

CITY OF FOLSOM
SPECIAL CITY COUNCIL MEETING MINUTES
OCTOBER 14, 2008

CALL TO ORDER: The special meeting of the Folsom City Council was called to order at 6:00 p.m. in City Council Chambers, 50 Natoma Street, Folsom, with Vice-Mayor Miklos presiding.

<u>ROLL CALL:</u>	Council Members Present:	Howell, Miklos, Morin, Starsky
	Council Members Absent:	King
	Staff Present:	City Manager Kerry Miller Assistant City Manager Evert Palmer City Attorney Bruce Cline City Clerk Christa Schmidt

ADJOURNMENT TO CLOSED SESSION FOR THE FOLLOWING PURPOSES:

- 3a. Conference with Legal Counsel- Existing Litigation - Pursuant to Government Code section 54956.9(a):
- i. Kemper v. City of Folsom, et al.
United States District Court Case No. 2:07-CV-00678-RRB-GGH
 - ii. Hardenburg v. City of Folsom
WCAB Case No. SAC 317551

City Attorney Cline read the closed session items into the record.

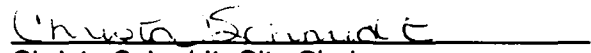
Motion by Council Member Howell, second by Council Member Starsky to adjourn to Closed Session for the above-referenced items. Motion carried with the following roll call vote:

AYES:	Council Members:	Howell, Miklos, Morin, Starsky,
NOES:	Council Members:	None
ABSENT:	Council Members:	King
ABSTAIN:	Council Members:	None

Mayor King arrived at 6:30 p.m. and reconvened the special meeting at 6:30 p.m. City Attorney Cline announced that no final action was taken during Closed Session.

ADJOURNMENT:

There being no further business to come before the Folsom City Council, the special meeting was adjourned at 6:31 p.m.


Christa Schmidt, City Clerk

ATTEST:


Stephen E. Miklos, Vice-Mayor

Approved 10/28/2008

CITY OF FOLSOM
REGULAR CITY COUNCIL MEETING MINUTES
OCTOBER 14, 2008

CALL TO ORDER: The regular meeting of the Folsom City Council was called to order at 6:31 p.m. in City Council Chambers, 50 Natoma Street, Folsom, with Mayor King presiding.

<u>ROLL CALL:</u>	Council Members Present:	Howell, Miklos, Morin, Starsky, King
	Council Members Absent:	None
	Staff Present:	City Manager Kerry Miller Assistant City Manager Evert Palmer City Attorney Bruce Cline City Clerk Christa Schmidt

PLEDGE OF ALLEGIANCE:

The Pledge of Allegiance was recited.

AGENDA UPDATE:

Assistant City Manager Palmer announced that additional information had been provided for item 8a, and that a resident planning to speak under Business from the Floor had submitted photographs for the City Council's consideration.

SCHEDULED PRESENTATIONS:

5a. Sacramento Regional Transit Master Plan Update

Regional Transit Executive Director Mike Wiley made a presentation and responded to questions from the City Council.

5b. Update on the City's Water Supply and Demand for the Current and Upcoming Year

Utilities Director Payne made a presentation and responded to questions from the City Council.

BUSINESS FROM THE FLOOR:

Dave Bestpitch, RC Modeleers, addressed the City Council regarding model boat use

Janelle Pfiester addressed the City Council regarding use of Caversham Way as "extended bleachers" at the high school

Ernie Sheldon addressed the City Council to reiterate Ms. Pfiester's concerns regarding use of Caversham Way

Joe Gagliardi addressed the City Council regarding a proposed ice skating rink in the Historic District area

Jim Snook, President, Folsom Historic District Association, addressed the City Council in support of the proposed ice skating rink

Jerry Berneau addressed the City Council in support of the proposed ice skating rink

Tami Richmond addressed the City Council in support of the proposed ice skating rink

John Beck addressed the City Council regarding use of Caversham Way

Approved 10/28/2008

CONSENT CALENDAR:

