

CITY OF FOLSOM
SPECIAL CITY COUNCIL MEETING MINUTES
MAY 11, 2010

CALL TO ORDER: The special meeting of the Folsom City Council was called to order at 4:00 p.m. in City Council Chambers, 50 Natoma Street, Folsom, California with Mayor Starsky presiding.

ROLL CALL:

Council / Board Members Present:	Council Member Ernie Sheldon Council Member Kerri Howell Council Member Miklos Mayor Jeff Starsky
Council / Board Members Absent:	Vice Mayor Andy Morin (arrived at 4:07 p.m.)
Staff Present:	City Manager Kerry Miller Assistant City Manager Evert Palmer City Attorney Bruce Cline City Clerk Christa Freemantle Public Works Director Lorenz Parks and Recreation Director Goss Community Development Director Miller Finance Director Jim Francis Library Director Katy Curl Police Chief Sam Spiegel

Mayor Starsky advised that Vice Mayor Morin will be arriving shortly.

BUDGET HEARING:

- 4a. Budget Workshop #1
Parks and Recreation, Community Development, Redevelopment and Housing, Library, Police

Mayor Starsky provided an overview of the meeting procedures. City Manager Miller made introductory comments and spoke about the budget preparation process. Vice Mayor Morin arrived at 4:07 p.m. Assistant City Manager Palmer introduced the Parks and Recreation budget.

Parks and Recreation Director Goss made a presentation and responded to questions from the City Council.

Mayor Starsky opened the Public Hearing for comments at 5:01 p.m. The following speakers addressed the City Council:

Dennis Cleary
Becky Boone
Nancy Bohnsak
Lloyd Strong
Ed Kaufmann
Jim Kirstein
Adam Zielenski
Jeff Pearson

Approved 6/8/2010

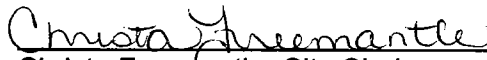
Council Member Miklos thanked the Friends of the Folsom Zoo.

Assistant City Manager Palmer introduced the Community Development and Redevelopment and Housing budgets. Community Development Director Miller made a presentation and responded to questions from the City Council.

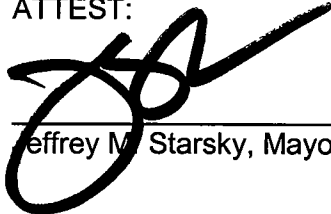
Mayor Starsky advised that the budget public hearing would continue during the 6:30 regular meeting.

ADJOURNMENT:

The special meeting was adjourned at 5:56 p.m.


Christa Freemantle, City Clerk

ATTEST:


Jeffrey M. Starsky, Mayor

CITY OF FOLSOM
SPECIAL CITY COUNCIL MEETING MINUTES
MAY 11, 2010

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 Starsky presiding.

ROLL CALL:

Council Members Present: Vice Mayor Andy Morin
Council Member Ernie Sheldon
Council Member Kerri Howell
Council Member Miklos
Mayor Jeff Starsky

Council Members Absent: None

Staff Present: City Manager Kerry Miller
Assistant City Manager Evert Palmer
City Attorney Bruce Cline
City Clerk Christa Freemantle
Finance Director Jim Francis
Human Resources Director John Spittler

ADJOURNMENT TO CLOSED SESSION FOR THE FOLLOWING PURPOSES:

- 3a. Conference with Legal Counsel - Existing Litigation - Pursuant to Government Code section 54956.9(a):
- i. Misty Lytle v. City of Folsom
Workers' Compensation Case No. ADJ6521461

Approved 6/8/2010

- 3b. Conference with Labor Negotiator - Pursuant to Government Code section 54957.6:
i. Agency Negotiator: Human Resources Director John Spittler
Employee Organizations: All Bargaining Units and Unrepresented Employees
- 3c. Conference with Legal Counsel - Anticipated Litigation
i. Initiation of Litigation Pursuant to Government Code section 54956.9(c):
1 potential case

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

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

Mayor Starsky reconvened the special meeting at 6:32 p.m. City Attorney Cline reported 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 6:32 p.m.


Christa Freemantle, City Clerk

ATTEST:


Jeffrey M. Starsky, Mayor

CITY OF FOLSOM
REGULAR CITY COUNCIL MEETING
MAY 11, 2010

CALL TO ORDER: The regular meeting of the Folsom City Council was called to order at 6:32 p.m. in City Council Chambers, 50 Natoma Street, Folsom, California, with Mayor Starsky presiding.

