

**ORDINANCE NO. 06-2025**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ELK GROVE  
REPEALING ORDINANCE NO. 18-2001 AND AMENDING PORTIONS OF  
ORDINANCE NO. 2000-2 TO ADJUST STIPEND PAID, REVISE METHOD OF  
APPOINTMENT, AND REMOVE REFERENCE TO SACRAMENTO COUNTY  
CODE SECTIONS REGARDING THE  
CITY OF ELK GROVE PLANNING COMMISSION**

**WHEREAS**, the City of Elk Grove duly adopted Ordinance No. 2000-2 “An Urgency Ordinance of the City Council of the City of Elk Grove Relating to the Establishment of the Elk Grove Planning Commission as the Planning Agency of the City” on July 1, 2000, which set forth, among other things, the method of appointment and term of Planning Commissioners and the compensation to be paid to each Planning Commissioner for each regularly scheduled meeting and for each special meeting when such member is actually in attendance; and

**WHEREAS**, the City Council duly adopted Ordinance No. 18-2001 on October 3, 2001, modifying the per meeting stipend amount to be paid to each Planning Commissioner; and

**WHEREAS**, at its meeting on January 22, 2025, the City Council concluded that the per meeting stipend to be paid to each Planning Commissioner should be increased to \$100 and directed staff to return an item to effectuate the increase; and

**WHEREAS**, upon review of Ordinance No. 2000-2, staff identified other amendments that needed to be made to make the language of the ordinance consistent with current practice, state law, and the provisions of the Elk Grove Municipal Code; and

**WHEREAS**, Section 4. Appointment and Term. of Ordinance No. 2000-2 must be amended to reflect the provisions of Government Code Section 40605 and Elk Grove Municipal Code Section 1.03.030 concerning appointments to City of Elk Grove boards, commissions, and committees; and

**WHEREAS**, Section 6. Powers and Duties. of Ordinance No. 2000-2 must be amended to refer to the Elk Grove Municipal Code as the governing code for the City of Elk Grove Planning Commission and Zoning Administrator.

**NOW THEREFORE**, the City Council of the City of Elk Grove does hereby ordain as follows:

Section 1: Purpose.

The purpose of this Ordinance is to repeal Ordinance No. 18-2001 adopted on October 3, 2001, which set the per meeting stipend to be paid to each Planning Commissioner, and to amend portions of Ordinance No. 2000-2 only to the extent stated below; all other provisions of Ordinance No. 2000-2 shall remain unaltered and in full force and effect.

Section 2: Findings.

The City Council finds it necessary and prudent to take the following actions:

- (a) Repeal in its entirety Ordinance No. 18-2001 adopted on October 3, 2001;

(b) Amend Section 4. Appointment and Term of Ordinance No. 2000-2 to conform to the provisions of Elk Grove Municipal Code Section 1.03.030, which delegates appointment authority to boards, commissions, and committees to the Mayor with the approval of the City Council, pursuant to Government Code Section 40605, and to conform with provisions of Elk Grove Municipal Code Section 23.10.050(A), which is silent on the length of term of an appointee to the Commission and states there shall be no maximum term that may be served by an individual member; and

(c) Amend Section 6. Powers and Duties. of Ordinance No. 2000-2 to remove reference to Sacramento County Code and instead refer to the Elk Grove Municipal Code as the governing code for the designated planning agencies for the City of Elk Grove; and

(d) Amend Section 8. Compensation and Expenses. of Ordinance No. 2000-2 to increase Planning Commissioner stipends to \$100 per each regular or special meeting attended, as the stipend amount has not been adjusted since October of 2001, so that such stipends have not kept pace with inflation and creating a disincentive for service on the Planning Commission.

### Section 3: Repeal of Ordinance No. 18-2001.

Ordinance No. 18-2001 of the City Council of the City of Elk Grove, adopted on October 3, 2001, is hereby repealed in its entirety.

### Section 4: Amendments to Ordinance No. 2000-2.

Ordinance No. 2000-2, Section 4. Appointment and Term. is hereby amended in its entirety to read as follows:

#### Section 4. Appointment and Term.

Pursuant to Elk Grove Municipal Code Section 1.03.030 and Government Code Section 40605, the Mayor, with the approval of the City Council, shall make all appointments to the Commission. Pursuant to Elk Grove Municipal Code Section 23.10.050(A) there shall be no maximum term that may be served by an individual member.

