

MEETING MINUTES
CITY OF FOLSOM CITY COUNCIL
APRIL 12, 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: Ernie Sheldon, Vice Mayor
Kerri Howell, Council Member
Steve Miklos, Council Member
Andy Morin, Mayor

Council Members Absent: Jeff Starsky, Council Member

Staff Present: City Manager Kerry Miller
City Attorney Bruce Cline
Assistant City Manager Evert Palmer
City Clerk Christa Freemantle
Finance Director Jim Francis
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 - Existing Litigation - Pursuant to Government Code section 54956.9(a):
- i. Sacramento Housing Alliance v. City of Folsom
Sacramento Superior Court Case No. 34-2011-80000835

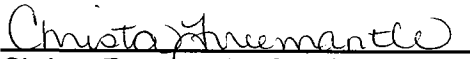
Motion by Council Member Howell, second by Council Member Miklos to adjourn to Closed Session for the above-referenced items. Motion carried with the following roll call vote:

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

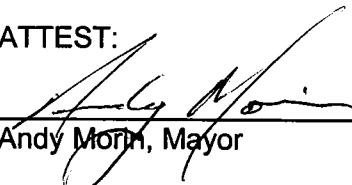
Mayor Morin reconvened the special meeting at 6:36 p.m. City Attorney Cline announced that no final action was taken during Closed Session.

ADJOURNMENT:

There being no further business to come before the Folsom City Council, the special meeting was adjourned at 6:36 p.m.


Christa Freemantle, City Clerk

ATTEST:


Andy Morin, Mayor

CITY OF FOLSOM
MINUTES
CITY COUNCIL REGULAR MEETING
APRIL 12, 2011

CALL TO ORDER: The regular meeting of the Folsom City Council was called to order at 6:36 p.m. in City Council Chambers, 50 Natoma Street, Folsom, California, with Mayor Morin presiding.

ROLL CALL:

Council Members Present:	Vice Mayor Ernie Sheldon Council Member Kerri Howell Council Member Steve Miklos Mayor Andy Morin
Council Members Absent:	Council Member Jeff Starsky
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 Parks and Recreation Director Robert Goss Police Chief Randy Ulibarri Fire Chief Ron Phillips

PLEDGE OF ALLEGIANCE:

The Pledge of Allegiance was recited.

AGENDA UPDATE:

Assistant City Manager Palmer announced that item 7f will be continued off-calendar, item 8a will be continued to the April 26 meeting, and item 10b has additional information.

Approved April 26, 2011

SCHEDULED PRESENTATIONS:

- 5a. Proclamation of the Mayor of the City of Folsom Proclaiming April 10-16, 2011 as National Public Safety Telecommunicators Week in the City of Folsom (Fire)

Mayor Morin presented the Proclamation.

- 5b. Proclamation of the Mayor of the City of Folsom Proclaiming April 10-16, 2011 as National Public Safety Telecommunicators Week in the City of Folsom (Police)

Mayor Morin presented the Proclamation.

- 5c. Proclamation of the Mayor Encouraging the Community to Become Involved in Arbor Day

Council Member Howell presented the Proclamation.

- 5d. Resolution of Commendation Honoring Nellie Loo for her Leadership and Dedication to the Folsom Community

Vice Mayor Sheldon presented the Resolution.

- 5e. Proclamation of the Mayor of the City of Folsom Proclaiming April 8 through April 16, 2011 as "Creek Week" in the City of Folsom

Mayor Morin presented the Proclamation.

BUSINESS FROM THE FLOOR:

L.J. Laurent addressed the City Council regarding traffic concerns in her subdivision.

CONSENT CALENDAR:

- 7a. Approval of the March 3, 2011 Special Meeting Minutes
- 7b. Approval of the March 8, 2011 Special/Regular Meeting Minutes
- 7c. Approval of the March 22, 2011 Special/Regular Meeting Minutes
- 7d. Nomination of City of Folsom Representative to the Citizens' Advisory Committee for Folsom Prison (**pulled for discussion**)
- 7e. Ordinance No. 1142 - An Ordinance of the City Council of the City of Folsom Adding Section 2.33.140 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

Approved April 26, 2011

Administration of the California Public Employees' Retirement System (Second Reading and Adoption)

- 7f. Resolution No. 8832 - A Resolution Authorizing the City Manager to Submit Applications for Grant Funds to the U.S. Department of the Interior, Bureau of Reclamation, WaterSMART Grant Program: System Optimization Reviews for Fiscal Year 2011
(continued off calendar)
- 7g. Resolution No. 8833 - A Resolution Authorizing the City Manager to Execute Amendment No. 2 to the Agreement with HDR Engineering, Inc. for Consulting Services for the Water and Sewer Rate Fee Analysis (Contract No. 173-21 04-066)
- 7h. Resolution No. 8834 - A Resolution Authorizing the City Manager to Execute Amendment No. 1 to the Agreement with R3 Consulting Group Inc. for Consulting Services for Management Assistance and Rate Analysis for the Solid Waste Division (Contract No. 173-21 08-048)
- 7i. Resolution No. 8835 - A Resolution Authorizing the use of Donated Funds from the Friends of the Folsom Zoo Sanctuary for Maintenance and Improvement Projects at the Folsom City Zoo Sanctuary and Appropriation of Funds

Mayor Morin pulled item 7d for discussion.