- 7a Approval of the September 23, 2008 Special/Regular Meeting Minutes
- 7b. Resolution No. 8374 - A Resolution Authorizing a Transfer of Police Special Revenue Trust Funds – POST Training, to the Police Department Operating Budget and Appropriation of Funds
- 7c. Resolution No. 8375 - A Resolution Authorizing the Public Works Director to Execute and Submit the Folsom Transportation Development Act Claim for FY 2008-09 to the Sacramento Area Council of Governments
- 7d. Resolution No. 8376 - A Resolution Authorizing the City Manager to Execute an Agreement with Robert W. Miles, Consulting Engineer for the 2007-08 Willow Creek Estates Drainage Project, Project No. 2502, and Appropriation of Funds
- 7e. Resolution No. 8377 - A Resolution Approving the Grant Award from the Proposition 50 California River Parkways Grant Program for the Lake Natoma Waterfront and Trail Access Enhancement Project and Appropriation of Funds
- 7f. pulled for discussion
- 7g. pulled for discussion
- 7h. Resolution No. 8380 - A Resolution Authorizing the City Manager to Execute an Easement Purchase Agreement with Charlotte R. Sanders, Trustee of the Revocable Living Trust of Charlotte Rae Sanders for the East Bidwell Bike/Pedestrian Overcrossing Project
- 7i. Resolution No. 8381 - A Resolution Authorizing the City Manager to Execute an Agreement with Suntrust Equipment Finance & Leasing Corporation to Provide Lease/Purchase Financing for Two Solid Waste Collection Vehicles

Motion by Council Member Starsky, second by Council Member Howell to approve the Consent Calendar items 7a through e, and item h and i. Motion carried with the following roll call vote:

AYES:	Council Members:	Howell, Miklos, Morin, Starsky, King
NOES:	Council Members:	None
ABSENT:	Council Members:	None
ABSTAIN:	Council Members:	None

CONSENT CALENDAR ITEMS PULLED FOR DISCUSSION:

- 7f. Resolution No. 8378 - Resolution Authorizing the City Manager to Execute an Agreement with Kimley-Horn and Associates, Inc. for Data Management Services for the Water Meter Implementation Project and Appropriation of Funds
- 7g. Resolution No. 8379 - A Resolution Authorizing the City Manager to Execute an Agreement with Alexander's Contract Services, Inc. for Meter Reading Services for the Water Meter Implementation Project and Appropriation of Funds

Approved 10/28/2008

Council Member Howell pulled items 7f and 7g to confirm that the proposed contracts would help facilitate early reading of water meters, should early reading become necessary. Utilities Director Payne responded in the affirmative.

Motion by Council Member Starsky, second by Council Member Howell to approve the Consent Calendar items 7f and 7g. Motion carried with the following roll call vote:

AYES:	Council Members:	Howell, Miklos, Morin, Starsky, King
NOES:	Council Members:	None
ABSENT:	Council Members:	None
ABSTAIN:	Council Members:	None

PUBLIC HEARING

8a. An Appeal by Doris Albus of a Planning Commission Approval of a Planned Development Permit for the California Independent System Operator (CAL-ISO) New Headquarters Facility at 250 Outcropping Way (PN08-169)

Mayor King reviewed the appeal hearing process.

Council Member Morin stated for the record that he had meetings with CAL-ISO representatives and the appellant prior to this meeting. Council Member Starsky asked City Attorney Cline if the City Council's consideration of this appeal was a *de novo* review (meaning it was essentially a new review, as if the prior review from the Planning Commission had not occurred); City Attorney Cline confirmed that it was.

Planner Banks made a presentation and responded to questions from the City Council.

Appellant Doris Albus addressed the City Council with her concerns regarding traffic, lights, and landscape screening; Ms. Albus submitted a petition in support of her appeal.

CAL-ISO Paul Carozo; Gus Fischer, CAL-ISO architect addressed the City Council. Neil Leddiccoat, MRO Engineers (traffic consultant for the CAL-ISO project) addressed the City Council regarding the traffic study.

Mayor King opened the Public Hearing at 9:03 p.m. The following speakers addressed the City Council:

Pamela Sowers, regarding traffic concerns
Mrs. Staley, regarding traffic concerns
Carol Avansino, regarding traffic concerns

Hearing no further speakers, Mayor King closed the Public Hearing at 9:18 p.m.

Applicant Paul Carozo, CAL-ISO, provided closing comments and responded to questions from the City Council.

Appellant Albus provided closing comments.

Assistant City Attorney Wang responded to questions from the City Council.

Steve Burberick, CAL-ISO, addressed the issue of a redundant ingress.

