



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

Bobbie Singh-Allen, Mayor

Stephanie Nguyen, Vice Mayor
Kevin Spease, Council Member

Patrick Hume, Council Member
Darren Suen, Council Member

ELK GROVE CITY COUNCIL REGULAR MEETING

Wednesday, January 13, 2021
6:00 P.M.

Consistent with Executive Order N-29-20 issued on March 17, 2020, and Executive Order N-35-20 issued on March 21, 2020, by the Governor of the State of California, this meeting will be conducted by teleconference only. The meeting location will be the City Council Chamber, but it will not be open to the public.

The live meeting can be viewed via the City's website at http://www.elkgrovecity.org/city_hall/city_government/live_archived_broadcasts

Members of the public who wish to provide public comment, either for matters not on the agenda or on a particular matter, are encouraged to submit those comments in writing prior to the meeting by emailing the City Clerk at jlindgren@elkgrovecity.org. Such written comments must be received by 4:00 p.m. the day of the City Council meeting to ensure that the written comments are provided to the City Council. Such written comments received by 4:00 p.m. on the day of the City Council meeting will be provided to the full Council and staff, and **posted on the City website.**

Comments may also be submitted in mp3 format (audio) prior to the meeting by emailing such format to the Clerk at jlindgren@elkgrovecity.org. Alternatively, comments may be provided by leaving a voicemail with the Clerk at 916-478-2286. Such audio comments must be received by 4:00 p.m. the day of the City Council meeting to ensure that the comments are provided to the City Council. Audio comments received by 4:00 p.m. on the day of the City Council meeting will be provided to the City Council. These audio comments will not be played back during the public comment period for a particular agenda item unless directed by the City Council.

Members of the public are encouraged to submit their written and/or audio comments as far in advance of the meeting as reasonably practical.

During the meeting, members of the public may provide general comments or comments on a particular agenda item (at or before the time the item is called) by emailing the Clerk at jlindgren@elkgrovecity.org. These written comments will be provided to the City Council but will not be read aloud unless directed by the City Council.

If you wish to provide oral comments during the meeting, you may provide your phone number to the Clerk (via email) at jlindgren@elkgrovecity.org with a request to speak during General Public Comment or on a particular agenda item. At the time the item is called, the Clerk will call the number provided and place the call on speaker so comments may be heard by anyone participating in the meeting.

The three-minute limit will be strictly observed for all oral comments submitted prior to the meeting, and for oral comments made via telephone during the meeting. Each commenter may provide one three-minute comment per item.

REGULAR CITY COUNCIL MEETING 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 COVID-19 Update from Sacramento County Public Health
- 4.2 New Hire Introductions

5. PUBLIC COMMENT

Participating members of the viewing audience may comment on any item not on the agenda that is of interest to the public and 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 participating 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

Report by the City Manager.

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 Treasurer's Report and Other Post-Employment Retirement Benefits (OPEB) Report for November 2020 [p. 1-9] (FINANCE)
- 8.2** Approve City Council meeting minutes of the December 9, 2020 regular meeting [p. 1-17] (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 January 5, 2021 [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. 23-2020 levying and apportioning the special tax in territory annexed to Community Facilities District No. 2006-1 (Maintenance Services) (Annexation No. 62) and amending Elk Grove Municipal Code Section 3.19.010 (**Second Reading**) [p. 1-3] (FINANCE)
- 8.6** Adopt resolution dispensing with the competitive proposal process pursuant to Elk Grove Municipal Code Chapter 3.42 and authorizing the City Manager to execute the fourth amendment to the Civic Center Art Management Contract with Shelly Willis, extending the term of the contract through January 31, 2023, for management of all public artwork projects [p. 1-52] (CITY MANAGER)
- 8.7** Adopt resolution authorizing the City Manager to execute a contract with Cityfi, LLC for the Smart City Plan project in an amount not to exceed \$200,000, or other such amount as may be directed by the City Council [p. 1-22] (STRATEGIC PLANNING & INNOVATION)
- 8.8** Adopt resolution authorizing the City Manager to execute a contract for up to five years with HASA, Inc. to provide pool chemicals to the Elk Grove Aquatics Center in an amount not to exceed \$300,000, or other such amount as may be directed by the City Council [p. 1-20] (COMMUNITY CENTER)

