

CITY OF FOLSOM
SPECIAL CITY COUNCIL MEETING MINUTES
DECEMBER 14, 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 Morin presiding.

ROLL CALL:

Council Members Present:

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

Council Members Absent:

None

Staff Present:

City Manager Kerry Miller
Assistant City Manager Evert Palmer
City Attorney Bruce Cline
Assistant City Clerk Lydia Fish
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 Legal Counsel - Anticipated Litigation
 - Initiation of Litigation Pursuant to Government Code section 54956.9(c):
 - 2 potential case
 - i. 1 case undisclosed
 - ii. 1 case County of Sacramento re Vehicle License Fees and Triple Flip

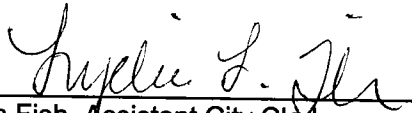
Motion by Council Member Howell second by Council Member Miklos to adjourn to Closed Session for the above-referenced items. Motion carried with the following roll call vote:

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

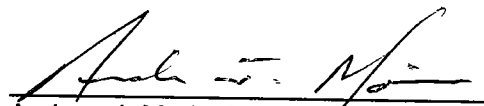
Mayor Morin reconvened the special meeting at 6:30 p.m. City Attorney Cline reported that no final action was taken during Closed Session.

ADJOURNMENT:

There being no further business to come before the Folsom City Council, the special meeting was adjourned at 6:30 p.m.


Lydia Fish, Assistant City Clerk

ATTEST:


Andrew J. Morin, Mayor

CITY OF FOLSOM
REGULAR CITY COUNCIL MEETING
DECEMBER 14, 2010

CALL TO ORDER: The regular meeting of the Folsom City Council was called to order at 6:30 p.m. in City Council Chambers, 50 Natoma Street, Folsom, California, with Mayor Morin presiding.

ROLL CALL:

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

Council Members Absent: None

Staff Present: City Manager Kerry Miller
City Attorney Bruce Cline
Assistant City Manager Evert Palmer
Assistant City Clerk Lydia Fish
City Clerk Christa Freemantle
Finance Director Jim Francis
Parks and Recreation Director Robert Goss

The Pledge of Allegiance was led by Beale Airforce Base Honor Guard.

AGENDA UPDATE:

Assistant City Manager Palmer announced changes to the agenda:

- Item 10 will be heard before New Business 9
- Additional information has been provided for Items 8h, 8o, 9a and 10biii

SCHEDULED PRESENTATIONS:

5a. Presentation of Awards for the Wayne Spence Memorial Folsom Veterans Day Parade Entrants

Vice Mayor Ernie Sheldon presented awards to the Veterans Day Parade entrants.

5b. City Manager's Fiscal Year 2010-11 First Quarter Financial Report

Finance Director Jim Francis introduced the report and answered questions from the Council.

BUSINESS FROM THE FLOOR:

Kathy Graining address the Council regarding bike safety in Folsom.

Jerry Bernau and Judy Becerril, Historic District Association addressed Council regarding the Ice Rink.

MAYOR'S ANNOUNCEMENT OF EMPLOYEE ANNIVERSARIES:

Council Member Starsky announced the employee anniversaries for November.

CONSENT CALENDAR:

