

CITY OF FOLSOM
SPECIAL CITY COUNCIL MEETING MINUTES
MAY 8, 2007

CALL TO ORDER: The special meeting of the Folsom City Council was called to order at 6:00 p.m. in City Council Chambers, 50 Natoma Street, Folsom, with Mayor Morin presiding.

ROLL CALL:

Council Members Present:	Starsky, Howell, King, Miklos, Morin
Council Members Absent:	None
Staff Present:	City Manager Kerry Miller Assistant City Manager Nav Gill Assistant City Manager Evert Palmer City Attorney Bruce Cline City Clerk Christa Schmidt

ADJOURNMENT TO CLOSED SESSION FOR THE FOLLOWING PURPOSES:

- a. Conference with Legal Council - Existing Litigation - Pursuant to Government Code section 54956.9(a):
 - i. City of Folsom v. Carsten Nielsen, et al.
Sacramento Superior Court Case No. 05AS01203

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

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

RECONVENE:

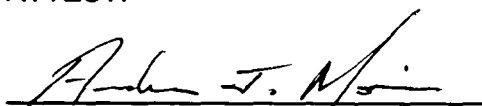
Mayor Morin reconvened the special meeting at 6:31 p.m. City Attorney Cline announced that, in discussion of item 3a(i), the City Council authorized final settlement of \$250,000.

ADJOURNMENT:

There being no further business to come before the Folsom City Council, the special meeting was adjourned at 6:31 p.m.


Christa Schmidt, City Clerk

ATTEST:


Andrew J. Morin, Mayor

CITY OF FOLSOM
REGULAR CITY COUNCIL MEETING MINUTES
MAY 8, 2007

CALL TO ORDER: The regular meeting of the Folsom City Council was called to order at 6:32 p.m. in City Council Chambers, 50 Natoma Street, Folsom, with Mayor Morin presiding.

<u>ROLL CALL:</u>	Council Members Present:	Starsky, Howell, King, Miklos, Morin
	Council Members Absent:	None
	Staff Present:	City Manager Kerry Miller Assistant City Manager Nav Gill Assistant City Manager Evert Palmer City Attorney Bruce Cline City Clerk Christa Schmidt

PLEDGE OF ALLEGIANCE:

The Pledge of Allegiance was recited.

AGENDA UPDATE:

Assistant City Manager Gill advised the City Council that there were amendments to items 7i, 7p, 9c, and that additional information was being provided for item 11b.

SCHEDULED PRESENTATIONS:

- 5a. Presentation by WalMart of Folsom's WalMart Teacher of the Year Award to the John Koppel Family

Barbara Till, WalMart, presented the award to Mr. Koppel's family.

- 5b. Proclamation of the Mayor of the City of Folsom Proclaiming the Month of May 2007 as Older Americas Month in the City of Folsom

Council Member Howell presented the Proclamation.

- 5c. Proclamation of the Mayor of the City of Folsom Proclaiming the Month of May 2007 as Motorcycle Awareness Month in the City of Folsom

Vice Mayor King presented the Proclamation.

- 5d. Presentation of the Capital Pops Concert Band Rose Bush to the Folsom City Council in Honor of the 10th Anniversary of the Capital Pops Concert Band

Mayor Morin received the rose bush.

- 5e. Proclamation of the Mayor of the City of Folsom Proclaiming May 20 - 26, 2007 as "National Public Works Week" and May 23, 2007 as "Public Works and Public Participation Day" in the City of Folsom

Council Member Miklos presented the Proclamation.

Approved 05/22/2007

- 5f. Proclamation of the Mayor of the City of Folsom Proclaiming May 6 - 12, 2007 as Building Safety Week in the City of Folsom

Council Member Starsky presented the Proclamation.

- 5g. Presentation of Police Department's 2006 Annual Report

Police Chief Spiegel introduced the item, and Crime Analyst Courtney Ballance presented the annual report. Police Chief Spiegel, Police Captain Saunders, and Police Captain Bonaventure provided additional information and responded to questions from the City Council.

- 5h. Presentation on Seniors and Arts Center Programs and Gallery Exhibition Schedule

Parks and Recreation Director Goss made a presentation and responded to questions from the City Council.

BUSINESS FROM THE FLOOR:

Ernie Sheldon, Folsom Athletic Association, addressed the City Council regarding special event fees.

