



*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, December 14, 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

**1A. SPECIAL ACTION ITEM:** Reorganization of the Elk Grove City Council [p. 1-5]

**STAFF REPORT:**

Jason Lindgren, City Clerk



**PUBLIC COMMENT:**

**RECOMMENDATION**

Reorganize the Elk Grove City Council:

- 1) By motion select the Mayor
- 2) By motion select the Vice Mayor

**1B. RECEPTION**

**2. APPROVAL OF AGENDA**

**3. CLOSED SESSION**

Once the closed session has ended, the regular City Council meeting will be reconvened in open session. The Mayor or presiding officer will then make any announcements required by the Brown Act relative to reportable actions taken during the closed session.



**PUBLIC COMMENT:**

**4. PRESENTATIONS/ANNOUNCEMENTS**

4.1 Recognition of the JumpStart 21 Basketball Tournament Champions

4.2 Youth Commission Update

**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 September 2011 Treasurer's Report [p. 1-2] (FINANCE)
- 8.2 Receive Automatic Clearing House Nos. 4403 through 4535 dated November 1, 2011 through November 30, 2011, General Warrant Nos. 62150 through 62577, and Electronic Fund Transfer Nos. 2012065 through 2012081 [p. 1-52] (FINANCE)
- 8.3 Approve May 4, 2011 City Council Special Meeting Minutes [p. 1-8] (CITY CLERK)
- 8.4 Receive report on City Manager approved purchases and contracts authorized by Elk Grove Municipal Code Chapter 3.42 Contracts and Purchasing, filed through December 7, 2011 [p. 1-3] (CITY CLERK)
- 8.5 Receive report on Requests for Proposals, Qualifications, and Bids [p. 1-2] (CITY CLERK)
- 8.6 Adopt Ordinance No. 30-2011 amending the City of Elk Grove Zoning Map from RD-15 to RD-7 and RD-8 to RD-7 and redistributing the boundaries of the zoning districts for the Laguna Ridge Phase 3 Subdivision Projects specifically affecting Assessor Parcel Numbers 132-0050-061 & -062 (Arbor Ranch); 132-0050-119, -128, & -131 (Zraggen Ranch) **(Second Reading)** [p. 1-4] (PLANNING)

- 8.7 Adopt Ordinance No. 31-2011 adding Elk Grove Municipal Code Chapter 12.05 to Title 12 defining responsibilities for sidewalk maintenance and replacement **(Second Reading)**  
[p. 1-6] (PUBLIC WORKS)
- 8.8 Adopt a resolution authorizing the destruction of certain records retained by the Finance Department [p. 1-4] (FINANCE)
- 8.9 Adopt resolution authorizing the City Manager to execute the necessary documents to extend the contract with KNN Public Finance for an additional three-year term [p. 1-5] (FINANCE)
- 8.10 Adopt resolution authorizing the City Manager to execute a contract with Elk Grove Buick GMC of Elk Grove to service and repair City owned General Motors vehicles for a three-year term (subject to extension) in an amount not-to-exceed \$50,000  
[p. 1-21] (FLEET)
- 8.11 Adopt resolution authorizing the City Manager to execute a contract with Downtown Ford Sales of Sacramento to service and repair City vehicles for a three-year term (subject to extension) in an amount not-to-exceed \$396,000 [p.1-22] (FLEET)
- 8.12 Adopt resolution authorizing the City Manager to execute a contract with The Sign Center of Elk Grove to install vehicle graphics onto City vehicles for a three-year term (subject to extension) in an amount not to exceed \$65,000 [p. 1-22] (FLEET)
- 8.13 Adopt resolution authorizing the City Manager to accept an appropriation from the California Office of Traffic Safety via the Citrus Heights Police Department to implement the Avoid the 17 DUI Program in an amount not-to-exceed \$138,000 and increase the Police Department's revenue and expense budget by the actual amount received [p. 1-9] (POLICE)
- 8.14 Adopt resolution authorizing the City Manager to execute a purchase requisition with Dell Marketing , L.P. for the purchase of two Storage Area Network computers in an amount not-to-exceed \$83,000 [p. 1-3] (POLICE)