- 8a. Approval of the November 23, 2010 Special/Regular Meeting Minutes
- 8b. Resolution No. 8762 - A Resolution Appointing a City of Folsom Representative to the Sacramento Regional Transit District Board of Directors
- 8c. Resolution No. 8764 - A Resolution Authorizing the City Manager to Execute a Purchase Agreement with Quest Media and Supplies, Inc. for the Purchase of a Netapp Data Storage System
- 8d. Resolution No. 8765 - A Resolution Authorizing the City Manager to Execute a Contract Change Order with Teichert Construction (Contract No. 174-21 10-033) for the Pavement Repair and Resurfacing FY 2010/11 Project No. 8017
- 8e. Resolution No. 8766 - A Resolution Authorizing the Installation of All-way Stop Sign Controls at the Intersection of Cavitt Drive and Lothian Way
- 8f. Resolution No. 8767 - A Resolution Authorizing the City Manager to Execute a Contract Change Order with M & M Electric (Contract No. 174-21 10-018) for the Broadstone Parkway/Cavitt Drive Signal Installation Project No. 2615
- 8g. Resolution No. 8768 - A Resolution Authorizing the City Manager to Execute a Memorandum of Understanding with the County of Sacramento for Implementing the Commercial and Industrial Stormwater Compliance Program Required Under National Pollutant Discharge Elimination System (NPDES) Permit No. CAS0082597
- 8h. Resolution No. 8769 - A Resolution Authorizing the City Manager to Execute a Communications Site License Agreement with Verizon Wireless for Wireless Communications Facilities within the Lew Howard Park Site **(pulled for discussion)**
- 8i. Resolution No. 8770 - A Resolution Authorizing the City Manager to Execute a Construction Contract with B & M Builders, Inc. for the Folsom City Zoo Sanctuary Phase II ADA Improvements Project Funded through Folsom Community Development Block Grant Funding and Appropriation of Funds
- 8j. Resolution No. 8771 - A Resolution Authorizing Adoption of a Memorandum of Understanding between the City of Folsom and the Folsom Middle Management Group
- 8k. Deleted
- 8l. Resolution No. 8773 - A Resolution Authorizing the City Manager to Execute Amendment No. 1 to the Agreement with Brown and Caldwell for Corrective Action Monitoring for the Corporation Yard Landfill (Contract No. 173-21 09-024)

- 8m. Resolution No. 8774 - A Resolution Authorizing the City Manager to Execute an Agreement with R.E.Y. Engineers, Inc. for Consulting Services Relating to the Design of an Access Road for the Veterans Hall and Reconstruction of the Employee Parking Lot at the Corporation Yard
- 8n. Resolution No. 8775 - A Resolution Authorizing the City Manager to Execute Amendment No. 1 to the Agreement (Contract No. 174-21 08-012) with West Yost & Associates for Design and Construction Administration Services for the Basin 6 Flow Diversion Project
- 8o. Resolution No. 8777 - A Resolution Authorizing the City Manager to Execute an Agreement with Sunworld Landscape LLC for Maintenance of Landscaping and Lighting Districts (Contract A) for the City of Folsom
- 8p. Resolution No. 8778 - A Resolution Authorizing the City Manager to Execute Agreements with TruGreen LandCare for Maintenance of Municipal Parks, Trails and Pet Stations, and Landscaping and Lighting Districts (Contract B) for the City of Folsom

Motion by Council Member Howell, second by Council Member Starsky to approve the Consent Calendar Items 8a through g and Items 8i through p. Motion carried with the following roll call vote:

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

CONSENT CALENDAR ITEMS PULLED FOR DISCUSSION:

- 8h. Resolution No. 8769 - A Resolution Authorizing the City Manager to Execute a Communications Site License Agreement with Verizon Wireless for Wireless Communications Facilities within the Lew Howard Park Site (**pulled for discussion**)

Council Member Miklos pulled this item to recommend the resolution be amended to clarify that the annual fee license payments go into the general fund as described by the policy of the City Council from last year.

Motion by Council Member Miklos, second by Council Member Starsky to approve Consent Calendar Item 8h as amended. Motion carried with the following roll call vote:

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

Item 10 was taken out of order:

The City Council adjourned to the special joint City Council / Redevelopment Agency meeting at 7:55 p.m.

CALL TO ORDER: The special joint City Council / Redevelopment Agency meeting was called to order at 7:56 p.m. in City Council Chambers, 50 Natoma Street, Folsom, California, with Mayor/Chair Morin presiding.