ROLL CALL:

Council Members Present: Vice Mayor Andy Morin
Council Member Ernie Sheldon
Council Member Kerri Howell
Council Member Miklos
Mayor Jeff Starsky

Council Members Absent: None

Staff Present: City Manager Kerry Miller
Assistant City Manager Evert Palmer
City Attorney Bruce Cline
Assistant City Attorney Steve Wang
City Clerk Christa Freemantle
Library Director Katy Curl
Community Development Director David Miller
Public Works Director Rich Lorenz
Finance Director Jim Francis
Police Chief Sam Spiegel

PLEDGE OF ALLEGIANCE:

The Pledge of Allegiance was recited.

Mayor Starsky called for a moment of silence in honor of Scott Weldy.

AGENDA UPDATE:

Assistant City Manager Palmer announced that additional information had been provided regarding item 8b.

SCHEDULED PRESENTATIONS:

- 5a. Proclamation of the Mayor of the City of Folsom Proclaiming the Month of May 2010 as Older Americans Month

Council Member Howell presented the Proclamation.

- 5b. Proclamation of the Mayor of the City of Folsom Proclaiming May 9 - 15, 2010 as National Police Week, and May 15, 2010 as Peace Officers' Memorial Day in the City of Folsom

Mayor Starsky presented the Proclamation.

Approved 6/8/2010

- 5c. Proclamation of the Mayor of the City of Folsom Proclaiming the Month of May 2010 as Bike Commute Month

Vice Mayor Morin presented the Proclamation.

BUSINESS FROM THE FLOOR:

The following speaker addressed the City Council:

Theresa Stanley addressed the City Council regarding the Folsom Cordova Unified School District's hiring of a new Superintendent.

CONSENT CALENDAR:

- 7a. Approval of the April 27, 2010 Special/Regular Meeting Minutes
- 7b. Resolution No. 8662 - A Resolution Authorizing the City Manager to Establish a 401(a) Money Purchase Plan and Appoint ICMA-RC as Administrator to allow employees to contribute to a 401(a) retirement savings plan with no cost to the City

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

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

PUBLIC HEARING:

- 8a. Fiscal Year 2010-11 Preliminary Budget for the City of Folsom, the Folsom Redevelopment Agency, and the Folsom Public Financing Authority

Mayor Starsky announced the continuation of the budget public hearing, and the following speakers addressed the City Council:

Jason Sabbagh
Kevin Peterson
Forrest Williams, Jr.
Caryn Rizell
Stuart Lott
June Chan

Assistant City Manager Palmer introduced the Library budget. Library Director Curl made a presentation and responded to questions from the City Council.

Assistant City Manager Palmer introduced the Police Department budget. Police Chief Spiegel made a presentation and responded to questions from the City Council.

The following speakers addressed the City Council:

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Brian Sharp
Courtney Balance
Mike Cooper
Deanna Aday-Keller
Chuck Schuler
Mike McKeown
Mike Hart
Nick D'Agostino
Eric Stahl
Terry Benedict

City Manager Miller provided additional comments about law enforcement budgeting in the City of Folsom.

Mayor Starsky asked each Council Member to comment on the budget, and stated the budget public hearing would continue to the May 25, 2010 City Council meeting.

Council Member Miklos stated that he would like to see code enforcement remain in the Community Development Department. He expressed concern with outsourcing contracts when in-house staff could either be kept or could complete the work, and he described media outreach, water conservation, Public Works projects, SOI development, and RDA projects as examples of this type of work. Mr. Miklos asked all departments to come up with a dollar number for upcoming marketing projects in order to evaluate if the anticipated need may be enough to keep one of the graphic artist positions. In regards to the Fire Department budget, Council Member Miklos suggested elimination of the double overtime pay currently being given for the first 8 hours of forced hire (if the MOU can be re-opened), saying that he would like to see a study of what that would save the City in overtime budget. He spoke of the need for pension reform and the need for a change in health benefits and how annual leave is accrued, noting the importance of viability in benefits for the future; he suggested a cafeteria plan for health benefits and a re-bidding of insurance contracts with different structure options for higher deductibles. Mr. Miklos commented that he doesn't want a budget that takes more police officers off the street, and expressed his desire for police and all bargaining units to help with immediate pension reform. He also said he would like to see what a Police budget would look like to keep the crime analyst and communications engineer, asking what will be the cost to backfill these positions. In response to Mayor Starsky's request for clarification on how the positions could be funded, Council Member Miklos affirmed that he feels it is incumbent on the Police Chief to find either other positions or services to eliminate in order to keep the crime analyst and communications engineer positions.

