

**CITY OF FOLSOM**  
**SPECIAL CITY COUNCIL MEETING MINUTES**  
**SEPTEMBER 22, 2009**

**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, California with Mayor Miklos presiding.

**ROLL CALL:**

Council Members Present:	Council Member Ernie Sheldon Council Member Kerri Howell Council Member Andy Morin Mayor Steve Miklos
Council Members Absent:	Vice Mayor Jeff Starsky
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. Steven White v. City of Folsom  
WCAB No. ADJ261155

City Attorney Cline read the Closed Session items into the record.

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

<b>AYES:</b>	<b>Council Members:</b>	<b>Sheldon, Howell, Morin, Miklos</b>
<b>NOES:</b>	<b>Council Members:</b>	<b>None</b>
<b>ABSENT:</b>	<b>Council Members:</b>	<b>Starsky</b>
<b>ABSTAIN:</b>	<b>Council Members:</b>	<b>None</b>

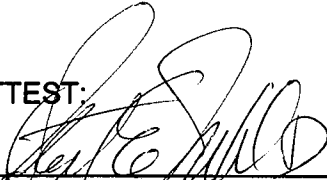
Mayor Miklos reconvened the special meeting at 6:31 p.m. City Attorney Cline announced that no final action was taken during Closed Session.

**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, Mayor

**CITY OF FOLSOM**  
**REGULAR CITY COUNCIL MEETING**  
**SEPTEMBER 22, 2009**

**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, California with Mayor Miklos presiding.

**ROLL CALL:**

Council Members Present: Council Member Ernie Sheldon  
Council Member Kerri Howell  
Council Member Andy Morin  
Mayor Steve Miklos

Council Members Absent: Vice Mayor Jeff Starsky

Staff Present: City Manager Kerry Miller  
City Attorney Bruce Cline  
Assistant City Manager Evert Palmer  
City Clerk Christa Schmidt  
Fire Chief Dan Haverty  
Public Works Director Rich Lorenz  
Senior Civil Engineer Mark Rackovan, Traffic Division, Public Works  
Senior Civil Engineer Dave Nugen, Traffic Division, Public Works

**PLEDGE OF ALLEGIANCE:**

The Pledge of Allegiance was recited.

**AGENDA UPDATE:**

None

**SCHEDULED PRESENTATIONS:**

5a. Presentation by Linda Conroy Regarding Fire Safe Council

Fire Chief Haverty introduced representatives from the Fire Safe Council who made a presentation and responded to questions from the City Council.

5b. Proclamation of the Mayor of the City of Folsom Declaring the Month of October 2009 as Fire Prevention Month in the City of Folsom

Council Member Morin presented the Proclamation.

5c. Proclamation of the Mayor of the City of Folsom Proclaiming September 29, 2009 as Crespano

Approved 10/13/2009

Del Grappa Day

Council Member Howell presented the Proclamation.

**BUSINESS FROM THE FLOOR:**

The following speakers addressed the City Council:

1. June Chan addressed the City Council regarding the recent passing of long-time Folsom residents Bill Bailey and "Folsom Jim" Phillips and recommended that memorial signs be placed to honor these to men.
2. Madeleine Moseley addressed the City Council regarding the recent passing of Bill Bailey.

**CONSENT CALENDAR:**

- 7a. Approval of the September 8, 2009 Special/Regular / Joint City Council / Redevelopment Agency / Public Financing Authority Special Meeting Minutes
- 7b. Resolution No. 8545 - A Resolution Authorizing the City Manager to Execute Amendment No. 1 with RMC (Contract No. 174-21 08-044) to Prepare an Environmental Impact Analysis Report for the Water Supply, Conveyance, and Treatment Elements of the Folsom Sphere of Influence Project
- 7c. Resolution No. 8547 - A Resolution Authorizing the City Manager to Proceed with the Sale of Eleven Surplus Vehicles for the Utilities Department
- 7d. Resolution No. 8548 - A Resolution Authorizing the City Manager to Execute an Agreement with Tesco Controls, Inc. for the Lake Forest Sewer Pump Station System Upgrades
- 7e. Resolution No. 8549 - A Resolution Authorizing the City Manager to Execute Amendment No. 1 to the Agreement (Contract No. 174-21 08-013) with Kimley-Horn and Associates, Inc. for Design and Construction Administration Services for the Nimbus Tank Rehabilitation Project
- 7f. Resolution No. 8550 - A Resolution Authorizing the City Manager to Execute an Agreement with Centerline Striping Company, Inc. for the Traffic Striping and Pavement Markings Project No. 8016
- 7g. Resolution No. 8551 - A Resolution Authorizing the City Manager to Proceed with the Sale of 22 Surplus Vehicles and Equipment
- 7h. Resolution No. 8552 - A Resolution Authorizing the City Manager to Execute an Agreement with the County of Sacramento to Provide Emergency Hazardous Materials Response Team Services