CONSENT CALENDAR:

- 7a. Approval of the April 10, 2007 Special/Regular Meeting Minutes
- 7b. Resolution No. 8037 - A Resolution Authorizing the City Manager to Proceed with the Sale of Two Surplus Fire Vehicles
- 7c. Resolution No. 8039 - A Resolution Approving the Preliminary Engineer's Report, Declaring the Intention to Levy Fiscal Year 2007-2008 Annual Assessments in the City of Folsom Landscaping and Lighting Assessment Districts and Notice of Public Hearing for American River Canyon North, American River Canyon North No. 2, Blue Ravine Oaks, Briggs Ranch, Broadstone Unit No. 1 and Unit No. 2, Broadstone Unit No. 3, Cobble Ridge, Cobble Hills Ridge II/Reflections II, Folsom Heights, Fieldstone Meadows, Hannaford Cross, La Collina dal Lago, Lake Natoma Shores, Los Cerros, Natoma Station, Natoma Valley, Prairie Oaks Ranch, The Residences at American River Canyon, Sierra Estates, Silverbrook, Steeplechase, Willow Creek East, Willow Creek South, and Willow Springs
- 7d. Resolution No. 8041 - A Resolution Authorizing the Appropriation of \$10,000 in Grant Money Received from Intel for the Implementation of the WiMax Pilot Project
- 7e. Resolution No. 8042 - A Resolution Authorizing the City Manager to Execute Amendment No. 2 to the Agreement with Marilyn Cranford Enterprises, Inc., for Interim Library Director and Related Services
- 7f. Resolution No. 8043 - A Resolution Adopting a Grievance Procedure to Address Complaints Alleging Violations of the Americans with Disabilities Act of 1990
- 7g. Resolution No. 8044 - A Resolution Authorizing the City Manager to Execute the Memorandum of Understanding Between the City of Folsom and the International Union of Operating Engineers, Local 39

- 7h. Resolution No. 8045 - A Resolution Authorizing the City Manager to Execute the Memorandum of Understanding Between the City of Folsom and the Folsom Middle Management Group
- 7i. Resolution No. 8046 - A Resolution Authorizing the City Manager to Execute Amendment No. 1 to the 2006-2008 Memorandum of Understanding Between the City of Folsom and the Folsom Police Officers Association (FPOA) (**amended, effective date changed from June 1, 2006 to June 1, 2005**)
- 7j. Resolution No. 8047 - A Resolution Authorizing the City Manager to Execute Amendment No. 1 to the 2006-2008 Memorandum of Understanding Between the City of Folsom and the City of Folsom Fire Department Middle Management Employees (CFFDMME)
- 7k. Resolution No. 8048 - A Resolution Authorizing the City Manager to Execute Amendment No. 1 to the Memorandum of Understanding Between the City of Folsom and the Sacramento Area Firefighters, Local 522, IAFF
- 7l. Resolution No. 8049 - A Resolution Authorizing the City Manager to Execute an Agreement with BCB Construction Services for Construction Management and Inspection Services for the Natoma Standpipe Relocation Project, in Connection with the American River Watershed Project-Folsom Bridge Project No. 2319
- 7m. Resolution No. 8050 - A Resolution Authorizing the City Manager to Execute an Agreement with The J. Crowley Group for the Preparation of Water and Wastewater Infrastructure Studies for the Sphere of Influence Area
- 7n. Resolution No. 8051 - A Resolution Authorizing the City Manager to Execute Amendment No. 2 to the Agreement with Robert W. Miles, Consulting Civil Engineer, for Construction Administration Services of the Natoma Standpipe Relocation Project, in Connection with the American River Watershed Project-Folsom Bridge Project No. 2319
- 7o. Resolution No. 8052 - A Resolution Authorizing the City Manager to Execute an Agreement with T&S Construction Company, Inc., for the Construction of the Natoma Standpipe Relocation Project, in Connection with the American River Watershed Project-Folsom Bridge Project No. 2319 (**pulled for discussion**)
- 7p. **Parks and Recreation Fees and Charges Policies: (pulled for discussion)**
 - i. Resolution No. 8053 - A Resolution Rescinding Resolution No. 6869 and Establishing a New Fee Schedule for the Folsom Community Center
 - ii. Resolution No. 8054 - A Resolution Rescinding Resolution No. 7328 and Establishing the Parks and Recreation Department User Fees and Charges Policies (**amended language in Section N of the User Fees and Charges Policy regarding classification of non-profit organizations and eligibility for fee waivers**)
- 7q. Resolution No. 8056 - A Resolution Authorizing the City Manager to Execute a Schedule with Banc of America Leasing & Capital, LLC to Provide Lease/Purchase Financing for Three Autocar Xpeditor with Amrep Roll-Off Solid Waste Collection Vehicles
- 7r. Resolution No. 8057 - A Resolution Authorizing the City Manager to Execute a Schedule with Banc of America Leasing & Capital, LLC to Provide Lease/Purchase Financing for the Purchase and Installation of Synthetic Field Turf and Lighting at Livermore Community Park