- 8.15 Adopt resolution authorizing the City Manager to execute the First Amendment to Contract No. C-07-188 with Redflex Traffic Systems, Inc. for red light camera operations for an additional two year period, including the installation of one additional red light camera system, and approval of a related records retention schedule [p. 1-9] (POLICE)
- 8.16 Adopt resolution authorizing the City Manager to accept an appropriation from the State Supplemental Law Enforcement Services Fund (SLESF) in the amount of \$293,369 and increase the Police Department's revenue and expense budget by \$293,369 [p. 1-6] (POLICE)
- 8.17 Adopt resolution authorizing the City Manager to execute a one-year agreement with HTA Science & Engineering, Inc. for environmental studies and consulting services in an amount not-to-exceed \$60,000 [p. 1-38] (POLICE)
- 8.18 Adopt resolution approving Addenda 1 and 2 to the Elk Grove Boulevard / State Route 99 Interchange Modification Project Environmental Impact Report and approving the proposed project as modified by the addenda [p. 1-163] (PUBLIC WORKS)
- 8.19 Adopt resolution authorizing the City Manager to execute a Reimbursement Agreement with the Sacramento County Water Agency for the Grant Line Road Widening Project [p. 1-19] (PUBLIC WORKS)
- 8.20 Adopt resolution authorizing the City Manager to execute a consultant contract amendment with URS Corporation for the Elk Grove Creek Trail Crossing at State Route 99 Project in the amount of \$54,700 *[for a total compensation amount not-to-exceed \$1,084,130]* [p. 1-22] (PUBLIC WORKS)
- 8.21 Adopt resolution approving Parcel Map No. 11-023 Jones Parcel Map [p. 1-9] (PUBLIC WORKS)
- 8.22 Adopt resolution approving Parcel Map No. 10-026, Bakey Parcel Map [p. 1-9] (PUBLIC WORKS)

- 8.23 Adopt resolution finding the Elk Grove Creek Outfalls and the Dry Well Installations Drainage Improvements Projects exempt from environmental review under the California Environmental Quality Act; authorizing the City Manager to execute a construction contract with Caggiano General Engineering for the Elk Grove Creek Outfalls and Dry Well Installations Drainage Improvements Project in the amount of \$42,500; authorizing the City Engineer to approve change orders not-to-exceed \$10,700; and authorizing the City Manager to execute a construction contract with the second lowest bidder if Caggiano General Engineering does not meet contract execution obligations [p. 1-9] (PUBLIC WORKS)
- 8.24 Adopt resolution authorizing the City Manager to implement the Transit Advertising Policy [p. 1-6] (TRANSIT)
- 8.25 Adopt resolution authorizing the City Manager to execute a Subrecipient Agreement with the Sacramento Area Council of Governments (SACOG) for the Automated Farebox Upgrade project [p. 1-24] (TRANSIT)
- 8.26 Adopt resolution amending the Fiscal Year 2011-12 budget, allocating funds and authorizing the City Manager to execute a contract Creative Bus Sales for two paratransit buses, in an amount not-to-exceed \$165,000 [p. 1-7] (TRANSIT)
- 8.27 Adopt resolution approving the Annual Development Impact Fee Report for Fiscal Year 2010-11 and making findings as required by the Mitigation Fee Act [p. 1-51] (FINANCE)
- 8.28 Adopt resolution authorizing the amendment and restatement of the City of Elk Grove's governmental 457(b) deferred compensation plan to ensure compliance with applicable legislative and regulatory requirements [p. 1-24] (HUMAN RESOURCES)
- 8.29 Authorize the City Manager to sign an Exclusive Negotiating Agreement with Northern California Soccer, LLC for the siting and development of a Major League Soccer Facility [p. 1-5] (CITY MANAGER)