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

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

CONSENT CALENDAR ITEM PULLED FOR DISCUSSION:

- 7d. Nomination of City of Folsom Representative to the Citizens' Advisory Committee for Folsom Prison **(pulled for discussion)**

Mayor Morin suggested that this item be continued in order to allow more applications to be received for the City Council's consideration.

Motion by Mayor Morin, second by Council Member Miklos to continue this item. Motion carried with the following roll call vote:

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

OLD BUSINESS:

- 8a. Resolution No. 8824 - A Resolution Adopting the Updated Water Meter Implementation Plan and Directing Staff to Develop a Metered Rate to be Effective January 2013
(continued to April 26, 2011)

PUBLIC HEARING:

- 9a. Resolution No. 8831 - A Resolution Accepting Fiscal Year 2010/11 Supplemental Law Enforcement Services Fund (SLESF), Citizen's Option for Public Safety (COPS) Grant for the Purchase of Equipment in Accordance with State Requirements and Appropriation of Funds

Police Chief Ulibarri made a presentation and responded to questions.

Mayor Morin opened the Public Hearing at 7:13 p.m. Hearing no speakers, the Public Hearing was closed.

Vice Mayor Sheldon requested information regarding prior year expenditures of COPS Grant funds.

Motion by Council Member Howell, second by Council Member Miklos to approve Resolution No. 8831. Motion carried with the following roll call vote:

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

NEW BUSINESS:

- 10a. City Manager's Presentation of the Fiscal Year 2012 Proposed Budget

City Manager Miller introduced the item; Finance Director Francis and Assistant City Manager Palmer provided additional information.

- 10b. An Appeal by Ladies Auxiliary VFW, Kiwanis Club of Folsom Lake, Folsom Symphony and Folsom Historical Society of a Decision by the Fire Chief Disapproving an Application for a Fireworks Permit

Fire Chief Phillips made a presentation and responded to questions.

Mayor Morin suggested that, rather than immediately receiving speakers, that the City Council Members deliberate the appeal first and consider the intent of the requirements. The Council Members agreed, and after some discussion, developed a consensus in their desire to grant the appeal. Mayor Morin noted, however, that the Fire Chief and Fire Marshall made the "clear

Approved April 26, 2011

and correct choice" in rejecting these four applications based on the fact that the applications were not correctly completed.

Council Members Howell and Miklos noted for the record that they are both members of the Folsom Historical Society, but have no individual involvement in the fireworks permit application.

Motion by Council Member Miklos, second by Vice Mayor Sheldon to grant the appeal of the four Appellants, including for the record the letter from the Appellant's lawyer, Mr. Daniel Coyle and notice of appeal by all parties and other documents submitted to support the following findings: The evidence indicates these four groups do otherwise qualify as applicants; the evidence reflects there was some confusion about the process; the evidence suggest there was substantial compliance within the applications except for the signatures; the evidence indicated that this was a new process this year and there was some resulting confusion related to that; and the evidence does not reflect any fraud.

Bruce Woodbury requested to speak, and he suggested the Council grant certain groups with permanent recognized status as "Folsom organizations that we all know are Folsom organizations". The City Council declined, suggesting instead the applicants "fill it out right the first time".

Mayor Morin called for a vote on Council Member Miklos' earlier motion and commended the Fire Chief and Fire Marshall for their work on this issue.

Motion carried with the following roll call vote:

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

CITY MANAGER REPORTS:

City Manager Miller noted the recent road construction on the Sutter Street area, which is the last major project in the revitalization project.

COUNCIL COMMENTS:

Mayor Morin and Council Members Howell and Miklos Report on Lobbying Trips

Mayor Miklos reported on his attendance at an ACCAP conference, addressing issues of possible inmate releases resulting from State legislation. He also reported on his efforts with FEDCorp to attract businesses to Folsom.

Council Member Howell reported on her and Mayor Morin's lobbying trip to DC, where they met with legislators in pursuit of repayment of monies owed to the City related to construction of the Folsom Lake Crossing.

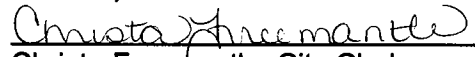
Vice Mayor Sheldon commented on his investigation into issues related to seniors and RDA funds.

Approved April 26, 2011

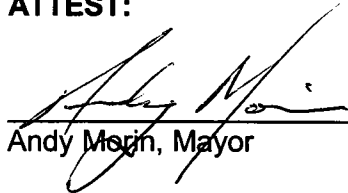
Mayor Morin added to Council Member Howell's report to thank Congress Member Matsui and Lundgren for their assistance.

ADJOURNMENT:

There being no further business to come before the Folsom City Council, the meeting was adjourned at 8:47 p.m.


Christa Freemantle, City Clerk

ATTEST:


Andy Morin, Mayor