

MEETING MINUTES
CITY OF FOLSOM
CITY COUNCIL
and
JOINT CITY COUNCIL / REDEVELOPMENT AGENCY / PUBLIC FINANCING AUTHORITY
FEBRUARY 22, 2011

CALL TO ORDER: The special City Council meeting was called to order at 5:31 p.m. in City Council Chambers, 50 Natoma Street, Folsom, California, with Mayor Morin presiding.

ROLL CALL:

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

Council Members Absent: None

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

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: 1150 Sibley Street; APN: 071-0020-119
 - Negotiating Parties: Community Development Director David Miller on behalf of the City of Folsom
 - Under Negotiation: Bob Walner on behalf of St. Anton's
 - Price and terms of sale
- 3c. Conference with Legal Counsel - Existing Litigation - Pursuant to Government Code section 54956.9(a):
 - i. Jane Talbot v. City of Folsom
Sacramento Superior Court, Case No. 34-2010-00082661

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

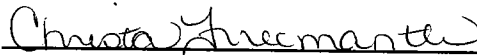
Approved 03/08/2011

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

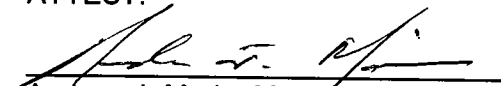
Mayor Morin reconvened the special meeting at 6:30 p.m. City Attorney Cline confirmed that no final action was taken during Closed Session.

ADJOURNMENT:

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


Christa Freemantle, City Clerk

ATTEST:


Andrew J. Morin, Mayor

CITY OF FOLSOM
REGULAR CITY COUNCIL MEETING
FEBRUARY 22, 2011

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

Council Members Absent: None

Staff Present: City Manager Kerry Miller
City Attorney Bruce Cline
Assistant City Manager Evert Palmer
City Clerk Christa Freemantle
Assistant City Attorney Steve Wang
Community Development Director David Miller
Public Works Director Rich Lorenz
Finance Director Jim Francis
Parks and Recreation Director Robert Goss

PLEDGE OF ALLEGIANCE:

The Pledge of Allegiance was recited.

AGENDA UPDATE:

Assistant City Manager Palmer announced that item 7i was to be continued to March 8, 2011; additional information has been provided regarding items 10b(i) and 11d.

SCHEDULED PRESENTATIONS:

- 5a Presentation by Folsom Symphony President Bruce Woodbury Regarding Their History and Vision for the Future

Mr. Woodbury made a presentation to the City Council.

- 5b City Manager's Fiscal Year 2010/11 Second Quarter Financial Report

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

BUSINESS FROM THE FLOOR:

None

CONSENT CALENDAR:

- 7a. Approval of the February 08, 2011 Special/Regular Meeting Minutes
- 7b. Appointment of At-Large Representative to the Folsom Arts and Cultural Commission
- 7c. Resolution No. 8795 - A Resolution Authorizing the Fire Department to Apply for Fire Prevention and Safety Grant Funds from the Federal Emergency Management Agency Assistance to Firefighters Grant Program
- 7d. Resolution No. 8796 - A Resolution Authorizing the Installation of Four-Way Stop Sign Controls at the Intersection of Sutter Street and Bridge Street
- 7e. Resolution No. 8797 - A Resolution Authorizing the City Manager to Execute Amendment No. 1 to the Agreement (Contract No. 174-21-09-013) with 21st Century Environmental Management of California, LP for Hazardous Waste Disposal and Appropriation of Funds
- 7f. Resolution No. 8798 - A Resolution Authorizing a Transfer of Police Special Revenue Trust Funds-Drug Asset Forfeiture, to the Police Department Operating Budget and the Appropriation of Funds for the Purchase of Police Equipment and Training
- 7g. Resolution No. 8800 - A Resolution in Opposition to the Governor Brown Administration's Proposal to Abolish Redevelopment Agencies in California

- 7h. Resolution No. 8802 - A Resolution Authorizing the City Manager to Submit Applications for Grant Funds to the United States Bureau of Reclamation
- 7i. Resolution No. 8803 - A Resolution Approving the Application for Grant Funds from the State Bicycle Transportation Account for the Folsom Lake Crossing Road Bike/Pedestrian Overcrossing Project **(continued to March 8, 2011)**
- 7j. Resolution No. 8805 - A Resolution Authorizing Adoption of a Memorandum of Understanding Between the City of Folsom and the International Union of Operating Engineers, Local 39 **(pulled for discussion)**

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

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

CONSENT CALENDAR ITEM PULLED FOR DISCUSSION:

- 7j. Resolution No. 8805 - A Resolution Authorizing Adoption of a Memorandum of Understanding Between the City of Folsom and the International Union of Operating Engineers, Local 39

Charlie Solt, Local 39, requested this item be pulled for discussion; he offered encouragement to the City Council to approve the proposed MOU.

