



**CITY OF FOLSOM CITY COUNCIL
SPECIAL MEETING**

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**FOLSOM CITY COUNCIL CHAMBERS
50 NATOMA STREET, FOLSOM, CA
TUESDAY, OCTOBER 13, 2009
5:45 PM**

Steve Miklos, Mayor

*Kerri Howell, Council Member
Ernie Sheldon, Council Member*

*Andy Morin, Council Member
Jeff Starsky, Vice Mayor*

AGENDA

1. **Call to Order:**
2. **Roll Call:** Council Members: **Starsky, Howell, Morin, Sheldon, Miklos**
3. **Adjournment to Closed Session for the Following Purposes:**
 - a. Conference With Legal Counsel - Anticipated Litigation
 - i. Initiation of Litigation Pursuant to Government Code Section 54956.9(c):
1 Potential Case
 - ii. Significant Exposure to Litigation Pursuant to Government Code Section 54956.9(b)(1)(C):
1 Potential Case
Valley Property Investments, LLC / Roger Miller
4. **Reconvene:** Announcement of Final Action, If Any
5. **Adjournment:**



**CITY OF FOLSOM
CITY COUNCIL REGULAR MEETING**
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**FOLSOM CITY COUNCIL CHAMBERS
50 NATOMA STREET, FOLSOM, CA
TUESDAY, OCTOBER 13, 2009
6:30 PM**

*Kerri Howell, Council Member
Ernie Sheldon, Council Member*

Steve Miklos, Mayor

*Andy Morin, Council Member
Jeff Starsky, Vice Mayor*

AGENDA

1. Call to Order:

2. Roll Call: Council Members: Starsky, Howell, Morin, Sheldon, Miklos

The City Council has adopted a policy that no new item will begin after 10:30 p.m. Therefore, if you are here for an item that has not been heard by 10:30 p.m., you may leave, as the item will be continued to a future Council Meeting.

3. Pledge of Allegiance:

4. Agenda Update: Assistant City Manager

5. Scheduled Presentations:

- a. Proclamation of the Mayor of the City of Folsom Proclaiming the Week of October 18-24, 2009 as Teen Read Week in the City of Folsom
- b. Proclamation of the Mayor of the City of Folsom Proclaiming October 2009 as Arts and Humanities Month in the City of Folsom
- c. Resolution of Commendation Honoring McCarthy Cook & Company for Their Outstanding Contribution to the Public Art Collection in Folsom
- d. Resolution of Commendation Honoring Caryn Rizell for Her Outstanding Contribution to Arts and Culture in Folsom

6. Business from the Floor:

Members of the public are entitled to address the City Council concerning any item within the Folsom City Council's subject matter jurisdiction. Public comments are limited to no more than three minutes. Except for certain specific exceptions, the City Council is prohibited from discussing or taking action on any item not appearing on the posted agenda.

7. Consent Calendar:

Items appearing on the Consent Calendar are considered routine and may be approved by one motion. City Council Members may pull an item for discussion.

- a. Approval of the September 22, 2009 Special/Regular / Joint City Council / Redevelopment Agency / Public Financing Authority Special Meeting Minutes
- b. Ordinance No. 1124 - An Uncodified Ordinance Approving Amendment No. 8 to the Development Agreement by and Between the City of Folsom and Elliott Homes, Inc. Relating to the Development Known as Empire Ranch (Second Reading and Adoption)
- c. Ordinance No. 1125 - An Uncodified Ordinance Approving Amendment No. 6 to the Development Agreement by and Between the City of Folsom and Elliott Homes, Inc. Relating to the Development Known as "Palladio Mall" in Broadstone Unit No. 2 (Second Reading and Adoption)
- d. Resolution No. 8546 - A Resolution Authorizing the City Manager to Execute an Agreement with Dyett & Bhatia for Updating of the General Plan, and Preparing the Environmental Impact Report and Appropriation of Funds
- e. Resolution No. 8554 - A Resolution Authorizing the City Manager to Execute Amendment No. 1 to the Agreement (Contract No. 172-21-09-005) with Datamatic, LTD. for Fixed Network Implementation and Data Management Services for the Water Meter Implementation Project and Appropriation of Funds
- f. Resolution No. 8555 - A Resolution Authorizing the City Manager to Execute a Memorandum of Agreement with the City of Roseville and San Juan Water District Regarding Contracting for Lobbying Support Over a Three-year Period with the Ferguson Group for Modifications to Folsom Dam Facilities for Reliable Water Supply Deliveries
- g. Resolution No. 8556 - A Resolution Approving the Application for Grant Funds from the Recreational Trails Program for the Humbug - Willow Creek Trail Project - Levy Park to Blue Ravine Road
- h. Resolution No. 8557 - A Resolution Authorizing the City Manager to Execute Amendment No. 1 to the Construction Agreement with Hemington Landscape Services, Inc. (Contract No. 174-21 09-064) for the Nisenan Community Park Project and Appropriation of Funds
- i. Resolution No. 8558 - A Resolution Authorizing the City Manager to Execute a Construction Contract with Restroom Facilities Limited for the Purchase and Installation of the Nisenan Community Park Pre-Fab Restroom Structure Funded through Park Development Impact Fees and Supplemental Park Fees
- j. Resolution No. 8559 - A Resolution Authorizing the City Manager to Execute a Contract Change Order with Lund Construction (Contract No. 174-21 09-051) for the East Natoma Widening Project, Project No. PW0803
- k. Resolution No. 8560 - A Resolution Authorizing the Final Reimbursement to the Sacramento Municipal Utility District for Relocation of Facilities Related to the Folsom Lake Crossing Project No. 2319

