

CITY OF FOLSOM
REGULAR CITY COUNCIL MEETING MINUTES
JULY 24, 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.

ROLL CALL:

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

PLEDGE OF ALLEGIANCE:

The Pledge of Allegiance was recited.

AGENDA UPDATE:

Assistant City Manager Palmer announced that items 7a, 7g, 7j and 7p have been revised and that item 9a will be moved up on the agenda in order to be heard following the Consent Calendar.

Mayor Morin announced that item 5b would be heard before item 5a.

SCHEDULED PRESENTATIONS:

5b. SACOG Regional Housing Needs Allocation Update

Greg Chew, Ken Hough and Kacey Lizon from Sacramento Area Council of Governments (SACOG) made a presentation and responded to questions from the City Council.

5a. A Resolution of Commendation Honoring Folsom Athletic Association for their Contribution to the Folsom Community

Mayor Morin presented the Resolution of Commendation.

5b. SACOG Regional Housing Needs Allocation Update

Heard out of order, after Agenda Update.

BUSINESS FROM THE FLOOR:

None

CONSENT CALENDAR:

7a. Approval of the July 10, 2007 Special/Regular Meeting Minutes (pulled for discussion)

7b. Designation of Voting Delegate for the League of California Cities 2007 Annual Conference Business Meeting

Approved 8/28/2007

- 7c. Resolution No. 8106 - A Resolution Authorizing Installation of Four-Way Stop Signs at the Intersection of Empire Ranch Road and Owl Meadow Drive Project No. 8023
- 7d. Resolution No. 8107 - A Resolution Authorizing the City Manager to Execute Contract Change Order No. 4 with Syblon Reid for Phase 3 of the American River Water Education Center Relocation Project No. 2319
- 7e. Resolution No. 8108 - A Resolution Authorizing the City Manager to Execute an Agreement with Kimley-Horn and Associates, Inc. for Consulting Services for the Orange Grove Water and Sewer Rehabilitation Project
- 7f. Resolution No. 8109 - A Resolution Authorizing the City Manager to Execute an Agreement for Cost Sharing with American River Water Purveyors to Participate in the Proposed Folsom Dam and Reservoir Re-Operations Process to Address Flood Control and Water Supply Deliveries in the Sacramento Region
- 7g. Resolution No. 8110 - A Resolution of the Folsom City Council Opposing Senate Bill 375-Transportation Planning (Steinberg) (pulled for discussion)
- 7h. Resolution No. 8111 - A Resolution of the Folsom City Council Opposing Assembly Bill 414-Local Planning: Residential Development (Jones)
- 7i. Resolution No. 8112 - A Resolution Authorizing the City Manager to Execute an Agreement with Zasio Enterprises to Purchase Products and Services for Records Management Software
- 7j. Resolution No. 8113 - A Resolution Authorizing the City Manager to Execute a License Agreement with Sacramento Regional Transit District for the use of the Highway 50 Fiber Optic Implementation Group (50-Fig) Fiber Optic Network from Historic Folsom to Downtown Sacramento Project No. 2480
- 7k. Resolution No. 8114 - A Resolution Authorizing the Disposal of Surplus Furnishings and Equipment from the Persifer Library Site (pulled for discussion)
- 7l. Resolution No. 8115 - A Resolution Authorizing the City Manager to Approve the use of Competitively Negotiated State of California Fuel Contracts (pulled for discussion)
- 7m. Resolution No. 8116 - A Resolution Authorizing the City Manager to Execute an Easement Purchase Agreement with Pacific Gas & Electric for the Construction of the Oak Parkway Trail
- 7n. Resolution No. 8117 - A Resolution of the Folsom City Council Opposing Assembly Bill 1743-San Quentin State Prison: Condemned Inmate Facilities (Huffman) (pulled for discussion)
- 7o. Resolution No. 8118 - A Resolution Authorizing the City Manager to Execute an Agreement with Macauley Construction for the Construction of the Oak Parkway Trail Segment Phase II Project
- 7p. Resolution No. 8119 - A Resolution Authorizing the City Manager to Execute an Agreement with Vintage Paving Co., Inc. for the Pavement Repair and Resurfacing FY 07-08 Phase 1 Various Locations Project No. 8017 (pulled for discussion)
- 7q. Resolution No. 8122 - A Resolution Authorizing the Purchase of Computers for the Police Department Utilizing Technology Grant Funding from the California Office of Traffic Safety

- 7r. Resolution No. 8123 - A Resolution Authorizing Investment of Monies of the City of Folsom, the Folsom Redevelopment Agency and the Folsom Public Financing Authority in the Local Agency Investment Fund

Motion by Council Member Howell, second by Mayor Morin to approve Consent Calendar items b, c, d, e, f, h, i, j, m, o, q and r. Motion carried with the following roll call vote:

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

CONSENT CALENDAR ITEMS PULLED FOR DISCUSSION:

- 7a. Approval of the July 10, 2007 Special/Regular Meeting Minutes

Motion by Mayor Morin to approve the minutes. Motion carried with the following roll call vote:

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

- 7g. Resolution No. 8110 - A Resolution of the Folsom City Council Opposing Senate Bill 375-Transportation Planning (Steinberg) (resolution amended by handout at the Council meeting)

Council Member Starsky pulled this item to express his opposition to Senate Bill 375, it appears to take land use authority from the city and rest it with the State. He expressed his doubt that amendments could be made to the bill that would make the City comfortable in supporting it. Economic Development Director Luchi responded, and confirmed that the bill would come back to the Council for re-consideration after being amended by the State.

Motion by Council Member Miklos, second by Mayor Morin to adopt Resolution No. 8110 as amended. Motion carried with the following roll call vote:

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

- 7k. Resolution No. 8114 - A Resolution Authorizing the Disposal of Surplus Furnishings and Equipment from the Persifer Library Site

Council Member Howell pulled this item to ask if items to be auctioned are of much value, and asked whether they could be donated to local charitable groups instead. Assistant City Manager Palmer responded.

**Motion by Council Member Howell, second by Mayor Morin to adopt Resolution No. 8114.
Motion carried with the following roll call vote:**

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

7l. Resolution No. 8115 - A Resolution Authorizing the City Manager to Approve the use of Competitively Negotiated State of California Fuel Contracts

Council Member Howell pulled this item to ask where the fuel is stored. Utilities Director Payne responded that the fuel will be stored at the corporation yard.

**Motion by Council Member Howell, second by Vice Mayor King to adopt Resolution No. 8115.
Motion carried with the following roll call vote:**

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

7n. Resolution No. 8117 - A Resolution of the Folsom City Council Opposing Assembly Bill 1743-San Quentin State Prison: Condemned Inmate Facilities (Huffman) (pulled for discussion)

Council Member Howell pulled this item to clarify that Bill 1743 is an attempt to stall or stop construction of newly planned death row facilities at San Quentin Prison. She expressed her belief that it is in Folsom's best interest for construction to proceed in order for Death Row to remain at its current location. Economic Development Director Luchi clarified the Sacramento County Board of Supervisors have passed a resolution in opposition to the Bill.

Motion by Council Member Howell, second by Council Member Miklos to adopt Resolution No. 8117. Motion carried with the following roll call vote:

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

7p. Resolution No. 8119 - A Resolution Authorizing the City Manager to Execute an Agreement with Vintage Paving Co., Inc. for the Pavement Repair and Resurfacing FY 07-08 Phase 1 Various Locations Project No. 8017

Council Member Howell pulled this item to note amendments to the list of streets to be paved and to note that installation of rubberized asphalt is not a part of this contract.

**Motion by Council Member Howell, second by Vice Mayor King to adopt Resolution No. 8119.
Motion carried with the following roll call vote:**

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

Approved 8/28/2007

Mayor Morin noted that, as announced previously, item 9a will be heard next, out of order.

PUBLIC HEARING:

- 9a. American River Canyon North No. 3 Landscaping and Lighting District for Fiscal Year 2007-2008 (Continued from July 10, 2007 City Council Meeting)
- i. Tally of District Formation Election Ballots by City Clerk
 - ii. Resolution No. 8098 - A Resolution Approving the Final Engineer's Report, Confirming the Diagram and Assessment, Ordering the Improvements and Formation and Ordering the Levy of Assessment within the American River Canyon North No. 3 Landscaping and Lighting District for Fiscal Year 2007-2008

Council Member Miklos recused himself from discussion of this item.

Landscaping and Lighting District Manager Poggione made a presentation and responded to questions from the City Council.

Mayor Morin opened the Public Hearing at 7:46 p.m. Hearing no speakers, the Public Hearing was closed.

Mayor Morin announced that this item would be continued to later in the meeting, following the tally of ballots.

Council Member Miklos resumed his seat at the dais.

OLD BUSINESS:

- 8a. 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 Located at 807 Bidwell Street into Five Residential Lots and for a Planned Development Permit for the Development of Five, Two-story Residential Units (PN06-206)
 - ii. Ordinance No. 1072 - An Uncodified 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 and Adoption)

Senior Planner Talbot made a presentation and responded to questions from the City Council.

The applicant addressed the City Council and responded to questions from the City Council.

Resident Madeleine Moseley addressed the City Council.

Community Development Director Miller verified the percentage of lot coverage at just over 45%.