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

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

PUBLIC HEARING:

- 8a. Resolution No. 8801 - A Resolution Modifying Resolution No. 8301 as Shown in the Fee Schedule (attached to the resolution) and Directing Staff to Implement a Program for Full Cost Planning Service Fees **(Continued to March 8, 2011)**

NEW BUSINESS:

- 9a. An Appeal by Hugh and Sabrina Reed of a Planning Commission Action Granting an Appeal by Kevin and Pat Folsom of a Design Review Application at 124 Darrington Drive (PN 10-359)

Assistant City Attorney Wang provided preliminary information and direction to the City Council. Community Development Director Miller made a presentation and responded to questions from the City Council.

Approved 03/08/2011

Hugh and Sabrina Reed, appellants, addressed the City Council with their concerns and objections to the proposed external spiral staircase. The appellants provided exhibits, and Assistant City Attorney Wang directed the City Clerk to incorporate the exhibits into the record.

Timothy O'Connor, attorney representing Kevin and Pat Folsom, addressed the City Council regarding the proposed external staircase.

The following speakers addressed the City Council:

1. John Leung, adjacent neighbor, in opposition to the staircase.
2. Irene and Frank Severn, adjacent neighbor, in opposition to the staircase
3. John Sherry, neighbor across the street, in opposition to the staircase
4. Ray Specht, neighbor to the west, in opposition to the staircase
5. Kelly Gratiot, Briggs Ranch resident, in opposition to the staircase
6. Kevin Kenworthy, Natoma Station resident, stating he doesn't think you will be able to see the staircase
7. Stephanie Martz, expressing that if she lived next door to Mr. Folsom's, she wouldn't be in opposition
8. Bob Peake, in opposition to the staircase
9. Bruce Van Patten in opposition to the staircase
10. T.R. Schaezlein, Fair Oaks Iron, saying he builds spiral staircases, and he has never heard before that a staircase would devalue property

Timothy O'Conner with Kevin Folsom, challenged opposition arguments

Sabrina and Hugh Reed reiterated concerns over noise and the view from the street.

The City Council discussed the appeal.

Motion by Council Member Starsky, second by Council Member Miklos to grant the appeal of Hugh and Sabrina Reed and deny the application with design review findings dated January 19, 2011, C, D, and E (bates 050 of the 02/22/2011 staff report). Motion carried with the following roll call vote:

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

Mayor Morin called a recess and reconvened the meeting at 9:11 p.m.

- 9b. Ordinance No. 1141 - An Ordinance of the City of Folsom Repealing and Reenacting Chapter 1.15 of the Folsom Municipal Code Regarding Presentation of Claims (Introduction and First Reading)

Assistant City Attorney Wang made a presentation and responded to questions from the City Council.

Motion by Council Member Starsky, second by Council Member Howell to introduce Ordinance No. 1141. Motion carried with the following roll call vote:

AYES:	Council Members:	Miklos, Sheldon, Starsky, Howell, Morin
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Approved 03/08/2011

NOES: Council Members: None
ABSENT: Council Members: None
ABSTAIN: Council Members: None

The City Council adjourned to the special Redevelopment Agency and joint City Council / Redevelopment Agency / Public Financing Authority at 9:14 p.m.

MEETING MINUTES
CITY OF FOLSOM
REDEVELOPMENT AGENCY
and
JOINT CITY COUNCIL / REDEVELOPMENT AGENCY / PUBLIC FINANCING AUTHORITY
FEBRUARY 22, 2011

CALL TO ORDER: The special Redevelopment Agency meeting was called to order at 9:14 p.m. in City Council Chambers, 50 Natoma Street, Folsom, California, with Chair Morin presiding.

ROLL CALL:

Council / Board Members Present:	Steve Miklos Ernie Sheldon Jeff Starsky Kerri Howell 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 City Clerk / Secretary Christa Freemantle Community Development Director David Miller Public Works Director Rich Lorenz Finance Director Jim Francis Parks and Recreation Director Robert Goss

CONSENT CALENDAR:

- 10b(i). Resolution No. 332-R - A Resolution Authorizing the Executive Director to Execute an Agreement for the Facade Improvements for Sutter Street Revitalization Project 600 & 700 Block - South Phase I Project No. RD0904
- 10b(ii). Resolution No. 333-R - A Resolution Authorizing the Executive Director to Execute an Agreement with AT&T to Underground Overhead Facilities on Wool Street Concurrent with the Historic Folsom Streetscape Project No. RD0901
- 10b(iii). Resolution No. 334-R - A Resolution of the Redevelopment Agency of the City of Folsom Approving, Authorizing, and Ratifying the Borrowing of Moneys from the Agency's Affordable Housing Fund in Order to Make the Agency's Payment to the County

Approved 03/08/2011

Supplemental Educational Revenue Augmentation Fund ("SERAF") for Fiscal Year
2009/10

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

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

OLD BUSINESS::

10c(i). Proposed Project Design Revisions to the Historic Folsom Station Project No. 2613

Public Works Director Lorenz made a presentation and responded to questions from the City Council.

