

CITY OF FOLSOM
SPECIAL JOINT CITY COUNCIL / REDEVELOPMENT AGENCY
MEETING MINUTES
AUGUST 24, 2010

CALL TO ORDER: The special meeting of the Folsom City Council was called to order at 5:00 p.m. in City Council Chambers, 50 Natoma Street, Folsom, California with Mayor Starsky presiding.

ROLL CALL:

Council/Board Members Present: Steve Miklos
 Andy Morin, Vice Mayor
 Ernie Sheldon
 Jeff Starsky, Mayor/Chair

Council/Board Members Absent: Kerri Howell

Staff Present: City Manager/Executive Director Kerry Miller
 Assistant City Manager Evert Palmer
 City Attorney/Agency Counsel Bruce Cline
 City Clerk/Secretary Christa Freemantle

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. Initiation of Litigation Pursuant to Government Code section 54956.9(c):
 - i. 2 potential cases
 - Travelers Casualty and Surety Company of America
 - Jim and Rhonda Gannon
- 3c. Conference with Legal Counsel - Anticipated Litigation
 - i. Significant Exposure to Litigation Pursuant to Government Code section 54956.9(b)(3)(E):
 - 1 potential case
- 3d. Conference with Legal Counsel - Existing Litigation - Pursuant to Government Code section 54956.9(a):
 - i. Iva Bartley v. City of Folsom
 - WCAB No. SAC 0363389

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

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

Approved 09/14/2010

Council/Board Member Howell arrived at the beginning of Closed Session and participated in discussion of all items.

Mayor/Chair Starsky reconvened the special meeting at 6:48 p.m. and announced that the City Council did not complete discussion of all items during Closed Session. The City Council special meeting was temporarily adjourned to the regular meeting at 6:49 p.m. with the stated intention to return to Closed Session at the end of the regular meeting.

CITY OF FOLSOM
REGULAR CITY COUNCIL MEETING
AUGUST 24, 2010

CALL TO ORDER: The regular meeting of the Folsom City Council was called to order at 6:49 p.m. in City Council Chambers, 50 Natoma Street, Folsom, California, with Mayor Starsky presiding.

ROLL CALL:

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

Council Members Absent: None

Staff Present: City Manager Kerry Miller
 City Attorney Bruce Cline
 Assistant City Manager Evert Palmer
 City Clerk Christa Freemantle
 Community Development Director David Miller
 Public Works Director Rich Lorenz
 Finance Director Jim Francis
 Economic Development Director Joe Luchi
 Police Chief Sam Spiegel
 Police Lt. Perry Albers
 Police Sgt. Rick Hillman

PLEDGE OF ALLEGIANCE:

The Pledge of Allegiance was recited.

AGENDA UPDATE:

Assistant City Manager Palmer noted that items 8I and 9a will be continued off-calendar. Council Member Howell requested that if item 9a is brought back to the City Council that it be placed on the agenda for discussion rather than consent.

SCHEDULED PRESENTATIONS:

5a. Business Showcase Presentation by Microsemi

Naren Idnani, Microsemi's Director of Operations/Site Manager made a presentation and responded to questions from the City Council.

5b. Presentation of Commission on Peace Officer Standards and Training Executive Certificate to Chief Samuel L. Spiegel

Paul Cappitelli, Executive Director of POST, made the presentation to Police Chief Spiegel.

Approved 09/14/2010

5c. City Manager's Fiscal Year 2009-10 Fourth Quarter Financial Report

Finance Director Francis made a presentation and responded to questions from the City Council.

BUSINESS FROM THE FLOOR:

Kathryn Allaman, Folsom High School Principal, thanked the City for their assistance in organizing the varsity football team game against Grant High.

MAYOR'S ANNOUNCEMENT OF EMPLOYEE ANNIVERSARIES:

Continued to the next meeting

CONSENT CALENDAR:

- 8a. Approval of the July 27, 2010 Special/Regular Meeting Minutes
- 8b. Approval of the August 5, 2010 Special Meeting Minutes
- 8c. Appointment of an At-Large Member (Banking/Finance Profession) to the Redevelopment Agency Citizens' Advisory Committee
- 8d. Appointment of City of Folsom Representative to the Citizens' Advisory Committee for Folsom Prison
- 8e. 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 Folsom Municipal Code Relating to Cardrooms (Second Reading and Adoption) **(pulled by Council Member Sheldon for discussion)**
- 8f. Resolution No. 8711 - A Resolution Authorizing the City Manager to Execute an Agreement with Folsom Lake Dodge for the Purchase of Five Marked 2009 Dodge Charger Police Cars and Authorize the Sale of Five Surplus Police Cars **(pulled by Council Member Sheldon for discussion)**
- 8g. Resolution No. 8712 - A Resolution Rejecting Bid from Wells Sweeping LLC. as Non-responsive and Authorizing the City Manager to Execute an Agreement with Cummins West Inc. for Nine Diesel Engine Exhaust Retrofits to Meet California Air Resources Board Emission Requirements and Appropriation of Funds **(pulled by Council Member Miklos for discussion)**
- 8h. Resolution No. 8713 - A Resolution Appropriating Fiscal Year 2009-2010 Supplemental Law Enforcement Services Fund (SLESF), Citizen's Option for Public Safety (COPS) Grant for the Purchase of Equipment in Accordance with State Requirements **(pulled by Council Member Sheldon for discussion)**
- 8i. Resolution No. 8714 - A Resolution Amending Resolution No. 8301 and Repealing Cardroom Employee Work Permit Fee and Cardroom Table per Year Fee and Enacting Quarterly per Cardroom Table Operations Fee **(pulled by Council Member Sheldon for discussion)**