ROLL CALL:

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

Council/Board Members Absent: None

Staff Present: City Manager/Executive Director Kerry Miller
City Attorney/Agency Counsel Bruce Cline
Assistant City Manager Evert Palmer
Assistant City Clerk/Secretary Lydia Fish
Finance Director Jim Francis

CONSENT CALENDAR:

- 10bi. Approval of the October 12, 2010 Redevelopment Agency Special Meeting Minutes
- 10bii. Resolution No. 326-R - A Resolution Authorizing the Executive Director to Execute an Agreement with C & C Construction, Inc. for the Folsom Historic Station Project No. 2613
- 10biii. Resolution No. 8780 - A Resolution Authorizing the City Manager to Execute Amendment No. 6 to the Agreement between the City of Folsom and the Folsom Economic Development Corporation (Contract No. 173-21 00-040)

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

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

NEW BUSINESS

- 10ci. Resolution No. 8756 - A Resolution of the City of Folsom and the Folsom Redevelopment Agency Authorizing the City Manager to Execute a Licensing Agreement with Big League Dreams USA, LLC and Authorization to Loan \$450,000 from the Redevelopment Fund for the Licensing Fee

City Manager Kerry Miller introduced the item. City Attorney Bruce Cline addressed deal points of the licensing agreement. Rick Odekirk, Managing Director and Chief Development Officer of Big League Dreams USA, discussed the project and answered questions from the City Council. Bill Russell, Big League Dreams, addressed the City Council and explained his role with the company.

Motion by Council/Board Member Starsky, second by Council/Board Member Miklos to approve Resolution No. 8756 as presented. Motion carried with the following roll call vote:

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

ADJOURNMENT:

There being no further business to come before the joint City Council / Redevelopment Agency, the meeting was adjourned at 8:18 p.m. to the regular City Council meeting.

The City Council meeting reconvened from the special joint City Council / Redevelopment Agency meeting at 8:18 p.m.

NEW BUSINESS:

- 9a. At-Large Appointments to Arts and Cultural Commission, Historic District Commission, Landscaping and Lighting District Advisory Committee, Library Commission, Parks and Recreation Commission, Planning Commission, Redevelopment Agency Citizens Advisory Committee, Traffic Safety Committee, and Utility Commission

Council Member Starsky suggested deferring appointments to the Redevelopment Agency Citizens' Advisory Committee until a later date. Council Member Miklos concurred. City Clerk Christa Freemantle explained the process of selecting at-large and direct appointments to the commissions and committees. The City Council proceeded with nominations and appointments.

Council Member Miklos reappointed Steve Heard as his direct appointment to the Arts and Cultural Commission.

Council Member Howell appointed Barbara Leary as her direct appointment to the Arts and Cultural Commission.

Mayor Morin appointed Vince Hill as his direct appointment to the Arts and Cultural Commission.

Council Member Starsky nominated Mark Jacobs for an at-large appointment to the Arts and Cultural Commission. The motion passed with the following roll call vote:

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

Council Member Starsky moved to reappoint Susan Mehring and Mark Roberts as at-large appointments to the Historic District Commission. The motion passed with the following roll call vote:

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

City Clerk Christa Freemantle explained which seats were open on the Landscaping and Lighting District Advisory Committee.

Council Member Starsky moved to reappoint the incumbents: Joe Marceau, Mary Mast, Joseph Robinson, Shari Shively, Kirk Smith and Raymond Spierto to the Landscaping and Lighting District Advisory Committee. The motion passed with the following roll call vote:

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

Council Member Miklos stated he did not have an appointment at this time for his direct seat on the Library Commission, and he would follow-up with the City Clerk.

Council Member Howell appointed Jaya Badiga as her direct appointment to the Library Commission.

Mayor Morin appointed Alexandra Feinberg as his direct appointment to the Library Commission.

Council Member Miklos nominated JoAnne Reinking for an at-large to the Library Commission. Council Member Howell nominated Ann Marks. The motion passed with the following roll call vote:

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

Council Member Miklos reappointed Jean Jackson as his direct appointment to the Parks and Recreation Commission.