Council Member Howell stated that she doesn't want any positions to go, and commented that the best way to save positions is for the pain to be felt equally among all employees (including all represented/non-represented groups/mid managers/department heads). She expressed her belief that if all employees are willing to make concessions, that would help save jobs, and she urged salary, benefit, and retirement concessions as the most important way to reverse some of the proposed cuts.

In response to Mayor Starsky's request for clarification if they felt that opportunities to save jobs would come from any concessions and if no concessions were made, then the proposed employee cuts go forward as presented in the preliminary budget, Council Member Miklos and Council Member Howell affirmed that opinion, saying they were willing to take any recommended changes that are within the department.

Council Member Sheldon read from a prepared statement, describing his opinion that since employee bargaining units didn't all make equal concessions last year, the city had to delve further into the

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reserves and now the city is being forced to cut even more and layoff more employees. He repeatedly reiterated that he thinks employees must make personal sacrifices in their salaries and benefits. Mr. Sheldon explained that he doesn't think it is a public safety vs. other public services issue, and commented that in order to preserve all city services, all employees and City Council Members must make personal sacrifices as the only solution. He expressed his belief that the proposed budget underfunds critical services which may compromise long range viability, including building replacement, park renovations, retiree trust fund, unallocated contingency; he feels that neglecting these items will cost more in the future. Council Member Sheldon stated that the City Council should give direction to the City Manager that cost savings from early retirement be used to mitigate layoffs. Mr. Sheldon declared that he wanted to preserve code enforcement within the Community Development Department and preserve all code enforcement positions. He urged the savings of the graphic artist and park planner positions, maintaining current library hours, maintaining the community center to the greatest extent possible when at no cost to city, and saving the police crime analyst and communications engineer positions. In closing, Council Member Sheldon repeated his call for all employees to make personal sacrifice. In response to Mayor Starsky's request for clarification on how he would propose to fund these saved positions and services, Council Member Sheldon said that each department needs to submit alternatives and/or recommendations.

Council Member Morin acknowledged the work of the City Manager and the department heads to create this preliminary budget. He spoke of the impact to employees, and expressed his frustration over not having a solution to help one employee that doesn't affect another employee. Mr. Morin commented that he hates to see cuts, and that he remembers the strong message delivered to the Police Department after he was elected to increase the police officer-to-citizen ratios; he expressed his regret that we can't avoid cuts because of the "wicked" combination of revenue decreases along with expense increases. Council Member Morin observed that the current employee benefit packages seemed fair years ago when money was good, but it is now all of our problem to "get from here to there" and the city can only budget the money that it has. His preference would have been to cut a little deeper to save renovation funds, but he wants to minimize damage to employees so he doesn't recommend that action at this time. Mr. Morin expressed his desire for benefit reform, and he spoke of the federal government's health care "reform" bill, the great burden placed on local agencies and employers by the bill, and the resultant cost. Council Member Morin implored employees to accept benefit reform in order to protect full service city status/operations, and suggested employees get their reform ideas in to their union leaders. In closing, Mr. Morin stated that he is not interested in trying to adjust the proposed preliminary budget and thereby create problems that move somewhere else, but that he is interested in applying concession-generated savings to save employee positions.

Mayor Starsky advised the City Council that they need to provide direction to staff in order to move the budget along in some form. He observed that there appears to be general agreement on certain items, and asked the Council Members if they agreed. Mr. Starsky summarized the agreed-upon items, including:

1. The concept that each department with a position or service desired to be "saved" will need to find funding solutions within their own departments;
2. the City needs employee concessions in the form of pension and benefit reform as the only sustainable reform, although it is acknowledged that this is unlikely prior to adoption of the budget this year;
3. move this budget forward as-is to the next steps of adoption, but the City Council will remain open to adjustments if savings or alternatives are presented; and
4. reduce the city's contribution to the retiree health trust fund to \$150,000; there was acknowledgement that staff would return to the City Council at mid-year to report actual savings from early retirement, at which time the City Council can evaluate where to apply the savings (either to the trust fund contribution, staffing, or other alternative).

The City Council Members concurred generally with Mayor Starsky's summary.

In closing, the Mayor and City Council Members all identified employee pension and benefit concessions as critical budget solutions. Council Member Miklos additionally voiced his support of eliminating city contributions to deferred compensation and long-term disability programs.

Mayor Starsky called a recess at 9:36 p.m.; the meeting resumed at 9:41 p.m.