8.30 Adopt resolution waiving the formal solicitation requirements per Elk Grove Municipal Code Section 3.42.180(B)3 and authorizing the City Manager to execute a contract with GFI Genfare for the purchase of electronic fareboxes and equipment in an amount not-to-exceed \$850,000 [p. 1-45] (TRANSIT)

## 9. **PUBLIC HEARINGS**

9.1 **SUBJECT:** A public hearing to consider the appeal of the Planning Commission Action on a Variance for 10294 Wrangler Drive (EG-11-031; APN 134-0460-038) [p. 1-41]

**STAFF REPORT:**

Christopher Jordan, Planning Manager



**PUBLIC COMMENT:**

**RECOMMENDATION**

Adopt resolution:

- 1) Finding that the Variance for 10294 Wrangler Drive is exempt from the California Environmental Quality Act pursuant to Section 15301 (Existing Facilities) of Division 6 of Chapter 3 of Title 14 of the California Code of Regulations (State CEQA Guidelines) based upon the findings contained in the December 14, 2011 staff report; and
- 2) Approving a Variance from setback standards for an accessory structure at 10294 Wrangler Drive, pursuant to the findings and contained in the December 14, 2011 staff report, and finding that the structure is a legal structure conforming to the City's Municipal Code.

9.2 **SUBJECT:** A public hearing to consider a Specific Plan Amendment to the Laguna Ridge Specific Plan and a Rezone of approximately 4.14 acres from Shopping Center (SC) to Auto Commercial (AC) at 8400 Auto Passage Drive and 8401 Lotz Parkway (EG-11-038; APNs: 132-0110-036 and -047) [p. 1-46]

**STAFF REPORT:**

Kenneth Petersen, Project Planner



**PUBLIC COMMENT:**

**RECOMMENDATION**

The Planning Commission recommends (5-0):

- 1) Adopt resolution finding no further review required for the Lasher Auto Group Specific Plan Amendment and Rezone project (EG-11-038), under the California Environmental Quality Act pursuant to §15183 of Division 6 of Chapter 3 of Title 14 of the California Code of Regulations; and
- 2) Adopt resolution approving a Specific Plan Amendment to change the designation at 8400 Auto Passage Drive and 8401 Lotz Parkway (APN: 132-0110-036; and -047, respectively) from Shopping Center (SC) to Auto Commercial (AC); and
- 3) Introduce and waive the full reading, by substitution of title only, an Ordinance amending the City of Elk Grove Zoning Map from Shopping Center (SC) to Auto Commercial (AC) for the Lasher Auto Group Project No. EG-11-038, Assessor's Parcel Numbers 132-0110-036 and -047.

- 9.3** **SUBJECT:** A public hearing to consider approval of a Rezone from AR-5 to AR-2 and a Tentative Parcel Map for the Albiani Justamere Parcel Map Project (EG-10-019) [p. 1-74]

**STAFF REPORT:**

Christopher Jordan, Planning Manager



**PUBLIC COMMENT:**

**RECOMMENDATION**

The Planning Commission recommended (4-1, no Murphey, *at the Planning Commission meeting of April 7, 2011*):

- 1) Adopt a resolution finding the Albiani Justamere Parcel Map Project (EG-10-019) exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15315 (Minor Divisions of Land) of Division 6 of Chapter 3 of Title 14 of the California Code of Regulations (State CEQA Guidelines) subject to the findings contained in the December 14, 2011 staff report;
- 2) Introduce and waive the full reading, by substitution of title only, an Ordinance amending the City of Elk Grove Zoning Map from AR-5 to AR-2 for the Albiani Justamere Parcel Map Project No. EG-10-019, Assessor's Parcel Number 127-0080-049; and

- 3) Adopt a resolution approving a Tentative Parcel Map for the Albiani Justamere Tentative Parcel Map Project (EG-10-019) subject to the findings and conditions of approval contained in the December 14, 2011 staff report.