The following speakers addressed the City Council:

Karen Holmes expressed her support for the water fountain.

Jim Snook expressed his support of the amphitheater and the water fountain.

Jeremy Bernau encouraged careful consideration of any redesign of the turntable and expressed support for the water fountain.

The special Redevelopment Agency meeting was adjourned to the joint City Council / Redevelopment Agency / Public Financing Authority meeting at 10:09 p.m.

Convene Joint City Council / Redevelopment Agency / Public Financing Authority Meeting:

Roll Call: City Council / Board Members: Miklos, Sheldon, Starsky, Howell, Morin

CONSENT CALENDAR:

- 11b(i). Approval of the December 14, 2010 Joint City Council / Redevelopment / Public Financing Authority Special Meeting Minutes
- 11b(ii). Approval of the January 25, 2011 Redevelopment Agency Special Meeting Minutes and Joint City Council / Redevelopment Agency Special Meeting Minutes
- 11b(iii). Approval of the February 01, 2011 Joint City Council / Redevelopment Agency Special Meeting Minutes
- 11b(iv). Approval of the February 8, 2011 Redevelopment Agency Special Meeting Minutes and Joint City Council / Redevelopment Agency Special Meeting Minutes
- 11b(v). Acceptance of Annual Financial Reports, Report on Federal Awards in Accordance with Office of Management and Budget Circular A-133, SAS No. 114 Communication Letter, Independent Accountant's Report on Applying Agreed-upon Procedures and the Independent Auditor's Management Letters for Fiscal Year Ended June 30, 2010; and a Resolution Accepting the Redevelopment Agencies Financial Transactions Report and the Redevelopment Agency Report to the California Department of Housing and Community Development for the Year Ended June 30, 2010

- a. Resolution No. 8806 - A Resolution Accepting the Comprehensive Annual Financial Report, Report on Federal Awards in Accordance with Office of Management and Budget Circular A-133, SAS No. 114 Communication Letter, Independent Accountant's Report on Applying Agreed-Upon Procedures and the Independent Auditor's Management Letter for Fiscal Year Ended June 30, 2010
- b. Resolution No. 337-R - A Resolution of the Governing Board of the Folsom Redevelopment Agency Accepting the Folsom Redevelopment Agency Audited Component Unit Financial Statements for the Fiscal Year Ended June 30, 2010
- c. Resolution No. 338-R - A Resolution Accepting the Redevelopment Agencies Financial Transactions Report and the Redevelopment Agency Report to the California Department of Housing and Community Development for the Fiscal Year Ended June 30, 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:	Miklos, Sheldon, Starsky, Howell, Morin
NOES:	Council/Board Members:	None
ABSENT:	Council/Board Members:	None
ABSTAIN:	Council/Board Members:	None

Motion by Council/Board Member Morin, second by Council/Board Member Miklos to waive the 10:30 p.m. rule. Motion carried with the following roll call vote:

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

NEW BUSINESS:

- 11c(i). Resolution No. 8799 - A Resolution Approving a Memorandum of Understanding (MOU) Between the City of Folsom, the City of Folsom Redevelopment Agency and Lewis Investment Company, LLC

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

Motion by Council Member Miklos, second by Council Member Howell to approve Resolution No. 8799. Motion carried with the following roll call vote:

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

- 11c(ii). Redevelopment Agency of the City of Folsom, Central Folsom Redevelopment Project Subordinate Tax Allocation Bonds, Series 2011A and Redevelopment Agency of the City of Folsom, Central Folsom Redevelopment Project Housing Set Aside Tax Allocation Bonds, Series 2011B