**Motion by Council Member Howell, second by Mayor Miklos to approve the Consent Calendar.  
Motion carried with the following roll call vote:**

<b>AYES:</b>	<b>Council Members:</b>	<b>Sheldon, Howell, Morin, Miklos</b>
<b>NOES:</b>	<b>Council Members:</b>	<b>None</b>
<b>ABSENT:</b>	<b>Council Members:</b>	<b>Starsky</b>
<b>ABSTAIN:</b>	<b>Council Members:</b>	<b>None</b>

Approved 10/13/2009

**OLD BUSINESS:**

- 8a. Receive Update on the East Natoma Street Noise Mitigation Program and Provide Direction to Staff

Public Works Director Lorenz introduced the item. Senior Civil Engineer Rackovan made a presentation and responded to questions from the City Council. Senior Civil Engineer Nugen provided additional information.

The following speakers addressed the City Council regarding the East Natoma Street traffic issues:

1. Bruce Van Patten, in support of the sound walls
2. Scott Mueller, in support of the sound walls
3. Craig Wall, in support of the sound wall
4. Frank Mastro, in support of the sound wall
5. Tim Hammer, in support of the sound wall
6. Jim Landis, in support of the sound wall
7. Michelle Kane, in support of the sound wall
8. Jerry Bernau, in support of the first alternative sound wall
9. Brett Anderson, in support of the sound wall

After discussion, the City Council requested these items come back to the City Council for consideration and decision.

**PUBLIC HEARING:**

- 9a. Ordinance No. 1124 - An Uncodified Ordinance Approving Amendment No. 8 to Development Agreement by and Between the City of Folsom and Elliott Home, Inc. Relating to the Development Known as Empire Ranch (Introduction and First Reading) (**Rescheduled from September 22, 2009**)

Community Development Director Miller introduced the item and responded to questions from the City Council.

Mayor Miklos opened the Public Hearing at 7:49 p.m. Hearing no speakers, the Public Hearing was closed.

**Motion by Council Member Morin, second by Council Member Howell to introduce Ordinance No. 1124. Motion carried with the following roll call vote:**

<b>AYES:</b>	<b>Council Members:</b>	<b>Sheldon, Howell, Morin, Miklos</b>
<b>NOES:</b>	<b>Council Members:</b>	<b>None</b>
<b>ABSENT:</b>	<b>Council Members:</b>	<b>Starsky</b>
<b>ABSTAIN:</b>	<b>Council Members:</b>	<b>None</b>

- 9b. Ordinance No. 1125 - An Uncodified Ordinance Approving the Amendment No. 6 to the Development Agreement by and Between the City of Folsom and Elliott Homes, Inc. Relative to the Development Known as "Palladio Mall" in Broadstone Unit No. 2 (Introduction and First Reading) (**Rescheduled from September 22, 2009**)

Community Development Director Miller introduced the item and responded to questions from the City Council.

Mayor Miklos opened the Public Hearing at 7:51 p.m. Hearing no speakers, the Public Hearing was closed.