- 8.9** Adopt a resolution authorizing the City Manager to execute a contract for up to five-years with Northstar Chemical, Inc., to provide pool chemicals to the Elk Grove Aquatics Center in an amount not to exceed \$322,440, or other such amount as may be directed by the City Council [p. 1-18] (COMMUNITY CENTER)
- 8.10** Adopt resolution authorizing the City Manager to execute a contract for up to five-years with SCP Distributors, dba Lincoln Aquatics, to provide pool chemicals to the Elk Grove Aquatics Center in an amount not to exceed \$52,400, or other such amount as may be directed by the City Council [p. 1-18] (COMMUNITY CENTER)
- 8.11** Adopt Resolution of Abandonment of Proceedings for Annexation No. 63 of CFD 2006-1 and Annexation No. 36 of Storm Water Drainage Fee Zone 2 [p. 1-5] (FINANCE)
- 8.12** 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. 53); 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. 65); 3) annex territory to Street Maintenance District No. 1, Zone 3-AD (Annexation No. 41) and to levy a special tax to pay for street maintenance; and 4) annex territory to Storm Water Drainage Fee Zone 2 (Annexation No. 38) pursuant to the Benefit Assessment Act of 1982 for the Kitenza Parcel Map Project [p. 1-136] (FINANCE)
- 8.13** Adopt resolution approving and authorizing submittal of California Office of Emergency Services (CalOES) Form 130 designating City personnel to act as the Agent for the City for the purpose of obtaining certain State and/or Federal financial assistance after a disaster [p. 1-6] (FINANCE)
- 8.14** Receive and file the Annual Reports for the City of Elk Grove Community Facilities Districts pursuant to the Local Agency Special Tax and Bond Accountability Act (SB165) [p. 1-10] (FINANCE)

- 8.15** Adopt resolution authorizing the City Manager to execute a Credit Reimbursement Agreement for the Elk Grove Roadway Fee Program with Taylor Morrison of CA, LLC, a California limited liability company for land dedicated in the Bruceville Meadows project with Approved Subdivision Map No. EG-15-039 [p. 1-22] (FINANCE)
- 8.16** Adopt resolution authorizing the City Manager to execute the Amendment to Deeds of Trust, Regulatory Agreement, and Senior Housing Agreement for the Vintage at Laguna I Affordable Housing Project (CEQA Exempt) [p. 1-32] (HOUSING)
- 8.17** Adopt resolution dispensing with the competitive proposal process pursuant to Elk Grove Municipal Code Section 3.42.140(B)(3) and authorizing the City Manager to enter into a contract with Environmental Systems Research Institute, Inc. for mapping software and online services annual maintenance in an amount not to exceed \$70,654, or other such amount as may be directed by the City Council [p. 1-40] (INFORMATION TECHNOLOGY)
- 8.18** Adopt resolution authorizing the City Manager to execute a short-term maintenance and use agreement with Sign Technology, Inc. to operate and maintain an existing sign kiosk on City property located on the northside of Whitelock Parkway at Bruceville Road [APN: 132-0720-026] (CEQA exempt) [p. 1-19] (REAL PROPERTY)
- 8.19** Adopt resolution authorizing the City Manager to execute a five-year contract with ACCO Engineered Systems, Inc., a California corporation, to provide heating, ventilation and air conditioning maintenance services for City owned facilities in an amount not-to-exceed \$600,000, or other such amount as may be directed by the City Council [p. 1-30] (FACILITIES & FLEET)
- 8.20** Adopt resolution accepting the 2019-2020 Citywide Curb Ramp Improvements Project - Phase 2 Laguna Boulevard at Harbour Point Drive (WAC014 Phase 2) as complete; authorizing the City Engineer to prepare and the City Clerk to file the Notice of Completion with the Sacramento County Recorder; and authorizing staff to amend the Annual Budget and Capital Improvement Program by reducing the remaining project budget authority to zero and returning any remaining funds back to their respective fund(s) [p. 1-7] (PUBLIC WORKS)

- 8.21** Adopt resolution accepting the 2020 Pavement Slurry Seal and Resurfacing Project (WPR020 Phase 2) as complete; authorizing the City Engineer to prepare and the City Clerk to file the Notice of Completion with the Sacramento County Recorder; and authorizing Staff to amend the Annual Budget and Capital Improvement Program by reducing the remaining project budget authority to zero and returning any remaining funds back to their respective fund(s) [p. 1-13] (PUBLIC WORKS)
- 8.22** Adopt resolution approving staff's recommendation for Project Priority Rankings for SACOG's 2021 Regional Funding Round [p. 1-8] (PUBLIC WORKS)
- 8.23** Review Proclamation of Local Emergency in the City of Elk Grove [p. 1-6] (CITY MANAGER)

9. PUBLIC HEARINGS

- 9.1** **SUBJECT:** A public hearing to consider adoption of a resolution approving the amendments to the Community Development Block Grant (CDBG) 2013-2018 Consolidated Plan (extended through June 2020) and the 2019-20 Action Plan, and authorizing the City Manager to execute and file all documents required to receive U.S. Department of Housing and Urban Development (HUD) Community Development Block Grant – Coronavirus (CDBG-CV3) funds (CEQA Exempt) [p. 1-24]

STAFF REPORT:

Sarah Bontrager, Housing and Public Services Manager

PUBLIC COMMENT:

RECOMMENDATION

Adopt resolution approving the amendments to the Community Development Block Grant (CDBG) 2013-2018 Consolidated Plan (extended to June 2020) and 2019-20 Action Plan; and authorize the City Manager to execute and file all documents required to receive US Department of Housing and Urban Development (HUD) Community Development Block Grant - Coronavirus (CDBG-CV3) funds.