Motion by Council Member Howell, second by Council Member Starsky to approve the Consent Calendar, with the exception of items 7o and 7p, and with the amendment to item 7i. Motion carried with the following roll call vote:

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

CONSENT CALENDAR ITEM PULLED FOR DISCUSSION:

7o. Resolution No. 8052 - A Resolution Authorizing the City Manager to Execute an Agreement with T&S Construction Company, Inc., for the Construction of the Natoma Standpipe Relocation Project, in Connection with the American River Watershed Project-Folsom Bridge Project No. 2319

Motion by Council Member Miklos, second by Council Member Starsky to approve Resolution No. 8052. Motion carried with the following roll call vote:

AYES:	Council Members:	Starsky, King, Miklos, Morin
NOES:	Council Members:	None
ABSENT:	Council Members:	Howell (<i>recused</i>)
ABSTAIN:	Council Members:	None

7p. Parks and Recreation Fees and Charges Policies:

- i. Resolution No. 8053 - A Resolution Rescinding Resolution No. 6869 and Establishing a New Fee Schedule for the Folsom Community Center
- ii. Resolution No. 8054 - A Resolution Rescinding Resolution No. 7328 and Establishing the Parks and Recreation Department User Fees and Charges Policies (**amended language in Section N of the User Fees and Charges Policy regarding classification of non-profit organizations and eligibility for fee waivers**)

Council Member Miklos pulled this item to inquire about establishing regular inflationary increases and to request that the fee increases in Resolution No. 8054 become effective June 1.

Motion by Council Member Miklos, second by Vice Mayor King to approve Resolution No. 8053 with an amendment to make the fee increases effective on June 1 and to approve Resolution No. 8054 with an amendment to Section N of the User Fees and Charges Policy. Motion carried with the following roll call vote:

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

NEW BUSINESS:

- 8a. Ordinance No. 1078 - An Ordinance of the City of Folsom Amending Section 9.68.020 of Chapter 9.68 of the Folsom Municipal Code Relating to Off-Leash Dog Park Areas and Prohibition of Dogs from Specific City-Owned Facilities (Second Reading)

Motion by Council Member Miklos, second by Council Member Howell to adopt Ordinance No. 1078. Motion carried with the following roll call vote:

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

PUBLIC HEARING:

- 9a. 807 Bidwell Homes Rezone, Tentative Subdivision Map, Planned Development Permit and Negative Declaration (PN06-206)
- i. Resolution No. 7992 - A Resolution to Adopt the Negative Declaration, and to Approve the Tentative Subdivision Map to Subdivide a 13,731-Square-Foot Parcel at 807 Bidwell Street into Five Residential Lots and a Planned Development Permit for the Development of Five, Two-Story Residential Units
 - ii. Ordinance No. 1072 - An Ordinance to Amend the Zoning Designation of a 13,731-Square-Foot Parcel (APN 071-0190-092-0000) at 807 Bidwell Street from Neighborhood Apartment District (R-3) to Residential, Multifamily Dwelling, Planned Development District (R-M PD) (Second Reading)

Mayor Morin noted that item 9a is being continued off calendar.

- 9b. Resolution No. 8038 - A Resolution Accepting Fiscal Year 2006-2007 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 Captain Bonaventure presented the staff report, and responded to questions from the City Council.

Mayor Morin opened the Public Hearing at 8:04 p.m. Hearing no speakers, the Public Hearing was closed.

Motion by Council Member Miklos, second by Vice Mayor King to approve Resolution No. 8038. Motion carried with the following roll call vote:

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

- 9c. Ordinance No. 1079 - An Ordinance Amending Section 3.100.090 of Chapter 3.100 to Title 3 of the Folsom Municipal Code Extending the Annual Levy of Assessments of the Folsom Tourism Business Improvement District to December 31, 2012 (First Reading) (**amended termination date from June 30, 2012 to December 31, 2012**)

Intergovernmental Affairs and Economic Development Director Luchi presented the staff report and responded to questions from the City Council.

Mayor Morin opened the Public Hearing at 8:08 p.m.

Speaker Bob Holderness addressed the City Council in support of the proposed ordinance.

Hearing no further speakers, the Public Hearing was closed.

