

**CITY OF FOLSOM**  
**SPECIAL CITY COUNCIL MEETING MINUTES**  
**OCTOBER 12, 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:

Kerri Howell, Council Member  
Steve Miklos, Council Member  
Andy Morin, Vice Mayor  
Ernie Sheldon, Council Member  
Jeff Starsky, Mayor/Chair

Council Members Absent:

None

Staff Present:

City Manager Kerry Miller  
Assistant City Manager Evert Palmer  
City Attorney/ Bruce Cline  
City Clerk Christa Freemantle  
Human Resources Director John Spittler

**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 Real Property Negotiator - Pursuant to Government Code section 54956.8:  
    i. Property: Retail space located within the parking garage at 905 Leidesdorf; APN: 070-0052-023  
       Negotiating Parties: Assistant City Manager Evert W. Palmer on behalf of the City of Folsom  
       Under Negotiation: Price and terms of lease

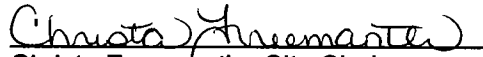
**Motion by Council Member Howell, second by Vice Mayor Morin to adjourn to Closed Session for the above-referenced items. Motion carried with the following roll call vote:**

<b>AYES:</b>	<b>Council Members:</b>	<b>Howell, Miklos, Morin, Sheldon, 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>

Mayor Starsky reconvened the special meeting at 6:39 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 6:39 p.m.

  
Christa Freemantle, City Clerk

ATTEST:

  
Jeffrey M. Starsky, Mayor

**CITY OF FOLSOM**  
**REGULAR CITY COUNCIL MEETING**  
**OCTOBER 12, 2010**

**CALL TO ORDER:** The regular meeting of the Folsom City Council was called to order at 6:40 p.m. in City Council Chambers, 50 Natoma Street, Folsom, California, with Mayor Starsky presiding.

**ROLL CALL:**

Council Members Present: Council Member Kerri Howell  
Council Member Steve Miklos  
Vice Mayor Andy Morin  
Council Member Ernie Sheldon  
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  
Economic Development Director Joe Luchi  
Redevelopment and Housing Director Amy Feagans  
Assistant City Attorney Steve Wang  
Fire Chief Dan Haverty  
Fire Marshall John Haberek  
Utilities Department Principal Civil Engineer Walt Sadler

**PLEDGE OF ALLEGIANCE:**

The Pledge of Allegiance was recited.

**AGENDA UPDATE:**

Assistant City Manager Palmer noted that the staff report for item 8f has been amended.

**SCHEDULED PRESENTATIONS:**

- 5a. Proclamation of the Mayor of the City of Folsom Recognizing Hampton Inn and Suites Hotel in Folsom for Achieving LEED Certification for Design, Structure, and Ongoing Practices

Mayor Starsky presented the proclamation.

- 5b. Business Showcase Presentation by Micron Technology, Inc.

Director of Economic Development Luchi introduced the item, and Ed Doller, Micron Technology Vice President, made a presentation and responded to questions from the City Council.

- 5c. Proclamation of the Mayor of the City of Folsom Proclaiming October 2010 as Arts & Humanities Month

Council Member Howell presented the proclamation.

- 5d. Presentation on the Arts in Folsom

Sandy Hilton made a presentation and responded to questions from the City Council.

**BUSINESS FROM THE FLOOR:**

- Joe Gagliardi, Folsom Chamber of Commerce, thanked the City Council for the city's assistance and support toward the recent Folsom Live event.

**MAYOR'S ANNOUNCEMENT OF EMPLOYEE ANNIVERSARIES:**

Mayor Starsky announced the October employee anniversaries.