**Motion by Council Member Howell, second by Council Member Sheldon to introduce Ordinance No. 1124. Motion carried with the following roll call vote:**

<b>AYES:</b>	<b>Council Members:</b>	<b>Sheldon, Howell, Morin, Miklos</b>
<b>NOES:</b>	<b>Council Members:</b>	<b>None</b>
<b>ABSENT:</b>	<b>Council Members:</b>	<b>Starsky</b>
<b>ABSTAIN:</b>	<b>Council Members:</b>	<b>None</b>

**NEW BUSINESS:**

- 10a. Appointment of an At-Large Member (Business Owner Within Sutter Street Subarea) to the Historic District Commission

**Motion by Council Member Morin, second by Council Member Howell to appoint Karen Kay McVey. Motion carried with the following roll call vote:**

<b>AYES:</b>	<b>Council Members:</b>	<b>Sheldon, Howell, Morin, Miklos</b>
<b>NOES:</b>	<b>Council Members:</b>	<b>None</b>
<b>ABSENT:</b>	<b>Council Members:</b>	<b>Starsky</b>
<b>ABSTAIN:</b>	<b>Council Members:</b>	<b>None</b>

Mayor Miklos called a recess at 7:52 p.m. and reconvened the meeting at 8:00 p.m.

The City Council adjourned to the special Redevelopment Agency meeting at 8:00 p.m.

The special Redevelopment Agency meeting was adjourned to the special joint City Council / Redevelopment Agency / Public Financing Authority meeting at 8:26 p.m.

**CALL TO ORDER:** The special joint meeting of the City Council/Redevelopment Agency/Public Financing Authority was called to order at 8:26 p.m. in City Council Chambers, 50 Natoma Street, Folsom, with Mayor/Chair Miklos presiding.

**ROLL CALL:**

Council / Board Members	Andy Morin
Present:	Ernie Sheldon
	Kerri Howell
	Steve Miklos

Council / Board Members    Jeff Starsky  
Absent:

Staff Present:                      City Manager / Executive                      City Clerk / Secretary Christa Schmidt  
   Director Kerry Miller                      Redevelopment and Housing Director  
   City Attorney / Agency Counsel                      Amy Feagans  
   Bruce Cline  
   Assistant City Manager Evert  
   Palmer

**CONSENT CALENDAR:**

12b(i). Approval of the September 8, 2009 Joint City Council / Redevelopment Agency / Public Financing Authority Special Meeting Minutes

**Motion by Council / Board Member Miklos, second by Council / Board Member Morin to approve the Consent Calendar. Motion carried with the following roll call vote:**

<b>AYES:</b>	<b>Council/Board Members:</b>	<b>Sheldon, Howell, Morin, Miklos</b>
<b>NOES:</b>	<b>Council/Board Members:</b>	<b>None</b>
<b>ABSENT:</b>	<b>Council/Board Members:</b>	<b>Starsky</b>
<b>ABSTAIN:</b>	<b>Council/Board Members:</b>	<b>None</b>

**NEW BUSINESS:**

12c(i). Redevelopment Agency of the City of Folsom, Central Folsom Redevelopment Project Tax Allocation Bonds, Series 2009

- a. Resolution No. 8553 - A Resolution of the City Council of the City of Folsom Approving the Issuance and Sale of the Redevelopment Agency of the City of Folsom, Central Folsom Redevelopment Project Tax Allocation Bonds, Series 2009; and Authorizing the Taking of all Necessary Action in Connection Therewith
- b. Resolution No. 09-055-PFA - A Resolution of the Governing Board of the Folsom Public Financing Authority Approving the Form of and Authorizing the Execution and Delivery of a Bond Purchase Agreement Relating to the Redevelopment Agency of the City of Folsom, Central Folsom Redevelopment Project Tax Allocation Bonds, Series 2009; and Authorizing the Taking of all Necessary Action in Connection Therewith
- c. Resolution No. 305-R - A Resolution of the Governing Board of the Folsom Redevelopment Agency Authorizing the Issuance, Sale and Delivery of the Central Folsom Redevelopment Project Tax Allocation Bonds, Series 2009; Approving the Forms of and Authorizing the Execution and Delivery of a Third Supplemental Indenture of Trust, and Official Statement, a Bond Purchase Agreement, a Continuing Disclosure Certificate, and an Escrow Agreement Relating to Said Bonds; and Authorizing the Taking of all Necessary Action in Connection Therewith
- d. Resolution No. 306-R - A Resolution of the Governing Board of the Redevelopment Agency of the City of Folsom Declaring Its Official Intent to Reimburse Certain Expenditures from Proceeds of Indebtedness

Finance Director Francis presented the staff report and responded questions from the City Council.

