



Incorporated July 1, 2000
Website: www.elkgrovecity.org

Gary Davis, Mayor

Steve Ly, Vice Mayor
Steven M. Detrick, Council Member

Patrick Hume, Council Member
Darren Suen, Council Member

*(Steve Ly will be installed into office as Mayor during the reorganization of
Special Action Item 1A, and Council District 4 will become vacant after that point)*

ELK GROVE CITY COUNCIL REGULAR MEETING
Wednesday, December 14, 2016
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: Certification of November 8, 2016 General Municipal Election Results; Reorganization of the Elk Grove City Council [p. 1-10]

STAFF REPORT:

Jason Lindgren, City Clerk

PUBLIC COMMENT:

RECOMMENDATION

- a) Adopt resolution certifying the election results of the November 8, 2016 General Municipal Election;
- b) City Clerk to administer the Oath of Office to the Mayor and City Council Members Elect and present Certificates of Election;
- c) Recognition of outgoing officers;
- d) Reorganize the Elk Grove City Council and by motion select the Vice Mayor

1B. RECEPTION

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. The City Council cannot take action on non-agendized items raised under "Public Comment" until the matter has been specifically included on an agenda as an action item. Members of the public desiring a response to a specific question are encouraged to contact any member of the Council or the City Manager at any time. Those audience members who wish to address a specific agendized item are encouraged to offer their public comments during consideration of that item.

6. GENERAL ADMINISTRATION INFORMATION

7. COUNCIL COMMENTS / REPORTS / 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 those 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. 12353 through 12453 dated November 1, 2016 through November 30, 2016; General Warrant Nos. 100096 through 100572, and Electronic Fund Transfer Nos. 90070931 through 90070954 [p. 1-59] (FINANCE)

8.2 Approve City Council Meeting Minutes of the October 12, 2016 Special City Council Meeting [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, and projects awarded under the Uniform Public Construction Cost Accounting Act, filed through December 6, 2016 [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. 24-2016 approving the rezone to change 15 acres of land south of Sheldon Road between Bruceville Road and Lewis Stein Road from Laguna Community / Floodplain Special Planning Area to High Density Residential consistent with General Plan policy direction (**Second Reading**) (CEQA Exempt) [p. 1-5] (DEVELOPMENT SERVICES)

8.6 Adopt Ordinance No. 25-2016 amending Elk Grove Municipal Code Chapter 16.18 relating to nuisances, including vehicle maintenance, weeds, and abatement procedures (**Second Reading**) (CEQA Exempt) [p. 1-4] (CODE ENFORCEMENT)

- 8.7** Adopt resolution amending the Elk Grove Conflict of Interest Code [p. 1-7] (CITY CLERK)
- 8.8** Adopt resolution dispensing with competitive bidding pursuant to Elk Grove Municipal Code Chapter 3.42 and authorizing the City Manager to execute all necessary documents to utilize California State Contracts for the upgrade of the phone system including hardware, software, and professional services from Dimension Data in an amount not to exceed \$83,011 [p. 1-37] (INFORMATION TECHNOLOGY)
- 8.9** Adopt resolution authorizing the City Manager to execute a three-year contract, with an optional two-year extension, with Downtown Ford Sales of Sacramento for vehicle service and repair of City owned vehicles in an amount not-to-exceed \$425,000 [p. 1-23] (FLEET & FACILITIES)
- 8.10** Adopt resolution authorizing the City Manager to execute a Sales Agreement with Clean Energy for Compressed Natural Gas (CNG) Fuel [p. 1-30] (TRANSIT)
- 8.11** Adopt resolution authorizing the City Manager to amend the Pavement Resurfacing Program portion of the Capital Improvement Program upon the request of the Public Works Capital Program Manager to reallocate existing funds between projects [p. 1-5] (PUBLIC WORKS)
- 8.12** Adopt resolution accepting the Elk Grove-Florin Road Sidewalk Infill Project (WAC016) as complete; and authorizing the City Engineer to prepare and the City Clerk to file the Notice of Completion with the Sacramento County Recorder [p. 1-4] (PUBLIC WORKS)
- 8.13** Adopt resolution authorizing the City Manager to execute four Contracts, each with three year terms (and the option of two additional one-year terms) with CALTROP; Drake Haglan & Associates, Inc.; UNICO Engineering; and Vali Cooper & Associates, Inc. for On-Call Construction Management Services, with each contract in an amount not to exceed \$3,000,000 [p. 1-231] (PUBLIC WORKS)