**CONSENT CALENDAR:**

- 8a. Approval of the September 28, 2010 Special/Regular Meeting Minutes
- 8b. Appointment of an At-Large Member to the Landscaping and Lighting District Advisory Committee (American River Canyon North)
- 8c. Resolution No. 8739 - A Resolution Rescinding Resolution No. 8053 and Establishing a New Fee Schedule for the Folsom Community Center (**pulled for discussion**)
- 8d. Resolution No. 8740 - A Resolution Authorizing the City Manager to Amend the Agreement with RMC to Prepare an Environmental Impact Analysis Report for the Water Supply, Conveyance, and Treatment Elements of the Folsom Sphere of Influence Project (**pulled for discussion**)
- 8e. Resolution No. 8741 - A Resolution Authorizing the City Manager to Execute an Agreement with Water Systems Optimization, Inc. to Conduct a Two-year Water Management Control Program and the Appropriation of Funds
- 8f. Resolution No. 8742 - A Resolution Authorizing the City Manager to Execute an Agreement with Nadia Shams and Meer Nazir, for Improvements to and Operation of the Café Site at the Folsom Public Library, Georgia Murray Building (**staff report amended**)
- 8g. Resolution No. 8743 - A Resolution Rejecting the Bid from Spiess Construction Company, Inc. as Non-responsive and Authorizing the City Manager to Execute an Agreement with Crosno Construction, Inc. for Construction of the East Tank No. 2 Rehabilitation Project and Appropriation of Funds (**pulled for discussion**)
- 8h. Resolution No. 8745 - A Resolution Rejecting All Bids for the Folsom Sports Complex Entry Redesign Project

**Motion by Council Member Howell, second by Vice Mayor Morin to approve items a, b, e, f, and h. Motion carried with the following roll call vote:**

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

**CONSENT CALENDAR ITEMS PULLED FOR DISCUSSION:**

8c. Resolution No. 8739 - A Resolution Rescinding Resolution No. 8053 and Establishing a New Fee Schedule for the Folsom Community Center

Council Member Howell pulled this item to request an explanation of why the list of approved caterers has been reduced from ten to one and expressed her continued opposition to having only one official caterer. She also questioned the definition of "charitable urgency" events. A discussion ensued between the City Council Members and Parks and Recreation Director Goss regarding the issue.

**Motion by Council Member Howell, second by Council Member Miklos to continue the entire item to a future meeting. Motion carried with the following roll call vote:**

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

8d. Resolution No. 8740 - A Resolution Authorizing the City Manager to Amend the Agreement with RMC to Prepare an Environmental Impact Analysis Report for the Water Supply, Conveyance, and Treatment Elements of the Folsom Sphere of Influence Project (**pulled for discussion**)

Council Member Howell pulled this item to reaffirm that SOI landowners – not the City - are paying for the subject agreement.

**Motion by Council Member Howell, second by Council Member Miklos to approve Resolution No. 8740. Motion carried with the following roll call vote:**

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

8g. Resolution No. 8743 - A Resolution Rejecting the Bid from Spiess Construction Company, Inc. as Non-responsive and Authorizing the City Manager to Execute an Agreement with Crosno Construction, Inc. for Construction of the East Tank No. 2 Rehabilitation Project and Appropriation of Funds (**pulled for discussion**)

Council Member Howell pulled this item to request that she be given a copy of the final contract.

**Motion by Council Member Howell, second by Council Member Miklos, to approve Resolution No. 8743. Motion carried with the following roll call vote:**

Approved 10/26/2010

<b>AYES:</b>	<b>Council Members:</b>	<b>Howell, Miklos, Morin, Sheldon, 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>

**PUBLIC HEARING:**

- 9a. An Appeal by Jackie Bassler and Mike Sellitti of a Historic District Commission Design Review Denial of a New Single-Family Manufactured Home and Front Porch at 711 Natoma Street (PN 10-147)

Community Development Director Miller introduced the item and responded to preliminary inquiries from the City Council. Assistant City Attorney Wang provided additional direction and clarification.

Steve Dolin, architect representing the appellant, addressed the City Council, along with appellants Jackie Bassler and Mike Sellitti.

After a brief discussion regarding the history of the project, the City Council suggested the item be temporarily suspended to allow the appellants and their representatives to convene with staff and consider if the issue should be heard by the City Council or remanded back to the Historic District Commission. It was agreed the Council would move on to other business on the agenda and return to this item after the parties had met.

- 9b. Ordinance No 1135 - An Uncodified Ordinance Approving Amendment No. 7 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 (Introduction and First Reading)

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

Mayor Starsky opened the Public Hearing at 8:03 p.m. Hearing no speakers, the Public Hearing was closed.

**Motion by Council Member Howell, second by Mayor Starsky to introduce Ordinance No. 1135. Motion carried with the following roll call vote:**

<b>AYES:</b>	<b>Council Members:</b>	<b>Howell, Miklos, Morin, Sheldon, 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. 1133 - An Ordinance of the City of Folsom Repealing Chapter 8.36 and Re-enacting Chapter 8.36 of the Folsom Municipal Code Concerning the Folsom Fire Code (Introduction and First Reading)

Fire Chief Haverty presented the item and responded to questions from the City Council. Fire Marshall John Haberek responded to additional questions from the City Council.