Ordinance No. 2000-2, Section 6. Powers and Duties. is hereby amended in its entirety to read as follows:

#### Section 6. Responsibilities of the City of Elk Grove Planning Agency.

The City of Elk Grove Planning Agency, composed of the following entities as identified in Elk Grove Municipal Code Chapter 23.10, shall have all of the land use responsibilities and duties, and shall abide by the additional provisions set forth in Chapter 23.10 of the Elk Grove Municipal Code:

- (1) the City Council;
- (2) the Planning Commission;
- (3) subcommittees of the Planning Commission;
- (4) the Zoning Administrator; and
- (5) the Development Services Director.

Ordinance No. 2000-2, Section 8. Compensation and Expenses. is hereby amended in its entirety to read as follows:

Section 8. Compensation and Expenses.

Each member of the Planning Commission shall receive one hundred dollars (\$100.00) for each regularly scheduled meeting and for each special meeting when such member is actually in attendance. The City Council may approve payment to a member for necessary and actual expenses incurred by the member in an official capacity.

Section 5: Severability.

If any provision of this Ordinance or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the Ordinance which can be given effect without the invalid provision or application and, to this end, the provisions of this Ordinance are severable. The City Council declares that it would have adopted this Ordinance irrespective of the invalidity of any particular portion thereof and intends that the invalid portions should be severed and the balance of the Ordinance be enforced.

Section 6: No Mandatory Duty of Care.

This ordinance is not intended to and shall not be construed or given effect in a manner that imposes upon the City or any officer or employee thereof a mandatory duty of care towards persons and property within or without the City, so as to provide a basis of civil liability for damages, except as otherwise imposed by law.

Section 7: Severability.

If any provision of this ordinance or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are severable. This City Council hereby declares that it would have adopted this ordinance irrespective of the invalidity of any particular portion thereof and intends that the invalid portions should be severed and the balance of the ordinance be enforced.

Section 8: Savings Clause.

The provisions of this ordinance shall not affect or impair an act done or right vested or approved or any proceeding, suit or prosecution had or commenced in any cause before such repeal shall take effect; but every such act done, or right vested or accrued, or proceeding, suit or prosecution shall remain in full force and effect to all intents and purposes as if such ordinance or part thereof so repealed had remained in force. No offense committed and no liability, penalty or forfeiture, either civilly or criminally incurred prior to the time when any such ordinance or part thereof shall be repealed or altered by said Code shall be discharged or affected by such repeal or alteration; but prosecutions and suits for such offenses, liabilities, penalties or forfeitures shall be instituted and proceeded with in all respects as if such prior ordinance or part thereof had not been repealed or altered.

Section 9: Effective Date and Publication.

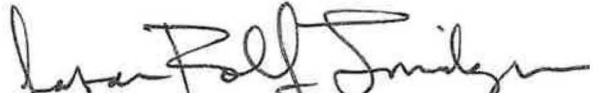
This Ordinance shall take effect thirty (30) days after its adoption. In lieu of publication of the full text of the ordinance within fifteen (15) days after its passage, a summary of the ordinance may be published at least five (5) days prior to and fifteen (15) days after adoption by the City Council and a certified copy shall be posted in the office of the City Clerk, pursuant to GC 36933(c)(1).

**ORDINANCE:**       **06-2025**  
**INTRODUCED:**     February 26, 2025  
**ADOPTED:**         March 12, 2025  
**EFFECTIVE:**       April 11, 2025




BOBBIE SINGH-ALLEN, MAYOR of the  
CITY OF ELK GROVE

ATTEST:

  
\_\_\_\_\_  
JASON LINDGREN, CITY CLERK

APPROVED AS TO FORM:

  
\_\_\_\_\_  
JONATHAN P. HOBBS,  
CITY ATTORNEY

Date signed: March 13, 2025

**CERTIFICATION  
ELK GROVE CITY COUNCIL ORDINANCE NO. 06-2025**

**STATE OF CALIFORNIA            )**  
**COUNTY OF SACRAMENTO        )**     **ss**  
**CITY OF ELK GROVE             )**

***I, Jason Lindgren, City Clerk of the City of Elk Grove, California, do hereby certify that the foregoing ordinance, published and posted in compliance with State law, was duly introduced on February 26, 2025, and approved, and adopted by the City Council of the City of Elk Grove at a regular meeting of said Council held on March 12, 2025, by the following vote:***

**AYES:            COUNCILMEMBERS: Singh-Allen, Robles, Brewer, Spease**

**NOES:           COUNCILMEMBERS: None**

**ABSTAIN:       COUNCILMEMBERS: None**

**ABSENT:        COUNCILMEMBERS: Suen**

***A summary of the ordinance was published pursuant to GC 36933(c) (1).***

  
**Jason Lindgren, City Clerk  
City of Elk Grove, California**