Motion by Vice Mayor King, second by Council Member Starsky to introduce Ordinance No. 1079, as amended. Motion carried with the following roll call vote:

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

NEW BUSINESS:

10a. Public Employees' Retirement System

- i. Resolution No. 8040 - A Resolution of the City of Folsom Declaring Its Intention to Approve an Amendment to the Contract Between the City of Folsom and the Board of Administration Public Employees' Retirement System (PERS) and the City of Folsom to Include the Pre-Retirement Optional Settlement 2, Death Benefit
- ii. Ordinance No. 1080 - An Ordinance of the City Council of the City of Folsom Adding Section 2.33.100 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 (First Reading)

Human Resources Director Spittler presented the staff report.

Motion by Council Member Miklos, second by Council Member Howell to approve Resolution No. 8040 and to introduce Ordinance No. 1080. Motion carried with the following roll call vote:

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

CONVENE JOINT CITY COUNCIL / REDEVELOPMENT AGENCY MEETING:

The City Council adjourned to the Joint City Council/Redevelopment Agency meeting at 8:11 p.m.

CALL TO ORDER: The special joint meeting of the City Council / Redevelopment Agency was called to order at 8:11 p.m. in City Council Chambers, 50 Natoma Street, with Mayor/Chair Morin presiding.

ROLL CALL: Council / Board Members Present: Starsky, Howell, King, Miklos, Morin
Council / Board Members Absent: None
Staff Present: City Manager/Executive Director Kerry Miller
Assistant City Manager Nav Gill
Assistant City Manager Evert Palmer
City Attorney/Agency Counsel Bruce Cline
Clerk/Secretary Christa Schmidt

OLD BUSINESS:

11b(i). Folsom Oaks Apartments Planned Development Permit (PN06-199) and Funding Request at 809 Bidwell Street

- a. Resolution No. 8062 - A Resolution to Approve the Planned Development Permit for the Development of a 19-Unit Apartment Community (Folsom Oaks) on a 1.25-Acre Site Located at 809 Bidwell Street
- b. Request for Funding to Support the Development of 18 Very-Low Income Residential Units and 1 Manager's Unit

Associate Planner Talbot presented the staff report and responded to questions from the City Council.

Applicant Jane Ginsburg, TLCS, addressed the City Council. The applicant's architect provided additional information.

The City Council provided direction to staff to work with the applicant to resubmit the previously-proposed plan for the City Council's approval at a later City Council meeting.

ADJOURNMENT:

There being no further business to come before the Joint City Council/Redevelopment Agency, the special joint meeting was adjourned to the joint City Council/Public Financing Authority meeting at 9:01 p.m.

CALL TO ORDER: The special joint meeting of the City Council / Public Financing Authority was called to order at 9:01 p.m. in City Council Chambers, 50 Natoma Street, with Mayor/Chair Morin presiding.

ROLL CALL: Council / Board Members Present: Starsky, Howell, King, Miklos, Morin
Council / Board Members Absent: None
Staff Present: City Manager/Executive Director Kerry Miller
Assistant City Manager Nav Gill
Assistant City Manager Evert Palmer
City Attorney/Agency Counsel Bruce Cline

Approved 05/22/2007

City Clerk/Secretary Christa Schmidt

CONSENT CALENDAR:

12b(i). Approval of the February 27, 2007 Public Financing Authority Meeting Minutes

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

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

NEW BUSINESS:

12c(i). Folsom Public Financing Authority Special Tax Revenue Bonds, Series 2007A and Subordinated Series 2007B (Introduce on May 8, 2007 and Adopt on May 22, 2007)