- a. Resolution No. 8804 - A Resolution Approving the Issuance and Sale of the Redevelopment Agency of the City Of Folsom, Central Folsom Redevelopment Project Subordinate Tax Allocation Bonds, Series 2011a and Redevelopment Agency of the City of Folsom, Central Folsom Redevelopment Project Housing Set Aside Tax Allocation Bonds, Series 2011b; and Authorizing the Taking of All Necessary Action in Connection Therewith
- b. Resolution No. 11-061-PFA - A Resolution Approving the Form of and Authorizing the Execution and Delivery of One or More Bond Purchase Agreements Relating to the Redevelopment Agency of the City of Folsom, Central Folsom Redevelopment Project Subordinate Tax Allocation Bonds, Series 2011a and the Redevelopment Agency of the City of Folsom, Central Folsom Redevelopment Project Housing Set Aside Tax Allocation Bonds, Series 2011b; and Authorizing the Taking of All Necessary Action in Connection Therewith
- c. Resolution No. 335-R - A Resolution Authorizing the Issuance, Sale and Delivery of the Central Folsom Redevelopment Project Subordinate Tax Allocation Bonds, Series 2011a and the Central Folsom Redevelopment Project Housing Set Aside Tax Allocation Bonds, Series 2011b; Approving the Forms of and Authorizing the Execution and Delivery of an Indenture of Trust and a First Supplemental Indenture of Trust Relating to the Series 2011a Bonds, an Indenture of Trust and a First Supplemental Indenture of Trust Relating to the Series 2011b Bonds, One or More Official Statements, One or More Bond Purchase Agreements and One or More Continuing Disclosure Certificates Relating to Said Bonds; and Authorizing the Taking of All Necessary Action in Connection Therewith

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

Motion by Council Member Starsky, second by Council Member Howell to approve Resolution No. 8804 with the amendments to change any date references to August 1, 2036 to September 1, 2036. Motion carried with the following roll call vote:

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

Motion by Board Member Starsky, second by Board Member Howell to approve Resolution No. 11-061-PFA with the amendments to change any date references to August 1, 2036 to September 1, 2036. Motion carried with the following roll call vote:

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

Motion by Board Member Starsky, second by Board Member Howell to approve Resolution No. 335-R with the amendments to change any date references to August 1, 2036 to September 1, 2036. Motion carried with the following roll call vote:

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

ABSTAIN: Board Members: None

PUBLIC HEARING:

11d(i). Redevelopment of the Historic Railroad Block (**revised (twice)**)

- a. Resolution No. 8807 - A Resolution of the City Council of the City of Folsom Approving the Sale and Redevelopment of Portions of the Historic Railroad Block Property Pursuant to an Amended and Restated Disposition and Development Agreement Between the Redevelopment Agency of the City of Folsom and the Folsom Railroad Block Developers, LLC
- b. Resolution No. 336-R - A Resolution of the Redevelopment Agency of the City of Folsom Authorizing the Executive Director to Execute an Amended and Restated Disposition and Development Agreement Between the Agency and the Folsom Railroad Block Developers, LLC, Providing for the Redevelopment of the Historic Railroad Block within the Central Folsom Redevelopment Project Area

Assistant City Manager Palmer made a presentation and responded to questions from the City Council.

Nicole Murphy, Redevelopment Agency special counsel, provided additional information.

Motion by Council Member Starsky, second by Council Member Howell to approve Resolution No. 8807. Motion carried with the following roll call vote:

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

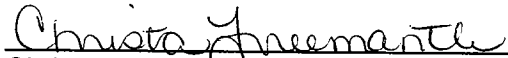
Motion by Board Member Starsky, second by Board Member Howell to approve Resolution No. 336-R. Motion carried with the following roll call vote:

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

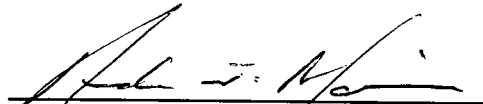
- e. Adjournment:

ADJOURNMENT:

There being no further business to come before the special joint City Council / Redevelopment Agency / Public Financing Authority, the meeting was adjourned to the regular City Council meeting at 10:42 p.m.


Christa Freemantle, City Clerk / Secretary

ATTEST:


Andrew J. Morin, Mayor / Chair

CITY MANAGER REPORTS:

City Manager Miller complimented Finance Director Francis and his staff for their work on the RDA bonding issue.

COUNCIL COMMENTS:

Council Member Miklos thanked Local 39 members for their participation in approving the new union contract.

Council Member Howell complimented the Symphony, thanked the Folsom Police Department for their work, and encouraged residents to drive safely.


Council Member Starsky thanked Police Chief Ulibarri for keeping the City Council Members advised of activities and thanked Parks and Recreation Director Goss for his work with the Amgen Bicycle Tour.

Vice Mayor Ernie Sheldon thanked the committee working on the Dan Russell Arena renovations plan.

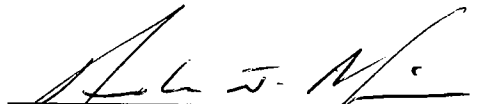
Mayor Morin thanked the Local 39 members for their participation in approving the new union contract and for agreeing to major pension and health care reforms.

ADJOURNMENT:

There being no further business to come before the Folsom City Council, the meeting was adjourned at 10:53 p.m.


Christa Freemantle, City Clerk

ATTEST:


Andrew J. Morin, Mayor