- 8.14** Adopt resolution authorizing the City Manager to execute a one-year consultant service contract with HF&H Consultants, LLC, for assessment and long-range strategic planning services for waste reduction and recycling in an amount not-to-exceed \$102,070 [p. 1-26] (INTEGRATED WASTE)
- 8.15** Adopt resolution dispensing with competitive bidding pursuant to Elk Grove Municipal Code Chapter 3.42, and authorizing the City Manager to execute an agreement with Motorola Solutions for the purchase of six 9-1-1 dispatch consoles in an amount not to exceed \$355,000 [p. 1-203] (POLICE)
- 8.16** Receive and file the Annual Reports for City Communities Facilities Districts in compliance with the Local Agency Special Tax and Bond Accountability Act [p. 1-9] (FINANCE)
- 8.17** Adopt resolutions declaring intention to: 1) annex territory to Community Facilities District No. 2003-2 (Police Services) and to levy a special tax to pay for police services (Annexation No. 40); 2) annex territory to Community Facilities District No. 2006-1 (Maintenance Services) and to levy a special tax to pay for maintenance services (Annexation No. 40); 3) annex territory to Street Maintenance District No. 1, Zone 3-T (Annexation No. 31) and to levy a special tax to pay for street maintenance; 4) annex territory to Storm Water Drainage Fee Zone 2 (Annexation No. 15) [p. 1-105] (FINANCE)
- 8.18** Adopt resolution authorizing the City Manager to execute an Acquisition and/or Reimbursement Agreement with Pulte Home Corporation, a Michigan Corporation, for acquisition of privately-constructed facilities and/or reimbursement of eligible expenditures within the City of Elk Grove Community Facilities District No. 2005-1 (Laguna Ridge) from the Series 2016 bonds pursuant to the Laguna Ridge Community Facilities District Guiding Principles [p. 1-61] (FINANCE)

8.19 Adopt resolution authorizing the City Manager to execute an Acquisition and/or Reimbursement Agreement with Richmond American Homes of Maryland, Inc., a Maryland Corporation, for acquisition of privately-constructed facilities and/or reimbursement of eligible expenditures within the City of Elk Grove Community Facilities District No. 2005-1 (Laguna Ridge) from the Series 2016 bonds pursuant to the Laguna Ridge Community Facilities District Guiding Principles [p.1-51] (FINANCE)

8.20 Adopt a resolution authorizing the City Manager to execute an Acquisition and/or Reimbursement Agreement with Taylor Morrison of California, LLC, a California Limited Liability Company, for acquisition of privately-constructed facilities and/or reimbursement of eligible expenditures within the City of Elk Grove Community Facilities District No. 2005-1 (Laguna Ridge) from the Series 2016 bonds pursuant to the Laguna Ridge Community Facilities District Guiding Principles [p. 1-86] (FINANCE)

8.21 Adopt resolution approving the Annual Development Impact Fee Report for Fiscal Year 2015-16 and making findings as required by the Mitigation Fee Act [p. 1-70] (FINANCE)

9. **PUBLIC HEARINGS**

9.1 **SUBJECT:** A public hearing to consider a resolution approving a vacation of a portion of Emerald Park Drive located on the east side of Emerald Park Drive at Amenity Circle in conjunction with the Emerald Park Estates Subdivision Map (EG-15-005) (CEQA Exempt) [p. 1-9]

STAFF REPORT:

Darren Wilson, Development Services Director

PUBLIC COMMENT:

RECOMMENDATION

Adopt resolution approving the vacation of a portion of Emerald Park Drive in conjunction with the Emerald Park Estates Project (EG-15-005).

9.2 **SUBJECT:** A public hearing to consider Crooked Creek Estates East located at 9846, 9879, and 9891 Waterman Road – General Plan Amendment, East Elk Grove Specific Plan Amendment, Rezone, Small Lot Tentative Subdivision Map, Design Review for Subdivision Layout and Abandonment of Irrevocable Offer of Dedication and Drainage Easement [EG 15-050; APNs 134-0110-064, -065, and -073] (CEQA Exempt) [p. 1-47]

STAFF REPORT:

Pam Johns, Special Project Manager

PUBLIC COMMENT:

RECOMMENDATION

The Planning Commission recommends (4-0; *Harris absent*):

1) Adopt a Resolution:

- (i) Finding the Crooked Creek Estates East General Plan Amendment, East Elk Grove Specific Plan Amendment, Rezone, Small Lot Tentative Subdivision Map, Design Review for Subdivision Layout, and Abandonment of Irrevocable Offer of Dedication (IOD) and Drainage Easement Project (Project) exempt from the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines Section 15162; and
- (ii) Approving the General Plan Amendment, East Elk Grove Specific Plan Amendment, Small Lot Tentative Subdivision Map, Design Review for Subdivision Layout, and Abandonment of IOD and Drainage Easement for the Project; and

2) Introduce and waive the full reading, by substitution of title only, an ordinance approving the rezone for Crooked Creek Estates East (EG-15-050).

