

**Meeting Minutes**  
**Folsom City Council Special Meeting**  
**December 13, 2011**

**CALL TO ORDER:** The special City Council meeting 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: Ernie Sheldon, Vice Mayor  
Jeff Starsky, Council Member  
Steve Miklos, Council Member  
Andy Morin, Mayor

Council Members Absent: Kerri Howell, Council Member (arrived at 5:01 p.m.)

Staff Present: City Manager Evert Palmer  
City Attorney Bruce Cline  
City Clerk Christa Saunders  
Parks and Recreation Director Robert Goss

**ADJOURNMENT TO CLOSED SESSION FOR THE FOLLOWING PURPOSES:**

- 3a. Conference with Real Property Negotiator - Pursuant to Government Code section 54956.8:
- i. Property: Lembi Park Concession Stand; a portion of APN 071-0320-113  
Negotiating Parties: Robert Goss, Parks and Recreation Director on behalf of the City Of Folsom  
Under Negotiation: Price and terms of lease
  - ii. Property: Lembi Park; a portion of APN: 071-0320-113  
Negotiating Parties: Evert Palmer, City Manager on behalf of the City of Folsom  
Under Negotiation: Price and terms of Big League Dreams development
- 3b. Conference with Legal Counsel - Existing Litigation - Pursuant to Government Code section 54956.9(a):
- i. Teichert v. City of Folsom  
Sacramento County Superior Court Case No. 34-2011-80000923
  - ii. City of Folsom v. A-Z Bus Sales, Inc.  
Sacramento Superior Court Case No. 34-2010-00080763
- 3c. Initiation of Litigation Pursuant to Government Code section 54956.9(c):
- i. 1 potential case  
County of Sacramento, GenCorp and Boeing re. groundwater contamination

Council Member Howell arrived while City Attorney Bruce Cline was reading the closed session items into the record.

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

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


City Attorney Bruce Cline noted for the record that Vice Mayor Sheldon will be recusing himself from discussion of closed session items 3a(i) and 3a(ii).

Mayor Morin reconvened the special meeting at 6:16 p.m. City Attorney Cline announced final action in discussion of item 3a(i) wherein the City Council authorized Parks and Recreation Director Robert Goss to negotiate a lease extension with Folsom Athletic Association for Lembi Park.

**ADJOURNMENT:**

There being no further business to come before the Folsom City Council, the meeting was adjourned at 6:16 p.m.

  
Christa Saunders, City Clerk

ATTEST:  
  
Andrew J. Morin, Mayor

**Meeting Minutes**  
**Folsom City Council Special Meeting**  
**December 13, 2011**

**CALL TO ORDER:** The special City Council meeting was called to order at 6:16 p.m. in City Council Chambers, 50 Natoma Street, Folsom, California, with Mayor Morin presiding.

**ROLL CALL:**

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

Council Members Absent: None

Staff Present: City Manager Evert Palmer  
City Attorney Bruce Cline  
City Clerk Christa Saunders

**CONSENT CALENDAR:**

Approved 01/10/2012

- 3a. Resolution No. 8944 - A Resolution of the City Council of the City of Folsom Authorizing the City Manager to Execute a Settlement Agreement with Teichert, Inc. Relating to Sacramento Superior Court Case No. 34-2011-80000923

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

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

**ADJOURNMENT:**

There being no further business to come before the Folsom City Council, the meeting was adjourned at 6:16 p.m.

  
Christa Saunders, City Clerk

ATTEST:

  
Andrew J. Morin, Mayor

**Meeting Minutes**  
**Folsom City Council Regular Meeting**  
**December 13, 2011**

**CALL TO ORDER:** The regular City Council meeting 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: Ernie Sheldon, Vice Mayor  
Jeff Starsky, Council Member  
Kerri Howell, Council Member  
Steve Miklos, Council Member  
Andy Morin, Mayor

Council Members Absent: None

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

**PLEDGE OF ALLEGIANCE:**

Approved 01/10/2012

The Pledge of Allegiance was recited.

**AGENDA UPDATE:**

City Attorney Cline announced that items 8d and 9a have been modified.

**SCHEDULED PRESENTATIONS:**

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

Mayor Morin, with assistance from Bob Repar and Ron Hahn, presented the awards.

