



*Incorporated July 1, 2000*  
*Website: [www.elkgrovecity.org](http://www.elkgrovecity.org)*

Steven M. Detrick, Mayor

James Cooper, Vice Mayor  
Gary Davis, Council Member

Patrick Hume, Council Member  
Sophia Scherman, Council Member

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**ELK GROVE CITY COUNCIL REGULAR MEETING**  
**Wednesday, August 24, 2011**  
**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 Safety Town Presentation

#### **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. 3810 through 3940 dated July 1, 2011 through July 31, 2011, General Warrant Nos. 60138 through 60558, and Electronic Fund Transfer Nos. 2012001 through 2012016 [p. 1-50] (FINANCE)

- 8.2 Approve City Council Meeting Minutes: 1) October 27, 2010 regular meeting; 2) November 10, 2010 regular meeting; and 3) December 8, 2010 regular meeting [p. 1-51] (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 August 17, 2011 [p. 1-3] (CITY CLERK)
- 8.4 Receive report on Requests for Proposals, Qualifications, and Bids [p. 1-2] (CITY CLERK)
- 8.5 Adopt Ordinance No. 20-2011 amending the City of Elk Grove Zoning Map from Highway Travel Commercial (TC) to General Commercial (GC) for the Gold's Gym Rezone Project EG-11-020 (APN: 119-1990-005) **(Second Reading)** [p. 1-4] (PLANNING)
- 8.6 Adopt Ordinance No. 21-2011 adding Elk Grove Municipal Code Sections 16.04.200 and 16.04.210 of Title 16 relating to repair and reconstruction of damaged buildings **(Second Reading)** [p. 1-5] (BUILDING)
- 8.7 Adopt Ordinance No. 22-2011 adding Elk Grove Municipal Code Chapter 16.06 relating to placards used to denote conditions relating to continued occupancy of buildings **(Second Reading)** [p. 1-4] (BUILDING)
- 8.8 Adopt resolutions: 1) declaring intention to annex territory to Community Facilities District No. 2006-1 (Maintenance Services) and to levy a special tax to pay for certain landscaping and maintenance services (Annexation No. 20); 2) declaring intention to annex territory to Community Facilities District No. 2003-2 (Police Services) and to levy a special tax to pay for infrastructure and police services (Annexation No. 20); 3) declaring intention to levy Street Maintenance District No. 1, Zone 3-E (Annexation No. 16); and 4) amending the Fiscal Year 2010-11 Budget to recognize additional revenue and expenditures from annexation fees [p. 1-75] (FINANCE)

- 8.9 Adopt resolution authorizing the City Manager to execute a construction contract with FBD Vanguard Construction for the Citywide Bus Stop Improvements Project – Phase 1 in the amount of \$120,621, authorizing the City Engineer to approve change orders not-to-exceed \$18,093 [p. 1-7] (PUBLIC WORKS)
- 8.10 Adopt resolution finding the Elk Grove Rain Garden Plaza Project exempt from environmental review under the California Environmental Quality Act; authorizing the City Manager to execute a construction contract with JM Slover, Inc. in the amount of \$368,194.05; authorizing the City Engineer to approve change orders not-to-exceed \$73,805.95; and authorizing the City Manager to execute a construction contract with the second lowest bidder if JM Slover, Inc. does not meet filing obligations [p. 1-8] (PUBLIC WORKS)
- 8.11 Adopt resolution entering into a Letter Agreement between the City of Elk Grove and John Mourier Construction, Inc. (JMC Homes) regarding Park Obligations for Laguna Ridge Village 10 in the Grove Subdivision [p. 1-7] (PLANNING)
- 8.12 Adopt resolution ratifying the Interim Agreement between the City of Elk Grove and the Elk Grove Police Managers' Association [p. 1-13] (HUMAN RESOURCES)

## 9. **PUBLIC HEARINGS**

- 9.1 **SUBJECT:** A public hearing to consider a Letter of Public Convenience and Necessity to obtain a Type 21 (Off-Sale General) alcohol license for the Target store located at 7505 Laguna Boulevard (EG 11-025; APN 116-1160-002) [p. 1-19]

**STAFF REPORT:**

Adam Petersen, Associate Planner



**PUBLIC COMMENT:**

**RECOMMENDATION:**

Adopt resolution approving a Letter of Public Convenience and Necessity for a Type 21 alcohol license for the Target store located at 7505 Laguna Boulevard.

## 10. REGULAR AGENDA ACTION ITEMS/RECOMMENDATIONS

### 10.1 SUBJECT: Secondhand Smoke Ordinance [p. 1-41]

#### STAFF REPORT:

Nicole York-Johnson, Management Analyst  
Robert Lehner, Chief of Police



#### PUBLIC COMMENT:

#### RECOMMENDATION:

Introduce and waive the full reading, by substitution of title only, an ordinance repealing Elk Grove Municipal Code (EGMC) Chapter 6.22 titled *Clean Indoor Air and Health Protection* and replacing with a revised Chapter 6.22 titled *Secondhand Smoke*.

Staff recommends the Council include an option allowing for City enforcement of a no smoking area declared by a property owner, manager, or operator where such a designation is not otherwise required by law but is desired by the property owner.

### 10.2 SUBJECT: Adopt resolution approving a funding commitment of up to the amount of five million six hundred thousand dollars (\$5,600,000) from the City's Affordable Housing Fund and authorizing the City Manager to execute the implementing loan documents for the Vintage Laguna II affordable housing development by Laguna Seniors II, LP [p. 1-198]

#### STAFF REPORT:

Sarah Bontrager, Housing Program Manager



#### PUBLIC COMMENT:

#### RECOMMENDATION:

Adopt resolution approving a funding commitment up to the amount of \$5,600,000 from the City's Affordable Housing Fund and authorizing the City Manager to execute the implementing loan documents for the Vintage Laguna II affordable housing development by Laguna Seniors II, LP.

**10.3 SUBJECT:** Consider resolution establishing the criteria for the 2011 Mayor's Volunteer Awards and authorize staff to solicit nominations [p. 1-13]

**STAFF REPORT:**

Mona Schmidt, Senior Customer Service Specialist



**PUBLIC COMMENT:**

**RECOMMENDATION:**

Adopt resolution establishing the criteria for the 2011 Mayor's Volunteer Awards and authorize staff to solicit nominations.

**10.4 SUBJECT:** Receive Sister Cities update and provide direction on next steps [p. 1-3]

**STAFF REPORT:**

Angela Frost, Management Analyst



**PUBLIC COMMENT:**

**RECOMMENDATION:**

Receive an update on Sister City events and provide direction on next steps.

**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.