8b. PN 02-569 Larkspur Landing Hotel Expansion Appeal of a Planned Development Permit:

- i. Resolution No. 8660 - A Resolution of the City Council of the City of Folsom Adopting an Addendum to the Final Environmental Impact Report for the Natoma Station Residential and Commercial Development Project; Denying the Appeal of the Planning Commission's Approval of the Lot Y Hotel Planned Development Permit Application; Approving the Lot Y Hotel Planned Development Permit Application; and Authorizing the City Manager to Execute an Easement Agreement Relating to a Portion of City Property Adjacent to the Development **(Continued from April 27, 2010)**

Community Development Director Miller introduced the item.

Mayor Starsky stated that, since this is a quasi-judicial hearing, Council Members need to disclose communications that they have had or information they have received regarding this matter outside of this hearing. Mayor Starsky stated that he has received emails from HPL and a letter from Remy, Thomas, Moose.

Council Member Sheldon stated that he had received emails; he also clarified his earlier comments about "the Y", explaining that he had confused two similarly-referred to "Y" properties.

Vice Mayor Morin stated that he has met and discussed the project with Robert Holderness and with Barbara Leary, he has received emails, and he has spoken with Loretta Hettinger.

Council Member Howell stated that she has received emails from Loretta Hettinger, she has received letters from Remy, Thomas, Moose, Manley, a letter from a CEQA attorney on behalf of the appellant, and she has had a telephone conversation from Barbara Leary.

Council Member Miklos stated he has had a conversation with Robert Holderness, Nick Alexander, he has met with Pat Maxfield, HPL, and has received emails, but he did not get the letters others are referring to.

Council Member Sheldon acknowledged that he had met with Robert Holderness and Nick Alexander during the first month he was on the City Council.

City Attorney Cline provided timelines for the hearing proceedings.

Community Development Director Miller presented the staff report and responded to questions from the City Council. Assistant City Attorney Wang responded to questions from Mayor Starsky regarding the addendum to the Environmental Impact Report.

The following speakers addressed the City Council:

Co-Appellant Barbara Leary, Natoma Station

Approved 6/8/2010

Co-Appellant Susan Brandt-Hawley, Friends of Folsom Parkways
Robert Holderness, Jack Paddon, and Jim Moose representing the applicant

Mayor Starsky opened the Public Hearing at 11:14 p.m. The following speakers addressed the City Council:

David Stanley
Ron Dale
Candy Miller
Tony Powers, representing Folsom Area Bicycle Advocates
Jim Kirstein
June Chan
Charles McCann
Cindy Blain, Sacramento Tree Foundation
Patrick Maxfield – Robert Holderness responded; Ric Miller provide additional information; Assistant City Attorney Wang spoke re sluice diggings site re determination of eligibility, not listing.
Loretta Hettinger
Philip Rose
Pat Binley
Grace Liu
Joe Zhou – provided a petition to deny approval of the project
Lisbet Gullone
Teresa Stanley
Jim Micheals, California State Parks
Terry Benedict
John Hettinger

Hearing no further speakers, the Public Hearing was closed at 12:00 a.m.

Robert Holderness provided rebuttal comments
Co-Appellant Susan Brandt-Hawley, Friends of Folsom Parkways provided rebuttal comments
Co-Appellant Barbara Leary, Natoma Station provided rebuttal comments

The City Council discussed the proposed project. Vice Mayor Morin commented that he would like to see a 15' landscape buffer easement along the JPA rail dedicated in perpetuity, allowing the City to explore the possibility of adding a bike lane within that buffer easement. He noted that this easement issue needs to be resolved between the rail JPA and RT (Regional Transit). Council Member Howell stated she has "major technical issues" with putting a landscape easement next to the tracks. It was noted that that the JPA Board has not yet considered granting such an easement; if they don't approve it, the applicant will have to place a bike trail on their property.

Motion by Mayor Starsky, second by Council Member Miklos to approve Resolution No. 8660 (including the findings) and to direct staff to return with policy for use of TOT and tree mitigation funds. Motion carried with the following roll call vote:

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

CITY MANAGER REPORTS:

None

COUNCIL COMMENTS:

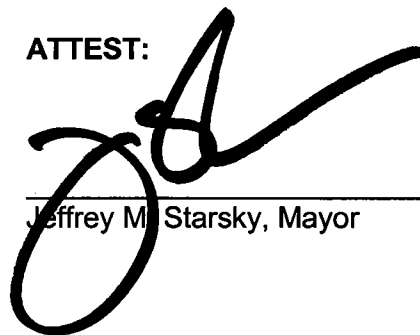
Council Member Sheldon invited residents to the Run with Nature event.

ADJOURNMENT:

There thankfully being no further business to come before the Folsom City Council, the regular meeting was adjourned at 1:07 a.m.


Christa Freemantle, City Clerk

ATTEST:



Jeffrey M. Starsky, Mayor