5b. Presentation Regarding the Wild Nights, Holiday Lights Event at the Folsom City Zoo Sanctuary

Parks and Recreation Director Robert Goss made a presentation regarding the event.

**BUSINESS FROM THE FLOOR:**

None

**CONSENT CALENDAR:**

7a. Approval of the November 8, 2011 Special/Regular Meeting Minutes

7b. Appointment of an At-Large Member to the Landscaping and Lighting District Advisory Committee (Willow Creek East)

7c. Resolution No. 8928 - A Resolution Authorizing the City Manager to Execute a Revised Lease Agreement with Nadia Shams and Meer Nazir, Operators, for Operation of the Café Site at the Folsom Public Library, Georgia Murray Building (Contract 172-21 10-032)

7d. Resolution No. 8929 - A Resolution of the City Council Authorizing the Sale of Surplus Police Motorcycles

7e. Resolution No. 8930 - A Resolution Authorizing a Transfer of Police Special Revenue Funds P.O.S.T. Training to the Police Department Operating Budget and Appropriation of Funds for Police Training

7f. Resolution No. 8932 - A Resolution Authorizing the City Manager to Execute an Automatic and Mutual Aid Agreement between Sacramento County Fire Agencies for All Hazard Emergency Response

7g. Resolution No. 8934 - A Resolution Authorizing the City Manager to Submit Applications for Grant Funds to the California Department of Resources Recycling and Recovery

7h. Resolution No. 8935 - A Resolution Authorizing the City Manager to Execute an Amendment for an Extension of the Term to the Communications Site License Agreement with Sprint Spectrum

L.P., for Placement Wireless Communications Facilities within the Lembi Community Park Site (Contract No. 173-21 00-044)

- 7i. Resolution No. 8936 - A Resolution of the City of Folsom Authorizing the Finance Director/CFO and MuniServices to Examine the State Board of Equalization Sales and Use Tax Records for the City of Folsom
- 7j. Resolution No. 8937 - A Resolution Authorizing the City Manager to Execute a Subdivision Improvement Agreement and Accept Offers of Dedication for the Parkside Subdivision, and Approval of the Final Map for the Parkside Subdivision
- 7k. Natoma Valley Ridge Subdivision
  - i. Resolution No. 8940 - A Resolution Authorizing the City Manager to Execute the First Amendment to the Subdivision Improvement Agreement for the Natoma Valley Ridge Subdivision
  - ii. Resolution No. 8941 - A Resolution Authorizing the City Manager to Execute a Reimbursement Agreement for Construction and Acquisition of Public Facilities for the Natoma Valley Ridge Subdivision
- 7l. Resolution No. 8943 - A Resolution Authorizing the City Manager to Execute an Amendment to the Communications Site License Agreement with AT&T for the Placement of Wireless Communications Facilities within the Lembi Community Park Site (Contract No. 173-21 03-064)

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

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

- 8a. Resolution No. 8927 - A Resolution Accepting Fiscal Year 2011/12 Supplemental Law Enforcement Services Fund (SLESF), Citizen's Option for Public Safety (COPS) Grant for the Purchase of Equipment in Accordance with State Requirements

Police Chief Renaud presented the staff report and responded to questions from the City Council.

Mayor Morin opened the public hearing at 6:57 p.m. Hearing no speakers, the public hearing was closed.

**Motion by Council Member Starsky, second by Council Member Howell to approve Resolution No. 8927. Motion carried with the following roll call vote:**

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

- 8b. Resolution No. 8931 - A Resolution Accepting the AB1600 Development Fees Annual Report for the Fiscal Year Ended June 30, 2011

Finance Director Francis made a presentation.

Mayor Morin opened the public hearing at 6:59 p.m. Hearing no speakers, the public hearing was closed.

**Motion by Council Member Starsky, second by Council Member Howell to approve Resolution No. 8931. Motion carried with the following roll call vote:**

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

- 8c. Ordinance No. 1155 - An Ordinance of the City of Folsom Adding Chapter 17.114 to Title 17 of the Folsom Municipal Code Pertaining to Marijuana Cultivation (Introduction and First Reading)

Community Development Director David Miller made a presentation and responded to questions from the City Council. City Attorney Bruce Cline responded in the affirmative to questions regarding ordinance defensibility.