**9.4** **SUBJECT:** A public hearing to consider a Rezone, Design Review, Variance, and Minor Deviation for the BP Arco project (EG-08-060) [p. 1-86]

**STAFF REPORT:**

Sarah Kirchgessner, Senior Planner



**PUBLIC COMMENT:**

**RECOMMENDATION**

The Planning Commission recommends (5-0):

- 1) Adopt resolution finding the BP Arco project (EG-08-060) exempt from the California Environmental Quality Act (CEQA) pursuant to the California Code of Regulations, Title 14, Chapter 3 Sections 15332 and 15183; and
- 2) Introduce and waive the full reading, by substitution of title only, an Ordinance amending the City of Elk Grove Zoning Map from Limited Commercial (LC) to Shopping Center (SC) for the BP Arco Project No. EG-08-060, Assessor's Parcel Number 132-0410-040; and
- 3) Adopt resolution approving a Design Review, Variance, and Minor Deviation for the BP Arco project (EG-08-060), subject to the Findings in the Resolution.

**9.5** **SUBJECT:** A public hearing to consider: **A)** adoption of resolutions calling a special election and declaring results of the special election for annexation to Community Facilities District No. 2006-1 (Maintenance Services) and introduction of an ordinance levying and apportioning the special tax to the annexing area (Annexation No. 21); **B)** adoption of resolutions calling a special election and declaring results of the special election for annexation to Community Facilities District No. 2003-2 (Police Services) and introduction of an ordinance levying and apportioning the special tax to the annexing area (Annexation No. 21); and **C)** adoption of resolution determining to levy street maintenance assessments for certain properties

in the Eastern Area which represents Annexation No. 17 into Street Maintenance District No. 1 – Zone 3-F [p. 1-80]

**STAFF REPORT:**

Salina Cheung, Finance Analyst



**PUBLIC COMMENT:**

**RECOMMENDATION:**

- A-1) Adopt resolution calling a special election to submit the question of levying a special tax within the area proposed to be annexed to Community Facilities District No. 2006-1 (Maintenance Services) to the qualified electors;
- A-2) (*Following tabulation and certification of ballot results by the City Clerk*) Adopt resolution declaring the results of the special election held on December 14, 2011 for the twenty-first annexation to Community Facilities District No. 2006-1 (Maintenance Services); and
- A-3) Introduce and waive the full reading, by substitution of title only, an ordinance levying and apportioning the special tax in territory annexed to Community Facilities District No. 2006-1 (Maintenance Services) Annexation No. 21; **AND**
  
- B-1) Adopt resolution calling a special election to submit the question of levying a special tax within the area proposed to be annexed to Community Facilities District No. 2003-2 (Police Services) to the qualified electors;
- B-2) (*Following tabulation and certification of ballot results by the City Clerk*) Adopt resolution declaring the results of the special election held on December 14, 2011 for the twenty-first annexation to Community Facilities District No. 2003-2 (Police Services); and
- B-3) Introduce and waive the full reading, by substitution of title only, an ordinance levying and apportioning the special tax in territory annexed to Community Facilities District No. 2003-2 (Police Services) Annexation No. 21; **AND**
  
- C) Adopt resolution determining to levy assessments in Street Maintenance District No. 1 – Zone 3-F (Annexation 17).

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

**10.1 SUBJECT:** Sister Cities Update [p. 1-2]

**STAFF REPORT:**

Angela Frost, Management Analyst



**PUBLIC COMMENT:**

**RECOMMENDATION:**

Receive an update on the Sister Cities program and hear plans for establishment of a Sister Cities Council.

**10.2 SUBJECT:** Consider adopting two resolutions: 1) certifying an environmental impact report for the Storm Drainage Master Plan; and 2) approving the Storm Drainage Master Plan [p. 1-43]

**STAFF REPORT:**

Darren Wilson, Engineering Services Manager  
Connie Nelson, Project Manager



**PUBLIC COMMENT:**

**RECOMMENDATION:**

Adopt two resolutions:

- 1) Certifying an Environmental Impact Report for the Storm Drainage Master Plan; and
- 2) Approving the Storm Drainage Master Plan.