Council Member Howell reappointed Paul Romero as her direct appointment to the Parks and Recreation Commission.

Mayor Morin reappointed Will Safford as his direct appointment to the Parks and Recreation Commission.

Vice Mayor Sheldon nominated Stuart Lott and Robert Ross as at-large appointments to the Parks and Recreation Commission. The motion passed with the following roll call vote:

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

Council Member Miklos reappointed Ross Jackson as his direct appointment to the Planning Commission.

Council Member Howell reappointed Greg Eldridge as her direct appointment to the Planning Commission.

Mayor Morin appointed Tom Scott as his direct appointment to the Planning Commission.

Council Member Starsky nominated Chris Bulman and Lance Klug as at-large appointments to the Planning Commission.

Council Member Miklos nominated John Arnaz for an at-large appointment to the Planning Commission.

Council Member Howell nominated Rich Bringgold and Tony Powers as at-large appointments to the Planning Commission.

Vice Mayor Sheldon nominated David Stanley for an at-large appointment to the Planning Commission.

Mayor Morin explained that when the number of nominations exceeds the number of vacant seats then the City Clerk would randomly draw a name of those nominated and the Council will vote in the order drawn.

City Clerk Christa Freemantle drew Chris Bulman for an at-large appointment to the Planning Commission. The motion passed with the following roll call vote:

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

City Clerk Christa Freemantle drew Lance Klug for an at-large appointment to the Planning Commission. The motion passed with the following roll call vote:

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

Council Member Starsky nominated Patrick Maxfield, Robert Parrick and Tony Powers as at-large reappointments to the Traffic Safety Committee. The motion passed with the following roll call vote:

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

Council Member Miklos appointed Russ Davis as his direct appointment to the Utility Commission.

Council Member Howell reappointed Ravi Kahlon as her direct appointment to the Utility Commission.

Mayor Morin appointed Steven Cook as his direct appointment to the Utility Commission.

Council Member Starsky nominated Christopher Ryan for an at-large appointment to the Utility Commission. Council Member Howell nominated David Doherty and Rich Bringgold.

City Clerk Christa Freemantle drew Rich Bringgold for an at-large appointment to the Utility Commission. The motion passed with the following roll call vote:

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

City Clerk Christa Freemantle drew Christopher Ryan for an at-large appointment to the Utility Commission. The motion passed with the following roll call vote:

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

Item 11 was taken out of order:

Mayor Morin temporarily adjourned the Regular City Council meeting at 8:34 p.m. and convened the joint City Council / Redevelopment Agency / Public Financing Authority meeting.

CALL TO ORDER: The joint City Council / Redevelopment Agency / Public Financing Authority meeting was called to order at 8:35 p.m. in City Council Chambers, 50 Natoma Street, Folsom, California, with Mayor/Chair Morin presiding.

ROLL CALL:

Council/Board Members Present:	Kerri Howell Steve Miklos Ernie Sheldon Jeff Starsky Andy Morin
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Council/Board Members Absent:	None
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Staff Present:	City Manager/Executive Director Kerry Miller City Attorney/Agency Counsel Bruce Cline Assistant City Manager Evert Palmer Assistant City Clerk/Secretary Lydia Fish Finance Director Jim Francis
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CONSENT CALENDAR

11bi. Approval of the November 9, 2010 Joint City Council / Public Financing Authority Meeting Minutes

11bii. Receive and File the City of Folsom, Folsom Redevelopment Agency and Folsom Public Financing Authority Monthly Investment Reports for the Month of September 2010

Motion by Council/Board Member Starsky, second by Council/Board Member Howell to approve the Consent Calendar as presented. Motion carried with the following roll call vote:

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

ADJOURNMENT:

There being no further business to come before the joint City Council / Redevelopment Agency / Public Financing Authority, the meeting was adjourned at 8:35 p.m. to the regular City Council meeting.

Mayor Morin called a recess at 8:35 p.m., and reconvened the meeting at 8:41 p.m.