Mayor Morin opened the public hearing at 7:05 p.m. Hearing no speakers, the public hearing was closed.

**Motion by Council Member Miklos, second by Council Member Howell, to introduce Ordinance No. 1155. Motion carried with the following roll call vote:**

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

- 8d. The Island Subdivision: General Plan Amendment, Specific Plan Amendment, Vesting Tentative Subdivision Map, and Planned Development Permit - Parkshore Drive (PN 11-080) **(Continued from November 8, 2011) (revised staff report)**

- i. Resolution No. 8917 - A Resolution to Adopt the Addendum to the 1992 Silverbrook Specific Plan Environmental Impact Report and the 1999 Silverbrook General Plan/Specific Plan Amendment Environmental Impact Report, to Amend the General Plan Land Use Designation for the 34-Acre Project Site (APN: 071-0020-083 and 071-0020-084) From IND (Industrial/Office Park) To MLD (Multi-Family Low Density), to Amend the Specific Plan Land Use Plan for the 34-Acre Project Site (APN: 071-0020-083 and 071-0020-084) From M-1 (Light Industrial District) to RM PD (Residential Multi-Family, Planned Development District), to Approve a Vesting Tentative Subdivision Map and an Alternate Vesting Tentative Subdivision Map, and to Approve a Planned Development Permit for the Development of 350 Residential Units Including 290 Detached Single-Family Units and up to 60 Affordable Multi-Family Rental Units and the

Alternative Development (Scheme A) of 315 Single-Family Residential Units for The  
Island Subdivision Project

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

Applicant Doug Mull, Lewis Planned Communities, made a presentation and responded to questions from the City Council.

Mayor Morin opened the public hearing at 7:33 p.m. The following speakers addressed the City Council:

1. Barbara Leary.

Council Member Starsky offered additional comments, and Community Development Director David Miller provided additional information and suggested the Council direct staff to work with the applicant to define the physical amenities within the ring park.

2. Harriet Freitas

Hearing no further speakers, the public hearing was closed at 7:49 p.m.

The City Council discussed the proposed project, including proposed and potential additional amenities to the ring park.

**Motion by Council Member Starsky, second by Council Member Howell to approve Resolution No. 8917 with modified Condition No. 69, pursuant to the revised staff report and amended Condition No. 64 to state that the owner/applicant shall provide a multi-use trail, benches, and pet stations within the ring park area to the satisfaction of the Community Development and Parks and Recreation Departments. The owner/applicant may choose to install additional amenities (shade structures, picnic tables, children's play equipment, etc.) within the ring park area. The additional amenities shall be subject to review and approval by the Community Development and Parks and Recreation Departments. Any request by the owner/applicant for fee credits or any other type of reimbursement associated with installation of such additional ring park amenities shall be subject to review and approval by the City Council**

**Motion carried with the following roll call vote:**

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

**NEW BUSINESS:**

9a. Appointment of Three At-Large Members to the Folsom Historic District Commission (**revised staff report**)

**Motion by Council Member Starsky, second by Council Member Howell to appoint Dorothy Cormack as the HDC member representing a business owner within the Sutter Street subarea.**  
**Motion carried with the following roll call vote:**

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

**Motion by Council Member Miklos, second by Council Member Howell to appoint Candace Miller as the HDC member representing the Historical Society / Historic Preservation. Motion carried with the following roll call vote:**

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

Applicant Daron Bracht addressed the City Council.

**Motion by Council Member Starsky, second by Council Member Howell to appoint Daron Bracht as the HDC member who is a resident within the Historic District.**

**Nomination by Vice Mayor Sheldon to appoint Jennifer Lane as the HDC member who is a resident within the Historic District.**

**Using a random draw method, the City Council first voted on the nomination of Daron Bracht. Nomination carried with the following roll call vote:**

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

The City Council adjourned to the joint City Council/Redevelopment Agency/Public Financing Authority meeting at 8:37 p.m.

**MEETING MINUTES**  
**CITY OF FOLSOM JOINT CITY COUNCIL / REDEVELOPMENT AGENCY / PUBLIC FINANCING**  
**AUTHORITY MEETING**  
**DECEMBER 13, 2011**

**CALL TO ORDER:** The special meeting of the Folsom City Council / Redevelopment Authority / Public Financing Authority was called to order at 8:37 p.m. in City Council Chambers, 50 Natoma Street, Folsom, California, with Mayor/Chair Morin presiding.