**10.3 SUBJECT:** Consider resolution authorizing the Mayor to execute an Acquisition Agreement with JJV, LLC for privately-constructed facilities within the City of Elk Grove Community Facilities District No. 2005-1 (Laguna Ridge) [p. 1-22]

**STAFF REPORT:**

Darren Wilson, Engineering Services Manager  
Andrew Keys, Accounting Manager



**PUBLIC COMMENT:**

**RECOMMENDATION:**

Adopt resolution authorizing the Mayor to execute an Acquisition Agreement with JJV, LLC for privately-constructed facilities within the City of Elk Grove Community Facilities District No. 2005-1 (Laguna Ridge).

- 10.4 SUBJECT:** Consider introduction of an Ordinance amending Elk Grove Municipal Code Chapter 3.70 entitled "Utility Services Billing" [p. 1-5]

**STAFF REPORT:**

Andrew Keys, Accounting Manager



**PUBLIC COMMENT:**

**RECOMMENDATION:**

Introduce and waive the full reading, by substitution of title only, an Ordinance amending Elk Grove Municipal Code Section 3.70.060 relating to Utility Services Billing.

- 10.5 SUBJECT:** Consider a resolution authorizing the City Manager to execute a Fee Deferral Agreement with Pappas Investments dba Laguna Springs Corporate Center Phase II, LLC [p. 1-19]

**STAFF REPORT:**

Heather Ross, Economic Development Coordinator



**PUBLIC COMMENT:**

**RECOMMENDATION:**

Review and consider the proposed terms of a fee deferral agreement with Pappas Investments dba Laguna Springs Corporate Center Phase II, LLC (LSCC) and, if appropriate: Adopt resolution authorizing the City Manager to execute a fee deferral agreement with LSCC based upon alternate deferral terms not included in the current program.

**10.6 SUBJECT:** Receive an update and provide direction on the transit incentives for the California Department of Correctional Health Care Services [p. 1-86]

**STAFF REPORT:**

Tiffani Fink, Transit System Manager



**PUBLIC COMMENT:**

**RECOMMENDATION:**

Staff will be presenting the City Council with an overview of the transit incentives being developed for the California Department of Correctional Health Care Services (CCHCS) move to Elk Grove, and staff requests direction regarding the noticing of Fare Modifications and Service Adjustments to benefit the CCHCS project.

**10.7 SUBJECT:** Consider approval of the report of delinquent public nuisance abatement costs and their collection on the tax roll [p. 1-8]

**STAFF REPORT:**

Shane Diller, Code Enforcement Manager



**PUBLIC COMMENT:**

**RECOMMENDATION:**

Adopt two resolutions:

- 1) Establishing a new levy of costs related to nuisance abatement actions; and
- 2) Approving and confirming the report of delinquent special assessment and requesting Sacramento County to collect such charges on the Fiscal Year 2011-12 tax roll.

**10.8 SUBJECT:** Sober Grad Night Sponsorship [p. 1-2]

**STAFF REPORT:**

Mona Schmidt, Sr. Customer Service Specialist



**PUBLIC COMMENT:**

**RECOMMENDATION:**

Provide direction regarding sponsoring sober grad night activities for seven local high schools that would each receive \$500 for a not-to-exceed amount of \$3,500.

**10.9 SUBJECT:** Review Council appointments to regional boards, commissions, committees, and ad hoc committees [p. 1-13]

**STAFF REPORT:**

Jason Lindgren, City Clerk



**PUBLIC COMMENT:**

**RECOMMENDATION:**

Review Council appointments to regional boards, commissions, committees, and ad hoc committees and provide direction.

**10.10 SUBJECT:** Appointment of representation to City Council Boards, Commissions and Committees, including announcement of appointments for current vacancies on the Disability Advisory Committee and Trails Committee [p. 1-19]

**STAFF REPORT:**

Jason Lindgren, City Clerk



**PUBLIC COMMENT:**

**RECOMMENDATION:**

Review Local Appointments List and consider appointments or reappointments on local boards, commissions, and receive information on appointments for current vacancies on the Disability Advisory Committee and Trails 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.