- l. Resolution No. 8561 - A Resolution Authorizing the City Manager to Execute an Agreement with the Sacramento Regional Transit District for the FY 2009 Allocation of Federal Transit Administration Grant Section 5307 for Preventative Maintenance and Americans with Disabilities Act Operations
- m. Resolution No. 8562 - A Resolution Authorizing an Increase in the Contingency Amount for Change Orders with Central Valley Engineering and Asphalt (Contract No. 174-21 09-058) for the Pavement Repair and Street Sealing FY 2009/10 Project No. 8017, and Appropriation of Funds

8. New Business:

- a. Presentations of Annual Reports for the Folsom Economic Development Corporation, the Folsom Tourism Bureau, and the Folsom Tourism Business Improvement District
- b. Appointment of an At-Large Member to the Library Commission
- c. Appointment of At-Large Member (Design/Development/Construction Professions) to the Redevelopment Agency Citizens' Advisory Committee
- d. Report Regarding SB 375: Transportation Planning, Travel Demand Models, Sustainable Communities Strategy, and Environmental Review (Steinberg)

9. City Manager Reports:

10. Council Comments:

11. Adjournment:

NOTICE: *Members of the Public are entitled to directly address the City Council concerning any item that is described in the notice of this meeting, before or during consideration of that item. If you wish to address Council on an issue, which is on this agenda, please complete a blue speaker request card, and deliver it to a staff member at the table on the left side of the Council Chambers prior to discussion of the item. When your name is called, stand to be recognized by the Mayor and then proceed to the podium. If you wish to address the City Council on any other item of interest to the public, when the Mayor asks if there is any “**Business from the Floor,**” follow the same procedure described above. Please limit your comments to three minutes or less.*

As presiding officer, the Mayor has the authority to preserve order at all City Council meetings, to remove or cause the removal of any person from any such meeting for disorderly conduct, or for making personal, impertinent, or slanderous remarks, using profanity, or becoming boisterous, threatening or personally abusive while addressing said Council, and to enforce the rules of the Council.

PERSONS INTERESTED IN PROPOSING AN ITEM FOR THE CITY COUNCIL AGENDA SHOULD CONTACT A MEMBER OF THE CITY COUNCIL.

The meeting of the Folsom City Council is being telecast on Metro Cable TV, Channel 14, the Government Affairs Channel, and will be shown in its entirety on the Friday and Saturday following the meeting, both at 9 a.m. The City does not control scheduling of this telecast and persons interested in watching the televised meeting should confirm this schedule with Metro Cable TV, Channel 14. The City of Folsom provides live and archived webcasts of regular City Council meetings. The webcasts can be found on the online services page of the City's website www.folsom.ca.us

In compliance with the Americans with Disabilities Act, if you are a disabled person and you need a disability-related modification or accommodation to participate in this meeting, please contact the City Clerk's Office at (916) 355-7270, (916) 355-7328 (fax) or cschmidt@folsom.ca.us. Requests must be made as early as possible and at least two-full business days before the start of the meeting.

Any documents produced by the City and distributed to the City Council regarding any item on this agenda will be made available at the City Clerk's Counter at City Hall located at 50 Natoma Street, Folsom, California and at the Folsom Public Library located at 411 Stafford Street, Folsom, California during normal business hours.