**Motion by Council / Board Member Mayor Miklos, second by Council / Board Member Morin**

Approved 10/13/2009

to approve Resolution No. 8553. Motion carried with the following roll call vote:

<b>AYES:</b>	<b>Council/Board Members:</b>	<b>Sheldon, Howell, Morin, Miklos</b>
<b>NOES:</b>	<b>Council/Board Members:</b>	<b>None</b>
<b>ABSENT:</b>	<b>Council/Board Members:</b>	<b>Starsky</b>
<b>ABSTAIN:</b>	<b>Council/Board Members:</b>	<b>None</b>

Motion by Board Council / Member Howell, second by Council / Board Member Morin to approve Resolution No. 09-055-PFA. Motion carried with the following roll call vote:

<b>AYES:</b>	<b>Council/Board Members:</b>	<b>Sheldon, Howell, Morin, Miklos</b>
<b>NOES:</b>	<b>Council/Board Members:</b>	<b>None</b>
<b>ABSENT:</b>	<b>Council/Board Members:</b>	<b>Starsky</b>
<b>ABSTAIN:</b>	<b>Council/Board Members:</b>	<b>None</b>

Motion by Council / Board Member Howell, second by Council / Board Member Miklos to approve Resolution No. 305-R. Motion carried with the following roll call vote:

<b>AYES:</b>	<b>Council/Board Members:</b>	<b>Sheldon, Howell, Morin, Miklos</b>
<b>NOES:</b>	<b>Council/Board Members:</b>	<b>None</b>
<b>ABSENT:</b>	<b>Council/Board Members:</b>	<b>Starsky</b>
<b>ABSTAIN:</b>	<b>Council/Board Members:</b>	<b>None</b>

Motion by Council / Board Member Miklos, second by Council / Board Member Howell to approve Resolution No. 306-R. Motion carried with the following roll call vote:

<b>AYES:</b>	<b>Council/Board Members:</b>	<b>Sheldon, Howell, Morin, Miklos</b>
<b>NOES:</b>	<b>Council/Board Members:</b>	<b>None</b>
<b>ABSENT:</b>	<b>Council/Board Members:</b>	<b>Starsky</b>
<b>ABSTAIN:</b>	<b>Council/Board Members:</b>	<b>None</b>

There being no further business, the special joint City Council / Redevelopment Agency / Public Financing Authority meeting was adjourned to the regular City Council meeting at 8:32 p.m.

#### **CITY MANAGER REPORTS:**

City Manager Miller conveyed an email regarding comments from Corps of Engineers regarding the Folsom Lake Crossing. Public Works Director Lorenz added that Corps staff refers to the Crossing as a "model for how projects should be completed in the future". In response to Mr. Miller's request, Police Chief Spiegel made a presentation regarding recent crime rate information and the Folsom Police Department's SWAT team's placement at the Best of the West competition. City Manager Miller complimented staff for their work on the September 11 Memorial ceremony.

#### **COUNCIL COMMENTS:**

Council Member Sheldon added that the residents of Folsom contribute to the low crime rate. Mr. Sheldon commended the City Manager and staff for the recent employee luncheon. He asked Public Works Director Lorenz about a signal at Baldwin Dam Road, and asked about the road work being done on East Bidwell Street.

Approved 10/13/2009



Council Member Howell expressed sympathy to the families of Jim Phillips and Bill Bailey and congratulations to Bob Holderness. Ms. Howell encouraged drivers to drive carefully and to use hands-free phones. She invited residents to attend Folsom Live this weekend.

Council Member Morin commented that street work is good in the long term, and urged residents' patience during construction. He repeated expressions of sympathy to the families of Jim Phillips and Bill Bailey. Mr. Morin complimented staff on Cyclebration and invited residents to attend the Mayors Golf Cup Tournament.

Mayor Miklos complimented Chiefs Haverty and Spiegel for the September 11 Memorial ceremony. He congratulated Finance Director Francis for his work on the bonds. He spoke of Folsom's character and how well the city has grown.

**ADJOURNMENT:**

There being no further business to come before the Folsom City Council, the regular meeting was adjourned at 8:59 p.m.

  
\_\_\_\_\_  
Christa Schmidt, City Clerk

ATTEST:

  
\_\_\_\_\_  
Stephen E. Miklos, Mayor