- 9.2** **SUBJECT:** A public hearing to consider a resolution denying a General Plan Amendment for the proposed Sheldon Park Estates North Private Gated Community Project (PLNG20-024) [p. 1-48]

STAFF REPORT:

Kyra Killingsworth, Senior Planner

PUBLIC COMMENT:

RECOMMENDATION

By a vote of 5-0 at its November 5, 2020 meeting, the Planning Commission recommends the City Council adopt a Resolution:

- 1) Finding the Project exempt from the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines 15270 (Projects which are Disapproved); and
- 2) Denying the General Plan Amendment for the proposed Sheldon Park Estates North Private Gated Community Project (PLNG20-024), based on the findings included in the draft Resolution.

- 9.3** **SUBJECT:** Consider an Ordinance amending Elk Grove Municipal Code Chapter 4.27 Tobacco Retailers, Chapter 6.22 Secondhand Smoke, Chapter 9.24 Distribution of Tobacco Products to Minors, and Table 23.27-1 Allowed Uses to strengthen restrictions on the sale and distribution of tobacco and electronic vapor products and repealing Urgency Ordinance No. 09-2020 adopted on April 8, 2020, imposing a moratorium on the issuance of Tobacco Retailer Licenses in the City of Elk Grove (CEQA Exempt) [p. 1-26]

STAFF REPORT:

Shane Diller, Assistant Development Services Director

PUBLIC COMMENT:

RECOMMENDATION

Introduce and waive the full reading, by substitution of title only, an ordinance amending Elk Grove Municipal Code Chapter 4.27 Tobacco Retailers, Chapter 6.22 Secondhand Smoke, Chapter 9.24 Distribution of Tobacco Products to Minors, and Table 23.27-1 Allowed Land Uses; and repealing Urgency Ordinance No. 09-2020 imposing a moratorium on the issuance of Tobacco Retailer Licenses in the City of Elk Grove (CEQA Exempt).

10. REGULAR AGENDA ACTION ITEMS / RECOMMENDATIONS

10.1 SUBJECT: Receive information on the City's COVID-19 response and recovery efforts to date and provide staff additional direction as needed [p. 1-24]

STAFF REPORT:

Jason Behrmann, City Manager

PUBLIC COMMENT:

RECOMMENDATION:

Receive information on the City's COVID-19 response and recovery efforts to date and provide staff with additional direction as needed.

10.2 SUBJECT: Consider adopting a resolution expressing the City Council's support for a balanced response by local, state, and federal authorities to the COVID-19 global pandemic that protects health and safety, while recognizing the need to mitigate the economic, social and other hardships imposed on businesses and families [p. 1-2]

STAFF REPORT:

Jason Behrmann, City Manager

PUBLIC COMMENT:

RECOMMENDATION:

Adopt resolution expressing the City Council's support for a balanced response by local, state, and federal authorities to the COVID-19 global pandemic that protects health and safety, while recognizing the need to mitigate the economic, social and other hardships imposed on businesses and families.

10.3 SUBJECT: Consider formation of a COVID-19 Economic Task Force [p. 1-2]

STAFF REPORT:

Jason Lindgren, City Clerk

PUBLIC COMMENT:

RECOMMENDATION:

Staff recommends that the City Council consider formation of an ad hoc committee to head a COVID-19 Economic Task Force and designate two members of the City Council to serve on the ad hoc committee.

10.4 SUBJECT: Consider a resolution authorizing the City Manager to execute a Security Agreement and Assignment of Deposit Account Agreement and all related documents associated with the City’s guarantee of construction financing for the development of former City-owned property located at 9676 Railroad Street [APNs: 134-0050-043, 134-0050-049, 134-0050-052, and a portion of 134-0010-068] (CEQA Exempt) [p. 1-46]

STAFF REPORT:

Darrell Doan, Economic Development Director

PUBLIC COMMENT:

RECOMMENDATION:

Adopt resolution authorizing the City Manager to execute a Security Agreement with Eco Green, LLC (the “Developer”) and an Assignment of Deposit Account Agreement with the Developer and Farmers and Merchants Bank of California (“F&M Bank”), and to execute all related documents associated with the City’s guarantee of construction financing for the development of former City-owned property located at 9676 Railroad Street [APNs: 134-0050-043, 134-0050-049, 134-0050-052 and a portion of 134-0010-068] (the “Property”).

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.