Approved 10/28/2008

Assistant City Attorney Wang suggested the following language be added to Conditions of Approval (COA's):

- COA No. 24.3 – additional language shall be added to indicate that there shall be no light poles in excess of 20 feet in height within 300 feet of eastern property line, along the Treehouse subdivision;
- COA No. 31 - additional signage shall be added to indicate that no parking shall be permitted on Outcropping Way
- COA No. 36 – additional language shall be added to state that the Community Development Director shall receive input from residents of the Treehouse subdivision prior to approving landscaping plans along the Treehouse community border (with a note that non-native or exotic plant species shall not be allowed).
- COA 64 – additional condition shall be added to state that owner applicant shall configure the service access to allow exit
- COA 65 – additional condition of approval shall be added to require that all construction vehicles shall enter and exit during construction through the service access only; and

Motion by Council Member Starsky, second by Council Member Howell to deny the appeal and uphold the Planning Commission's approval of the project for the new CAL-ISO with General Findings A and B, CEQA Findings C-G, Planned Development Permit Findings H-N, and Conditions of Approval No. 1-65 (with modifications recommended by Assistant City Attorney Wang). Motion carried with the following roll call vote:

AYES:	Council Members:	Howell, Miklos, Morin, Starsky, King
NOES:	Council Members:	None
ABSENT:	Council Members:	None
ABSTAIN:	Council Members:	None

Mayor King called a recess at 9:48 p.m., and reconvened the meeting at 9:54 p.m.

NEW BUSINESS:

9a. Conflict of Interest Code Update

- i. Ordinance No. 1114 - An Ordinance of the City of Folsom Repealing and Replacing Chapter 2.34 of the Folsom Municipal Code Pertaining to Governmental Conflict of Interest Guidelines (Introduction and First Reading)
- ii. Resolution No. 8373 - A Resolution Designating Filing Positions and Creating Disclosure Categories for Conflict of Interests

Deputy City Clerk McVay presented the staff report and responded to questions from the City Council.

Council Member Starsky requested that the positions of Building Inspector I, Building Inspector II, Building Inspector Supervisor, and Construction Inspector I, Construction Inspector II and Construction Inspector Supervisor be kept in the appendix of designated positions.

Approved 10/28/2008

Motion by Council Member Miklos, second by Council Member Howell to introduce Ordinance No. 1114 with the amendments suggested by Council Member Starsky and to continue Resolution No. 8373 to the October 28, 2008 City Council meeting. Motion carried with the following roll call vote:

AYES:	Council Members:	Howell, Miklos, Morin, Starsky, King
NOES:	Council Members:	None
ABSENT:	Council Members:	None
ABSTAIN:	Council Members:	None

The City Council adjourned to the special Redevelopment Agency meeting at 10:05 p.m.

The City Council reconvened from the special Redevelopment Agency meeting at 10:28 p.m.

CITY MANAGER REPORTS:

City Manager Miller thanked Fire Chief Haverty and his staff for the Fire Department Open House and thanked Parks and Recreation Director Goss for the Bark & Splash event, noting that only one pool was drained in the interest of water conservation. Mr. Miller complimented the Police K-9 and Mounted Patrol event and invited commuters to purchase parking passes for the Historic District Parking garage.

COUNCIL COMMENTS:

Council Member Starsky wished good luck to Folsom's firefighters while fighting fires in Southern California. He complimented Kaiser Surgery Center for its grand opening.

Council Member Howell reminded residents of the Renaissance Faire this weekend. Ms. Howell wished Heather Dutton happy birthday. Council Member Howell urged residents to drive carefully. She also urged residents to stop stealing campaign signs and to place signs properly.

Council Member Morin congratulated Kaiser's opening of the surgery center and complimented staff for their work on the CAL-ISO project.

Vice Mayor Miklos congratulated City Manager Miller on his two-year anniversary with the City of Folsom, and congratulated Kaiser and complimented staff for their work on the CAL-ISO project. Mr. Miklos noted the sixth straight month of appreciated home values in Folsom.

Mayor King commented on the positive progress in Folsom, economic challenges notwithstanding.


ADJOURNMENT:

There being no further business to come before the Folsom City Council, the regular meeting was adjourned at 10:37 p.m.



Christa Schmidt, City Clerk

ATTEST:



Eric S. King, Mayor