 Adopt resolution amending the Fiscal Year 2010-11 budget to accept and include Recycling Grant funds received from CalRecycle [p. 1-3] (INTEGRATED WASTE)
- 8.17 Adopt resolution authorizing the City Manager to accept grant funding from the Office of Traffic Safety in the amount of \$170,000 and amend the Police Department's Fiscal Year 2010-11 budget to appropriate grant funds [p. 1-7] (POLICE)
- 8.18 Adopt resolution approving the City of Elk Grove's participation in the Rabies Vaccination and License Awareness Event during the month of August 2010 and waiving the license fee for any citizen first-time application for issuance of a license for altered animals vaccinated for rabies in the month of August 2010 [p. 1-3] (POLICE)
- 8.19 Authorize recruitment to fill five vacancies on the Youth Commission [p. 1-4] (CITY CLERK)
- 8.20 Authorize recruitment to fill one vacancy for the Old Town Elk Grove Foundation member position on the Historic Preservation Committee [p. 1-5] (CITY CLERK)

9. **PUBLIC HEARINGS**

- 9.1 **SUBJECT:** A continued public hearing (*June 9, 2010*) to consider approving a Letter of Public Convenience and Necessity for a Type 20 (Off-Sale Beer and Wine) alcohol license for Walgreens located at 9180 Franklin Boulevard (Project No. EG-09-066; APN: 119-0144-005) [p. 1-30]

STAFF REPORT:

Mike Costa, Associate Planner



PUBLIC COMMENT:

RECOMMENDATION

Options for Council consideration include:

- 1) Accept the Applicant's request and continue the public hearing to the regular meeting of August 25, 2010; or
- 2) Adopt resolution approving a Letter of Public Convenience and Necessity for a Type 20 alcohol license for the Walgreens drug store at 9180 Franklin Boulevard.

- 9.2 **SUBJECT:** A public hearing to consider a Design Review Amendment for the Kaiser Permanente Entry Sign project (EG-10-031; APN 134-0600-039) [p. 1-24]

STAFF REPORT:

Jessica Shalamunec, Project Planner



PUBLIC COMMENT:

RECOMMENDATION

Adopt resolution approving a Design Review Amendment for the Kaiser Permanente Entry Sign project (EG-10-031).

- 9.3 **SUBJECT:** A public hearing to consider introducing ordinances amending Elk Grove Municipal Code Chapter 23.98 *Definitions* and Chapter 12.12 *Obstruction of Corners* regarding the “clear-vision triangle” [p. 1-19]

STAFF REPORT:

Fritz Buchman, Assistant Public Works Director / City Engineer
Sarah Kirchgessner, Senior Planner



PUBLIC COMMENT:

RECOMMENDATION

- 1) Introduce and waive the full reading, by substitution of title only, an Ordinance amending Elk Grove Municipal Code Section 23.98.030 regarding the clear-vision triangle; and
- 2) Introduce and waive the full reading, by substitution of title only, an Ordinance amending Elk Grove Municipal Code Chapter 12.12 regarding *Obstruction of Corners*.

- 9.4 **SUBJECT:** A public hearing to consider public comment on the Federal Fiscal Years 2010 and 2011 Federal Program of Transit Projects for the City of Elk Grove as part of the Sacramento Urbanized Area [p. 1-4]

STAFF REPORT:

Tiffani Fink, Transit System Manager



PUBLIC COMMENT:

RECOMMENDATION

Receive and consider public comment on the Federal Fiscal Years 2010 and 2011 Federal Program of Transit Projects.

- 9.5 **SUBJECT:** A public hearing to consider the development of Potential Service Adjustments to Regional *e-van* services [p. 1-5]

STAFF REPORT:

Tiffani Fink, Transit System Manager



PUBLIC COMMENT:

RECOMMENDATION

Receive an update from the Transit System Manager on the potential service adjustments to regional *e-van* services and solicit input from the public on the proposed changes.