Approved 09/14/2010

- 8j. Resolution No. 8717 - A Resolution Authorizing the City Manager to Execute an Agreement with Surveillance Systems Integration, Inc. for the Purchase and Installation of a 3VR Security System for the Police Facility **(pulled by Council Member Sheldon for discussion)**
- 8k. Resolution No. 8718 - A Resolution Approving the Grant Award from the Recreation Trails Grant Program for the Humbug-Willow Creek/Levy Park Trail Connection Project
- 8l. Resolution No. 8719 - A Resolution Amending Section 6.01 of the City of Folsom's Standard Construction Specifications Pertaining to Prevailing Wages **(continued off-calendar)**
- 8m. Resolution No. 8720 - A Resolution Appointing Primary and Alternate City of Folsom Representatives to the Sacramento Central Groundwater Authority Governing Board

Motion by Council Member Howell, second by Vice Mayor Morin to approve Consent Calendar items a, b, c, d, k and m. Motion carried with the following roll call vote:

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

CONSENT CALENDAR ITEMS PULLED FOR DISCUSSION:

- 8e. 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 Folsom Municipal Code Relating to Cardrooms (Second Reading and Adoption) **(pulled by Council Member Sheldon for discussion)**

Council Member Sheldon pulled this item so he could vote "no".

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

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

- 8f. Resolution No. 8711 - A Resolution Authorizing the City Manager to Execute an Agreement with Folsom Lake Dodge for the Purchase of Five Marked 2009 Dodge Charger Police Cars and Authorize the Sale of Five Surplus Police Cars **(pulled by Council Member Sheldon for discussion)**

Council Member Sheldon pulled this item to ask for the model year(s) of the surplus vehicles. Police Lt. Albers responded that it was the high mileage that makes the vehicles ready to surplus, and he will follow up with information regarding the vehicle model years.

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

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

- 8g. Resolution No. 8712 - A Resolution Rejecting Bid from Wells Sweeping LLC. as Non-responsive and Authorizing the City Manager to Execute an Agreement with Cummins West Inc. for Nine Diesel Engine Exhaust Retrofits to Meet California Air Resources Board Emission Requirements and Appropriation of Funds **(pulled by Council Member Miklos for discussion)**

Council Member Miklos pulled this item to encourage staff to pursue grant funds from SACOG.

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

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

- 8h. Resolution No. 8713 - A Resolution Appropriating Fiscal Year 2009-2010 Supplemental Law Enforcement Services Fund (SLESF), Citizen's Option for Public Safety (COPS) Grant for the Purchase of Equipment in Accordance with State Requirements **(pulled by Council Member Sheldon for discussion)**

Council Member Sheldon pulled this item to ask what will be bought with the grant funding. Police Sgt. Hillman responded that items identified for purchase include dispatch computers and chairs, software to allow citizens to make crime reports online, and additional equipment for the SWAT team.

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

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

- 8i. Resolution No. 8714 - A Resolution Amending Resolution No. 8301 and Repealing Cardroom Employee Work Permit Fee and Cardroom Table per Year Fee and Enacting Quarterly per Cardroom Table Operations Fee **(pulled by Council Member Sheldon for discussion)**

Council Member Sheldon pulled this item to express his objection to the increased fee. The owner of Folsom Lake Bowl affirmed that he has no objection to the increased fee.

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

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

- 8j. Resolution No. 8717 - A Resolution Authorizing the City Manager to Execute an Agreement with Surveillance Systems Integration, Inc. for the Purchase and Installation of a 3VR Security System for the Police Facility **(pulled by Council Member Sheldon for discussion)**

Council Member Sheldon pulled this item to ask why preventative maintenance may not have been done and asked if they must have something else in mind for purchase. Police Sgt. Hillman explained that the cameras are needed for the security of the building and building occupants. In response to Council Member Sheldon's questions, Mayor Starsky explained the Police Department didn't have funding to replace the cameras earlier.