- 9.3** **SUBJECT:** A public hearing to consider a resolution approving the Report of Delinquent Solid Waste and Storm Drain Utility Charges and proposing their collection on the Sacramento County Tax Roll [p. 1-122]

STAFF REPORT:

Jamie Bandy, Revenue Manager

PUBLIC COMMENT:

RECOMMENDATION

Adopt resolution approving and confirming the Report of Delinquent Solid Waste and Storm Drain Utility Charges and requesting Sacramento County to collect such charges on the Fiscal Year 2016-17 tax roll.

- 9.4** **SUBJECT:** A public hearing to consider introduction of an ordinance repealing and replacing Elk Grove Municipal Code Chapter 17.04 related to Uniform Fire Code, and adopting the 2016 California Fire Code [p. 1-23]

STAFF REPORT:

Shane Diller, Assistant Development Services Director

PUBLIC COMMENT:

RECOMMENDATION:

Introduce and waive full reading, by substitution of title only, an ordinance repealing and replacing Elk Grove Municipal Code Chapter 17.04 relating to Uniform Fire Code and adopting by reference the 2016 California Fire Code.

- 9.5** **SUBJECT:** A public hearing to consider adoption of: A) 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. 39); B) 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. 39); C) a resolution determining to levy street

maintenance assessments for certain properties which represent Annexation No. 30 into Street Maintenance District No. 1 Zone 3-S, and D) a resolution determining to levy determining to levy Storm Water Drainage Fee assessments for certain properties representing Annexation No. 14 into Storm Water Drainage Fee Zone 2 [p. 1-102]

STAFF REPORT:

Kara Taylor-Seeman, 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. 2003-2 (Police 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, 2016 for the thirty-ninth annexation to Community Facilities District No. 2003-2 (Police 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. 2003-2 (Police Services) Annexation No. 39 and amending Elk Grove Municipal Code Section 3.18.010;
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. 2006-1 (Maintenance 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, 2016 for the thirty-ninth annexation to Community Facilities District No. 2006-1 (Maintenance 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. 2006-1 (Maintenance Services) Annexation No. 39 and amending Elk Grove Municipal Code Section 3.19.010; **AND**

- C) Adopt resolution determining to levy street maintenance assessments in Street Maintenance District No. 1 – Zone 3-S (Annexation 30); **AND**
- D) Adopt resolution determining to levy storm water drainage fee assessments for Storm Water Drainage Fee Zone 2 (Annexation 14).

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

10.1 **SUBJECT:** Adopt an Urgency Interim Ordinance Imposing a Moratorium on all Commercial Marijuana Land Uses and all Marijuana Cultivation (CEQA Exempt) [p. 1-8]

STAFF REPORT:

Jonathan Hobbs, City Attorney

PUBLIC COMMENT:

RECOMMENDATION

Adopt an urgency interim ordinance adopting a moratorium on all commercial marijuana land uses and all marijuana cultivation in the City of Elk Grove.

10.2 **SUBJECT:** Receive report on City Council vacancies and provide direction to consider a vacancy appointment for Council Member District 4 or for calling a special election [p. 1-6]

STAFF REPORT:

Jason Lindgren, City Clerk

PUBLIC COMMENT:

RECOMMENDATION:

Receive report on City Council vacancies and provide direction considering a vacancy appointment or for calling a special election for Council Member District 4 as deemed appropriate.

10.3 SUBJECT: Consideration of appointment of representation to City Boards, Commissions and Committees [p. 1-16]

STAFF REPORT:

Jason Lindgren, City Clerk

PUBLIC COMMENT:

RECOMMENDATION:

Review the Local Appointments List and receive direction from the Mayor and City Council to consider appointments on local boards, commissions, and committees, particularly where there are current or projected vacancies, and / or direct the City Clerk to solicit applications for recruitment.

10.4 SUBJECT: Review City Council Appointments to Regional Boards, Commissions and Committees [p. 1-17]

STAFF REPORT:

Jason Lindgren, City Clerk

PUBLIC COMMENT:

RECOMMENDATION:

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

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 / TTY 888-435-6092. 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.