10. **REGULAR AGENDA ACTION ITEMS/RECOMMENDATIONS**

- 10.1 **SUBJECT:** Discussion / Direction to establish a Council Ad-Hoc Committee to Study Group Home Regulatory Options [p. 1-2]

STAFF REPORT:

Bryan Noblett, Police Captain



PUBLIC COMMENT:

RECOMMENDATION:

Consider forming an *ad hoc* Committee for the purpose of examining local regulatory options with respect to State of California licensed group homes located in the City.

- 10.2 **SUBJECT:** Consider resolution authorizing the City Manager to execute an amendment to the Fee Deferral Agreement with Byers Gymnastics [p. 1-7]

STAFF REPORT:

Heather Ross, Economic Development Coordinator



PUBLIC COMMENT:

RECOMMENDATION:

Review the proposed amendment to the Agreement for Deferral of Certain City Impact Fees with Byers Gymnastics and provide direction as appropriate.

- 10.3 SUBJECT:** Consider resolution ordering the collection of delinquent Special Taxes in Community Facilities District 2005-1 (Laguna Ridge) by Action to Foreclose the Lien of Special Tax and provide an update on delinquencies in Community Facilities Districts 2002-1 (East Franklin) and 2003-1 (Poppy Ridge) [p. 1-48]

STAFF REPORT:

Andrew Keys, Finance Analyst



PUBLIC COMMENT:

RECOMMENDATION:

Adopt resolution ordering the collection of delinquent special taxes in Community Facilities 2005-1 (Laguna Ridge) by Action to Foreclose the Lien of Special Tax.

- 10.4 SUBJECT:** Consider resolution calling a public hearing to consider proposed increases in residential collection and disposal solid waste service rates over a three year period and authorizing public notice thereof [p. 1-16]

STAFF REPORT:

Bob Williamson, Project Manager
Andrew Keys, Finance Analyst



PUBLIC COMMENT:

RECOMMENDATION:

Adopt resolution calling a public hearing to be held on November 10, 2010, to consider approval of proposed increases to the City's solid waste collection and disposal service rates over a three year period for the purpose of financing land purchase reimbursement, construction of a proposed Household Hazardous Waste Collection Facility and contractual obligations to Allied Waste Services and authorizing staff to prepare and mail the necessary notices.

10.5 SUBJECT: Request for City Council to consider relief of fees assessed by Community Enhancement against property owners of 6901 Danberg Way (Case # 09-2284) [p. 1-20]

STAFF REPORT:

Shane Diller, Code Enforcement Manager



PUBLIC COMMENT

RECOMMENDATION:

Staff recommends the City Council to reject the property owner's request and reaffirm the fees assessed.

10.6 SUBJECT: Request for City Council to consider relief of fees assessed by Community Enhancement against property owners of 8655 Hummingbird Way (Case # 09-4014) [p. 1-21]

STAFF REPORT:

Shane Diller, Code Enforcement Manager



PUBLIC COMMENT

RECOMMENDATION:

Staff recommends the City Council to reject the property owner's request and reaffirm the fees assessed.

10.7 SUBJECT: Request for City Council to consider relief of fees assessed by Community Enhancement against property owners of 4808 Hutson Way (Case # 09-3432) [p. 1-20]

STAFF REPORT:

Shane Diller, Code Enforcement Manager



PUBLIC COMMENT

RECOMMENDATION:

Staff recommends the City Council to reject the property owner's request and reaffirm the fees assessed.

10.8 SUBJECT: Designation of voting delegate and alternate to the 2010 League of California Cities Annual Conference [p. 1-5]

STAFF REPORT:

Jason Lindgren, Interim City Clerk



PUBLIC COMMENT:

RECOMMENDATION:

Appoint a voting delegate and alternate delegate to represent the City of Elk Grove at the 2010 League of California Cities Annual Conference business meeting.

10.9 SUBJECT: Consider appointment of one member to the Historic Preservation Committee [p. 1-8]

STAFF REPORT:

Jason Lindgren, Interim City Clerk



PUBLIC COMMENT

RECOMMENDATION:

Options for Council consideration include:

- 1) Appoint one member to the Historic Preservation Committee;
or
- 2) Extend the application period to September 1, 2010 for consideration of an appointment September 8, 2010.

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.