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

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

PUBLIC HEARING:

- 9a. Resolution No. 8715 - A Resolution of the City Council of the City of Folsom Approving the Issuance by the California Statewide Communities Development Authority of Recovery Zone Facility Revenue Bonds for the SunEdison California Portfolio **(continued off-calendar)**
- 9b. Parkside Subdivision, Tentative Subdivision Map and Planned Development Permit Modification - Barnhill Drive at Iron Point Road (PN 10-150)
- i. Resolution No. 8716 - A Resolution to Approve a Tentative Subdivision Map to Subdivide the 5.66-acre Project Site into 70 Single-Family Residential Lots and 9 Private Drive Lots, and to Approve a Planned Development Permit Modification for the Development of a 70-unit Single-Family Residential Subdivision to be known as Parkside

Community Development Director Miller presented the staff report and responded to questions from the City Council.

Steve Vicks, Signature Homes, (applicant) made a presentation and responded to questions from the City Council.

Mayor Starsky opened the Public Hearing at 8:08 p.m.

Carl Calvin addressed the City Council in support of the project
Doris Albus addressed the City Council in support of the project

Hearing no further comments, the Public Hearing was closed at 8:11 p.m.

In response to the City Council's discussion regarding fencing, Community Development Director Miller suggested the following amended language regarding fencing:

"The owner/ applicant shall work with staff to ensure that fencing located adjacent to park and open space uses is designed to preserve residential privacy. Fencing shall be designed to the satisfaction of the Community Development Director."

Motion by Council Member Howell, second by Council Member Miklos to approve Resolution No. 8716 with the additional fencing language recited by Community Development Director Miller and the PD Permit modification. Motion carried with the following roll call vote:

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

NEW BUSINESS:

10a. An Appeal by Jennifer Scalzi of a Historic District Commission Design Review Approval of a Residential Addition and Remodel of an Existing Single-Family Residence at 302 Sutter Street (PN 10-160)

Community Development Director Miller made a presentation and responded to questions from the City Council.

Assistant City Attorney Wang provided an overview of the appeal hearing process.

Vice Mayor Morin stated for the record that he has met with the appellant. Council Members Howell and Sheldon also stated that they had met with Ms. Scalzi prior to this meeting. In light of this information, Assistant City Attorney Wang advised the three Council Members to disclose the nature of their conversations with the Appellant and affirm that no commitments were made, and no decisions made.

Vice Mayor Morin stated that his visit was to gather information about the site and to see the views; Council Member Sheldon said he went to see the view from the deck; Council Member Howell similarly stated she went to see what was there and what was being proposed.

Appellant Jennifer Scalzi made a presentation and responded to questions from the City Council. Applicant Cindy Raley, made a presentation and responded to questions from the City Council.

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

Mayor Starsky opened the item for public comment at 8:57 p.m.

Kathryn Corbett expressed concern with the project and its impact to Ms. Scalzi's garden and privacy
Jennifer Lane expressed opposition to the project
Steve Abrahamian, expressed concern with the project

Hearing no further comments, Mayor Starsky closed the public comment at 9:04 a.m.

Applicant Cindy Raley responded to closing questions from the City Council.
Appellant Jennifer Scalzi responded to closing questions from the City Council.

The City Council deliberated on the issues presented.

Approved 09/14/2010

Motion by Mayor Starsky, second by Vice Mayor Morin to deny the appeal with findings a through e and conditions of approval 1, 2 and 3 (as listed in the staff report) and to uphold the approval of a Residential Addition and Remodel of an Existing Single-Family Residence at 302 Sutter Street (PN 10-160).

Motion carried with the following roll call vote:

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

CITY MANAGER REPORTS:

City Manager Miller reminded all of the open comment period for the SOI environmental documents. He invited residents to attend the zoo sanctuary's upcoming fundraiser at Rogers Jewelers.

COUNCIL COMMENTS:

Council Member Sheldon spoke of youth sports leagues opening. Council Member Sheldon wished the Folsom High football team good luck.

Council Member Howell invited residents to the cappuccino cruisers event. She urged residents to drive carefully, and wished the Folsom High football team good luck.

Vice Mayor Morin wished the high school football teams good luck in their games this weekend. He invited residents to attend the September 11 memorial ceremony.

Mayor Starsky encouraged residents to visit Sutter Street and patronize the businesses.

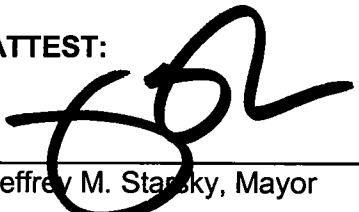
ADJOURNMENT:

There being no further business to come before the Folsom City Council, the regular meeting was adjourned back to Closed Session at 9:53 p.m.

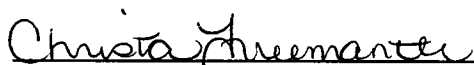
Mayor/Chair Starsky reconvened the special meeting at 10:01 p.m. and announced that no final action was taken during Closed Session.

There being no further business to come before the Folsom City Council, the meeting was adjourned at 10:01 p.m.

ATTEST:



Jeffrey M. Starsky, Mayor


Christa Freemantle, City Clerk