

**CITY OF FOLSOM**  
**SPECIAL CITY COUNCIL MEETING MINUTES**  
**JULY 13, 2010**

**CALL TO ORDER:** The special meeting of the Folsom City Council was called to order at 5:30 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 Steve 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  
Police Chief Sam Spiegel

**ADJOURNMENT TO CLOSED SESSION FOR THE FOLLOWING PURPOSES:**

- 3a. 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
- 3b. Conference with Legal Counsel - Existing Litigation - Pursuant to Government Code section 54956.9(a):  
i. Heritage Preservation League of Folsom, et al. v. City of Folsom, et al.  
Sacramento Superior Court Case No. 34-2010-80000573

**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 6:31 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 6:31 p.m.

  
Christa Freemantle, City Clerk

ATTEST:

  
Jeffrey M. Starsky, Mayor

Approved 7/27/2010

**CITY OF FOLSOM**  
**REGULAR CITY COUNCIL MEETING**  
**JULY 13, 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 Steve 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  
Community Development Director David Miller  
Public Works Director Rich Lorenz  
Finance Director Jim Francis  
Economic Development Director Joe Luchi  
Landscape and Lighting District Manager Lorraine Poggione

**PLEDGE OF ALLEGIANCE:**

The Pledge of Allegiance was recited.

Mayor Starsky dedicated this meeting memory of the late Senator Dave Cox, who passed away this afternoon. Mayor Starsky described Senator Cox as a true friend and champion of the City of Folsom and a moment of silence was observed in honor of the Senator.

**AGENDA UPDATE:**

Assistant City Manager Palmer announced that items 7g and 11b(iii) have been amended and item 10a will be continued to July 27, 2010.

**SCHEDULED PRESENTATIONS:**

- 5a. Proclamation of the Mayor of the City of Folsom Proclaiming July 2010 as Parks and Recreation Month Parks Make Life Better!<sup>SM</sup>

Vice Mayor Morin presented the Proclamation.

**BUSINESS FROM THE FLOOR:**

Madeleine Moseley addressed the City Council regarding the passing of George McAdow and reiterated an earlier request for the correction of the street name McAdoo to McAdow.

Mayor Starsky spoke of his new program to announce monthly anniversaries of employees who have been employed with the City of Folsom for ten years or greater. He congratulated by name those employees having anniversaries this July.

**CONSENT CALENDAR:**

- 7a. Approval of the June 22, 2010 Special/Regular Meeting Minutes
- 7b. Resolution No. 8693 - A Resolution Authorizing Investment of Monies of the City of Folsom, the Folsom Redevelopment Agency and the Folsom Public Financing Authority in the Local Agency Investment Fund
- 7c. Resolution No. 8694 - A Resolution of the City of Folsom Approving the Issuance of 4.32 Economic Development Treatment Capacity Bank Credits for Sarku Japan Restaurant (**pulled for discussion**)
- 7d. Resolution No. 8695 - A Resolution of the City of Folsom Amending City's Economic Development Treatment Capacity Bank Credit Guidelines for Small Businesses (**pulled for discussion**)
- 7e. Resolution No. 8696 - A Resolution Affirming the City Manager's Authorization to Execute the Memorandum of Agreement Regarding Contracting for Lobbying Support of Modifications of Folsom Dam Facilities Together with Authorization for the City Manager to Amend the Memorandum of Agreement with the City of Roseville and San Juan Water District for Services from the Ferguson Group (Contract No. 173-21 09-055)
- 7f. Resolution No. 8699 - A Resolution Authorizing the City Manager or His Designee to Execute Annual Memorandums of Understanding with the Sacramento Transportation Authority for the Allocation and Expenditure of New Measure A Funds for On-Going Annual Programs
- 7g. Resolution No. 8700 - A Resolution Authorizing the Use of Project Funding in Excess of Contract Contingency for Increases in the Scope of Work and Resulting Change Orders for the East Bidwell Bike/Pedestrian Overcrossing Project Funded through a Grant from the American Recovery and Reinvestment Act and Congestion Mitigation Air Quality (**amended**)

**Motion by Council Member Miklos, second by Council Member Howell to approve Consent Calendar items 7a, 7b, and 7e through g. Motion carried with the following roll call vote:**

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

**CONSENT CALENDAR ITEMS PULLED FOR DISCUSSION:**

- 7c. Resolution No. 8694 - A Resolution of the City of Folsom Approving the Issuance of 4.32 Economic Development Treatment Capacity Bank Credits for Sarku Japan Restaurant (**pulled for discussion**)
- 7d. Resolution No. 8695 - A Resolution of the City of Folsom Amending City's Economic Development Treatment Capacity Bank Credit Guidelines for Small Businesses (**pulled for discussion**)

Council Member Sheldon pulled items 7c and 7d to ask for further explanation from Economic Development Director Luchi. Council Member Sheldon expressed his concern that the proposed shopping center isn't very busy, and while he encouraged economic development, he doesn't understand how we determine feasibility of success. Mr. Luchi explained the process and the City's goal to facilitate economic development. Vice Mayor Morin sought and received confirmation that the City Council retains the authority to approve or deny the credit requests.