- a. Resolution No. 07-052-PFA - A Resolution of the Governing Board of the Folsom Public Financing Authority Authorizing the Issuance, Sale and Delivery of not to Exceed \$62,000,000 Principal Amount of Special Tax Revenue Bonds, Series 2007A and not to Exceed \$50,000,000 Principal Amount of Special Tax Revenue Bonds, Subordinated Series 2007B; Approving the Form and Substance of a Trust Agreement, Authorizing Modifications Thereof and Execution and Delivery as Modified; Approving a Preliminary Official Statement, Authorizing Changes Thereto and Execution and Delivery Thereof and of an Official Statement to be Derived Therefrom; Approving a Local Obligation Purchase Contract and a Bond Purchase Agreement and Execution and Delivery of Each; and Authorizing Related Actions Necessary to Implement the Proposed Refunding Program
- b. Resolution No. 8058 - A Resolution of the City Council of the City of Folsom Authorizing the Issuance of not to Exceed \$2,750,000 Aggregate Principal Amount of the City of Folsom Community Facilities District No. 9 (Willow Creek Estates South) Special Tax Refunding Bonds, Series 2007, Approving the Execution and Delivery of an Indenture, a Local Obligation Purchase Contract, an Escrow Agreement and a Continuing Disclosure Agreement and the Preparation of an Official Statement and Other Matters Related Thereto
- c. Resolution No. 8059 - A Resolution of the City Council of the City of Folsom Authorizing the Issuance of not to Exceed \$55,000,000 Aggregate Principal Amount of the City of Folsom Community Facilities District No. 10 Special Tax Refunding and Capital Improvement Bonds, Series 2007, Approving the Execution and Delivery of a Third Supplemental Indenture, a Local Obligation Purchase Contract, an Escrow Agreement and a Continuing Disclosure Agreement and the Preparation of an Official Statement and Other Matters Related Thereto
- d. Resolution No. 8060 - A Resolution of the City Council of the City of Folsom Authorizing the Issuance of not to Exceed \$13,500,000 Aggregate Principal Amount of the City of Folsom Community Facilities District No. 11 (Willow Springs) Special Tax Refunding Bonds, Series 2007, Approving the Execution and Delivery of an Indenture, a Local Obligation Purchase Contract, an Escrow Agreement and a Continuing Disclosure

Approved 05/22/2007

Agreement and the Preparation of an Official Statement and Other Matters Related Thereto

- e. Resolution No. 8061 - A Resolution of the City Council of the City of Folsom Authorizing the Issuance of not to Exceed \$25,000,000 Aggregate Principal Amount of the City of Folsom Community Facilities District No. 14 (Parkway Phase II) Special Tax Refunding Bonds, Series 2007, Approving the Execution and Delivery of an Indenture, a Local Obligation Purchase Contract, an Escrow Agreement and a Continuing Disclosure Agreement and the Preparation of an Official Statement and Other Matters Related Thereto

Assistant City Manager Gill presented the staff report, and responded to questions from the City Council. Mr. Gill advised that, as agendized, the item will be introduced tonight, and then continued to May 22, 2007 for final action.

City Attorney Cline responded to City Council questions regarding any potential conflict of interest, and advised that he and the Chief Financial Officer had reviewed the boundaries of each CFD and determined that only Council/Board Member King lived in a CFD that was before the City Council. The City Attorney advised the Council/Board Members that he reviewed the issues as to Council/Board Member King and CFD 10 and advised that Council/Board Member King does not have a material conflict of interest, as defined by the Political Reform Act as the refund amount is \$64.00 per parcel.

ADJOURNMENT:

There being no further business to come before the Joint City Council/Public Financing Authority, the special joint meeting was adjourned to the regular City Council meeting at 9:29 p.m.

RECONVENE CITY COUNCIL MEETING:

The regular City Council meeting reconvened from the Special Joint City Council/Public Financing Authority meeting at 9:29 p.m.

CITY MANAGER REPORTS:

City Manager Miller invited residents to attend the Run with Nature event, reported on his attendance at the Cap-to-Cap lobbying trip, and thanked staff and the union representatives for their collective work in developing the MOU's presented for Council's approval at this meeting.

COUNCIL COMMENTS:

Council Member Starsky reported on his attendance at the Cap-to-Cap lobbying trip, and thanked staff and the union representatives for their collective work in developing the MOU's presented for Council's approval at this meeting.

Council Member Howell reported on her attendance at the Cap-to-Cap lobbying trip, and urged residents to drive carefully.

Council Member Miklos thanked staff and the union representatives for their collective work in developing the MOU's presented for Council's approval at this meeting. He asked staff to look into the

status of a building near C&C Market on Sutter Street, and thanked staff for their work on the Get Fit in Folsom program.

Vice Mayor King reported on his attendance at the Cap-to-Cap lobbying trip. He thanked staff and the union representatives for their collective work in developing the MOU's presented for Council's approval at this meeting. He also thanked the Police Department for their recent involvement in a youth career program.

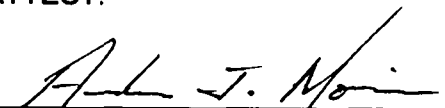
Mayor Morin reported on his attendance at the Cap-to-Cap lobbying trip. He invited residents to attend the Run with Nature event, expressed his thanks to the Folsom Independent Dog Owners, known as FIDO, for their fundraising work on the new dog park. Mayor Morin also complimented staff for the appearance and functionality of the City's web page.

ADJOURNMENT:

There being no further business to come before the Folsom City Council, the regular meeting was adjourned at 9:36 p.m.


Christa Schmidt, City Clerk

ATTEST:


Andrew J. Morin, Mayor