**Motion by Council Member Miklos, second by Vice Mayor Morin to introduce Ordinance No. 1133. Motion carried with the following roll call vote:**

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

- 10b. Consideration of an Amendment to the Retirement Contract to Adopt a Second Tier of Retirement Benefits for Police Members and First Reading of the Ordinance to Accomplish the Change
- i. Resolution No. 8738 - A Resolution of Intention to Approve an Amendment to Contract Between the Board of Administration California Public Employees' Retirement System and the City Council, City of Folsom to Adopt a Second Tier of Retirement for Police Members Pursuant to Government Code Section 20475 (Different Level of Benefits) and Section 21362 (2% @50 Modified Formula) and Section 20037 (Three-Year Final Compensation ) are Applicable to Local Police Members Entering Membership for the First Time After the Effective Date of This Amendment to Contract
  - ii. Ordinance No. 1134 - An Ordinance of the City Council of the City of Folsom Adding Section 2.33.130 to Chapter 2.33 of the Folsom Municipal Code and Authorizing Further Amendment to the Contract Between the City of Folsom and the Board of Administration of the California Public Employees' Retirement System (Introduction and First Reading)

**Motion by Council Member Miklos, second by Vice Mayor Morin to approve Resolution No. 8738. Motion carried with the following roll call vote:**

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

**Motion by Council Member Miklos, second by Vice Mayor Morin to introduce Ordinance No. 1134. Motion carried with the following roll call vote:**

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

- 10c. Ordinance No. 1136 - An Ordinance of the City of Folsom Repealing and Replacing Chapter 13.22 of Title 13 of the Folsom Municipal Code Concerning Water System Cross-Connection Control (Introduction and First Reading)

Utilities Department Principal Civil Engineer Sadler made a presentation and responded to questions from the City Council.

**Motion by Mayor Starsky, second by Council Member Howell to introduce Ordinance No. 1136. Motion carried with the following roll call vote:**

<b>AYES:</b>	<b>Council Members:</b>	<b>Howell, Miklos, Morin, Sheldon, 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>

- 10d. Resolution No. 8744 - A Resolution of the City Council of the City of Folsom Establishing the Conditional Use Permit Modification Fee

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

**Motion by Council Member Howell, second by Vice Mayor Morin to approve Resolution No. 8744. Motion carried with the following roll call vote:**

<b>AYES:</b>	<b>Council Members:</b>	<b>Howell, Miklos, Morin, Sheldon, 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 resumed their discussion of item 9a, An Appeal by Jackie Bassler and Mike Sellitti of a Historic District Commission Design Review Denial of a New Single-Family Manufactured Home and Front Porch at 711 Natoma Street (PN 10-147)

**Motion by Council Member Howell, second by Council Member Sheldon to allow the appellants to preserve their right of appeal, but to remand the matter back to the Historic District Commission (HDC) so that the HDC can review the new design. Motion carried with the following roll call vote:**

<b>AYES:</b>	<b>Council Members:</b>	<b>Howell, Miklos, Morin, Sheldon, 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 adjourned to the special Redevelopment Agency meeting at 8:15 p.m.

The City Council reconvened from the special Redevelopment Agency meeting at 8:34 p.m.

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

City Manager Miller invited Parks and Recreation Director Goss to describe the new event at the zoo. Mr. Goss described the upcoming event. He invited residents to attend tree planting along E. Bidwell

Approved 10/26/2010



Street and the Veterans Day Parade. Mr. Miller commended staff for their work on the Sutter Street revitalization effort. Fire Chief Haverty, who will be retiring at the end of the month, spoke of his time at the City, thanking the City Manager and the City Council for their support.

**COUNCIL COMMENTS:**

Council Member Sheldon spoke of recent youth events.

Council Member Miklos thanked Fire Chief Haverty.

Council Member Howell invited residents to the History Museum and Renaissance Faire. She urged everyone to drive carefully and to keep an eye on the Regional Sanitation's pending wastewater discharge permit.

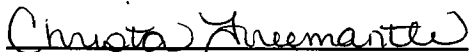
Vice Mayor Morin congratulated Fire Chief Haverty and all the retiring employees.

Mayor Starsky thanked Elaine Andersen for her work.

**ADJOURNMENT:**

There being no further business to come before the Folsom City Council, the meeting was adjourned at 8:56 p.m.

**ATTEST:**

  
\_\_\_\_\_  
Jeffrey M. Starsky, Mayor  
\_\_\_\_\_  
Christa Freemantle, City Clerk