**Motion by Mayor Starsky, second by Council Member Howell to approve Resolution No. 8694. Motion carried with the following roll call vote:**

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

**Motion by Council Member Howell, second by Vice Mayor Morin to approve Resolution No. 8695. Motion carried with the following roll call vote:**

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

**OLD BUSINESS:**

- 8a. Adding Chapter 8.80 to Folsom Municipal Code Pertaining to Donation Boxes
- i. Ordinance No. 1130 - An Ordinance of the City of Folsom Adding Chapter 8.80 to Title 8 of the Folsom Municipal Code Pertaining to Unattended Donation Boxes (Second Reading and Adoption)
  - ii. Resolution No. 8698 - A Resolution Adopting Unattended Donation Box Permit Fees Per Chapter 8.80 of the Folsom Municipal Code

**Motion by Council Member Miklos, second by Council Member Howell to approve Resolution No. 8698 and adopt Ordinance No. 1130. Motion carried with the following roll call vote:**

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

Council Member Miklos reported an illegal donation box behind Sol Azteca restaurant and asked staff to look into the matter.

**PUBLIC HEARING:**

- 9a. Resolution No. 8697 - A Resolution Approving the Final Engineer's Report, Confirming the Diagrams and Assessments, and Ordering the Levy of Assessments for Maintenance and Servicing of Improvements Within the City of Folsom Landscaping and Lighting Districts for Fiscal Year 2010-2011 for American River Canyon North, American River Canyon North No. 2, American River Canyon North No. 3, Blue Ravine Oaks, Briggs Ranch, Broadstone, Broadstone Unit No. 3, Cobble Ridge, Cobble Hills Ridge II/Reflections II, Folsom Heights, Fieldstone Meadows, Hannaford Cross, La Collina Dal Lago, Lake Natoma Shores, Los Cerros, Natoma Station, Natoma Valley, Prairie Oaks Ranch, The Residences at American River Canyon, Sierra Estates, Silverbrook, Steeplechase, Willow Creek Estates East, Willow Creek Estates South, and Willow Springs

Landscaping and Lighting Manager Poggione made a presentation and responded to questions from the City Council.

Mayor Starsky opened the Public Hearing at 7:01 p.m. Hearing no speakers, the Public Hearing was closed.

**Motion by Council Member Howell, second by Vice Mayor Morin to approve Resolution No. 8697. Motion carried with the following roll call vote:**

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

**NEW BUSINESS:**

- 10a. Ordinance No. 1131 - An Ordinance of the City of Folsom Amending Chapter 5.20, Sections 5.20.070(A.)(2.), 5.20.070(A.)(4.), and 5.20.070(A.)(13.)(a.) of the Folsom Municipal Code Relating to Cardrooms (Introduction and First Reading) **Continued to July 27, 2010**
- 10b. Ordinance No. 1132 - An Ordinance of the City of Folsom Repealing and Replacing Existing Section 2.36.220 and Adding Sections 2.36.250, 2.36.260 and 2.36.270 of Title 2 of Chapter 2.36 of the Folsom Municipal Code Pertaining to Surplus Property (Introduction and First Reading)

City Attorney Cline presented the staff report and responded to questions from the City Council.

**Motion by Vice Mayor Morin, second by Council Member Howell to introduce Ordinance No. 1132. Motion carried with the following roll call vote:**

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

The City Council meeting adjourned to the special Redevelopment Agency meeting at 7:07 p.m.

Approved 7/27/2010

The City Council meeting reconvened from the special Redevelopment Agency meeting at 7:08 p.m.

**CITY MANAGER REPORTS:**

City Manager Miller expressed his condolences to Senator Cox's family. He described the upcoming delivery of bridge segments for the bike/pedestrian E. Bidwell overcrossing. Mr. Miller announced the opening of the City Council nomination period of July 12 through August 6 and the availability of EIR/EIS/Specific Plan documents for the SOI. He invited residents to attend the August 2 community workshop at the Community Center.

**COUNCIL COMMENTS:**

Council Member Miklos expressed his condolences to Senator Cox's family.

Council Member Howell expressed her condolences to Senator Cox's family and to other recently passed-away Folsom residents. She spoke of the rodeo and cattle drive and congratulated all who worked on this successful event. She urged residents to drive carefully and slowly.

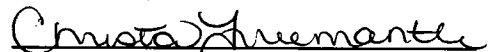
Council Member Sheldon expressed his condolences to Senator Cox's family. He asked the Fire Chief to convene an after-4<sup>th</sup> of July briefing with fireworks booth operators. He complimented Lynn LePage for his work over the years on behalf of Parks and Recreation.

Vice Mayor Morin expressed his condolences to Senator Cox's family. He thanked the library volunteers and thanked all who helped with the rodeo. Mr. Morin congratulated employees Aaron Hutchison, Robert Goss, Bruce Cline and Jim Konopka for their participation in the Death Ride bicycle race.

Mayor Starsky closed the meeting in honor of Senator Cox and directed that flags be lowered to half mast.

**ADJOURNMENT:**

There being no further business to come before the Folsom City Council, the regular meeting was adjourned at 7:25 p.m.

  
Christa Freemantle, City Clerk

ATTEST:

  
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Jeffrey M. Starsky, Mayor

Approved 7/27/2010