**ROLL CALL:**

Council/Board Members Present:	Council/Board Member Ernie Sheldon Council/Board Member Jeff Starsky Council/Board Member Kerri Howell Council/Board Member Steve Miklos Mayor/Chair Andy Morin
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Council/Board Members                None  
Absent:

Staff Present:                                City Manager/Executive Director Evert Palmer  
    City Attorney/Agency Counsel Bruce Cline  
    City Clerk/Secretary Christa Saunders  
    Community Development Director David Miller  
    Public Works Director Rich Lorenz  
    Finance Director Jim Francis  
    Parks and Recreation Director Robert Goss

**10b. CONSENT CALENDAR:**

- i.        Approval of the August 23, 2011 Joint City Council / Redevelopment Agency / Public Financing Authority Special Meeting Minutes
- ii.       Approval of the November 8, 2011 Joint City Council / Redevelopment Agency Special Meeting Minutes
- iii.      Receive and File the City of Folsom, Folsom Redevelopment Agency and Folsom Public Financing Authority Monthly Investment Reports for the Month of September 2011
- iv.      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, 2011; 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, 2011
  - a.       Resolution No. 8942 - 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, 2011
  - b.       Resolution No. 361-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, 2011
  - c.       Resolution No. 362-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, 2011
  - d.       Resolution No. 11-063-PFA - A Resolution Accepting the Folsom Public Financing Authority Audited Component Unit Basic Financial Statements for the Fiscal Year Ended June 30, 2011
- v.       Resolution No. 363-R - A Resolution Accepting the Folsom Redevelopment Agency 2010/11 Fiscal Year Annual Report Pursuant to Health and Safety Code Section 33080.1

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

**AYES:                Council/Board Members:    Sheldon, Starsky, Howell, Miklos, Morin**

Approved 01/10/2012

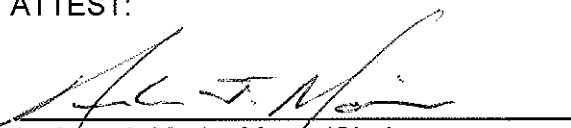
**NOES:** Council/Board Members: None  
**ABSENT:** Council/Board Members: None  
**ABSTAIN:** Council/Board Members: None

**ADJOURNMENT:**

There being no further business to come before the special joint City Council/Redevelopment Agency/Public Financing Authority, the meeting was adjourned to the regular City Council meeting at 8:37 p.m.

  
Christa Saunders, City Clerk / Secretary

**ATTEST:**

  
Andrew J. Morin, Mayor/Chair

The City Council reconvened from the special joint City Council / Redevelopment Agency / Public Financing Authority at 8:37 p.m.

**ELECTIONS:**

12a. Mayor

**Andy Morin nominated Kerri Howell as Mayor; Jeff Starsky also nominated Kerri Howell as Mayor. Nomination approved by the following roll call vote:**

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

12b. Vice Mayor

**Kerri Howell nominated Steve Miklos as Vice Mayor; Jeff Starsky also nominated Steve Miklos as Vice Mayor. Nomination approved by the following roll call vote:**

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

**City Manager Reports:**

City Manager Evert Palmer spoke of recent copper thefts in city parks, and urged residents to be vigilant.

**Council Comments:**

Council Member Starsky also spoke of the recent copper thefts; thanked Andy Morin for his service as mayor, and congratulated Kerri Howell and Steve Miklos.

Council Member Sheldon congratulated Kerri Howell and Steve Miklos.

Council Member Morin congratulated Kerri Howell and Steve Miklos.

Vice Mayor Miklos thanked Andy Morin and Ernie Sheldon and complimented all involved with the Veterans parade. He spoke of the transitioning mission of the Association of California Cities Aligned with Prisons into a public safety mission and asked for a resolution of support on an upcoming agenda.

Mayor Howell thanked everybody.

**ADJOURNMENT:**

There being no further business to come before the Folsom City Council, the meeting was adjourned at 8:57 p.m.

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Christa Saunders, City Clerk

ATTEST:

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Andrew J. Morin, Mayor