9b. Resolution No. 8779 - A Resolution Amending Section 6.01 of the City of Folsom's Standard Construction Specifications Pertaining to Prevailing Wages

City Attorney Bruce Cline presented the staff report and answered questions from the Council.

The following speakers addressed the Council:

- Mike Kurey, Construction Employers Association
- James Gordon, President of Consumer Federation of California
- Bob Balgenorth, President of State Building Trades
- Jason Macdonald
- James Conway
- Cesar Diaz, State Building and Construction Trades Council
- Jeremy Smith, State Building and Construction Trades Council
- Cherie Cabral, Building Trades
- Kevin Dayton, Government Affairs Director of Associated Builders and Contractors
- Richard Markuson, Western Electrical Contractors Association
- Patrick Kennedy, National Electrical Contractors Association
- Bob Kjome, VP of Roble Contracting Construction Company
- Bill Whitney, Mechanical Contractors Association
- Scott Paczesniak
- Dennis Dean, Carpenters Local 46
- Matt Kelly, Sacramento/Sierra Building and Construction Trades Council
- Gustavo Arroyo
- John Cooper, Associated General Contractors of California
- Alex Kothny, Local 36

- Scott Littlehale, Carpenters Local 46
- Samantha Draper, Smart Cities Prevail
- Kevin Miller
- Chuck Cake
- Andrew Meridith, VP International Brotherhood of Electrical Workers, Local 340
- Damon Mireski, Carpenters Local 46
- Jerry Bernau, Local Builder/Developer in Folsom

The Council discussed the proposed resolution.

Motion by Council Member Starsky to approve Resolution No. 8756 as presented.

The Council discussed the proposed motion.

Substitute Motion by Council Member Miklos, seconded by Council Member Howell to not approve Resolution No. 8756.

City Attorney Bruce Cline explained that the substitute motion with a second takes priority over the original motion. He stated that the Council could either vote on the substitute motion or let the original motion die for a lack of a second.

The City Council discussed the proposed motions.

Council Member Miklos withdrew the substitute motion; Council Member Howell concurred.

The motion to approve Resolution No. 8756 died for a lack of a second.

CITY MANAGER REPORTS:

City Manager Miller reported on the State Budget.

COUNCIL COMMENTS:

Council Member Starsky congratulated the Folsom Bull Dogs, commended City Attorney Cline for his effort to save the City money with the Prevailing Wage item, and announced that Folsom is a possible place for the relocation of GE Headquarters.

Council Member Miklos thanked Council Member Starsky for his year as Mayor, and congratulated Mayor Morin and Vice Mayor Sheldon for their new positions. He announced an executive board meeting with Associated Cities Aligned with Prisons (ACAP) which he will attend and encouraged others to join the organization.

Council Member Howell congratulated Council Member Starsky for his year as Mayor, and congratulated Mayor Morin and Vice Mayor Sheldon for their new positions. She stated she was at the tree lighting ceremony and announced the upcoming Bulldogs football games. She reported on the recent Regional Water Authority meeting that she attended, and encouraged all to drive safely.

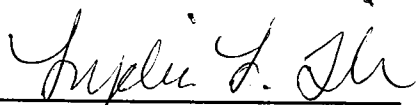
Vice Mayor Sheldon wished everyone happy holidays and thanked the mid-management employees for approving their employment contract.

Mayor Morin wished everyone happy holidays and thanked the Council for his term as Mayor.

Vice Mayor Sheldon thanked Council Member Starsky for his year as Mayor.

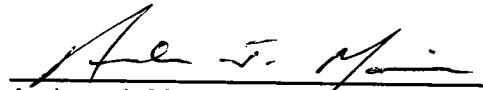
ADJOURNMENT:

There being no further business to come before the Folsom City Council, the meeting was adjourned at 11:11 p.m.



Lydia Fish, Assistant City Clerk

ATTEST:



Andrew J. Morin, Mayor