Motion by Council Member Starsky, second by Council Member Howell to adopt Resolution No. 7992 and Ordinance No. 1072. Motion carried with the following roll call vote:

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

- 8b. Ordinance No. 1083 - An Ordinance of the City of Folsom Amending Chapter 5.50 of Title 5 of the Folsom Municipal Code Relating to Cable Television Franchises (Second Reading and Adoption)

Assistant City Manager Palmer presented the staff report.

Motion by Council Member Miklos, second by Council Member Howell to adopt Ordinance No. 1083. Motion carried with the following roll call vote:

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

PUBLIC HEARING:

- 9a. American River Canyon North No. 3 Landscaping and Lighting District for Fiscal Year 2007-2008 (Continued from July 10, 2007 City Council Meeting)
- i. Tally of District Formation Election Ballots by City Clerk
 - ii. Resolution No. 8098 - A Resolution Approving the Final Engineer's Report, Confirming the Diagram and Assessment, Ordering the Improvements and Formation and Ordering the Levy of Assessment within the American River Canyon North No. 3 Landscaping and Lighting District for Fiscal Year 2007-2008

Discussed out of order, after Consent Calendar items pulled for discussion.

Council Member Miklos resumed his seat at the dais.

- 9b. Folsom Municipal Code Amendment Relating to Smoking Lounges and Bars
- i. Resolution No. 8120 - A Resolution to Adopt the Negative Declaration for the Folsom Municipal Code Amendment Relating to Smoking Lounges and Bars
 - ii. Ordinance No. 1085 - An Ordinance of the City of Folsom Adding Chapter 17.113 to the Folsom Municipal Code to Prohibit Smoking Lounges and Bars within the City (Introduction and First Reading)

Assistant Community Development Director Furness de Pardo made a presentation and responded to questions from the City Council.

Council Member Miklos suggested that cigar lounges be exempted from this ordinance.

Resident Madeleine Moseley addressed the City Council, and spoke of the cigar shop owned by the Goodell's.

Approved 8/28/2007

Motion by Council Member Starsky, second by Council Member Howell to continue Resolution No. 8120 and Ordinance No. 1085 off calendar. Motion carried with the following roll call vote:

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

NEW BUSINESS:

10a. Ordinance No. 1084 - An Ordinance Repealing Chapter 10.40 of Title 10 of the Folsom Municipal Code Relating to Trip Reduction Programs (Introduction and First Reading)

Assistant Community Development Director Furness de Pardo made a presentation and responded to questions from the City Council.

Motion by Vice Mayor King, second by Council Member Starsky to introduce Ordinance No. 1084. Motion carried with the following roll call vote:

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

10b. Ordinance No. 1086 - An Ordinance of the City of Folsom Amending Chapter 9.42 of Title 9 of the Folsom Municipal Code Relating to Objectionable Behavior (Introduction and First Reading)

Police Sergeant Landahl 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. 1086. Motion carried with the following roll call vote:

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

The regular City Council meeting adjourned to the special Redevelopment Agency meeting at 8:32 p.m.

RECONVENE CITY COUNCIL MEETING:

The regular City Council meeting reconvened from the special Redevelopment Agency meeting at 8:32 p.m.

CITY MANAGER REPORTS:

City Manager Miller congratulated staff on the Fire Department Change of Command ceremony and invited residents to attend the National Night Out event on August 7.

Approved 8/28/2007

COUNCIL COMMENTS:

Council Member Starsky congratulated staff on the Fire Department Change of Command ceremony and welcomed Chief Haverty. Council Member Starsky thanked staff for addressing the over-watering of median landscaping.

Council Member Howell warned residents to drive carefully.

Mayor Morin announced that the ballots for item 9a have been tallied, and the City Council resumed discussion of this item.

- 9a. American River Canyon North No. 3 Landscaping and Lighting District for Fiscal Year 2007-2008 (Continued from July 10, 2007 City Council Meeting)
- i. Tally of District Formation Election Ballots by City Clerk
 - ii. Resolution No. 8098 - A Resolution Approving the Final Engineer's Report, Confirming the Diagram and Assessment, Ordering the Improvements and Formation and Ordering the Levy of Assessment within the American River Canyon North No. 3 Landscaping and Lighting District for Fiscal Year 2007-2008

Council Member Miklos recused himself from the dais.

City Clerk Schmidt announced that ballots have been approved at 59.79%; 278 ballots in favor, 192 ballots opposed, and 6 invalid ballots.


Motion by Council Member Howell, second by Council Member Starsky to adopt Resolution No. 8098. Motion carried with the following roll call vote:

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

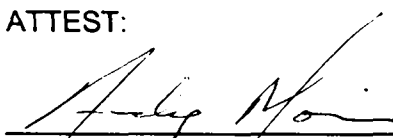
Council Member Miklos resumed his seat at the dais.

ADJOURNMENT:

There being no further business to come before the Folsom City Council, the regular meeting was adjourned at 8:46 p.m.


Christa Schmidt, City Clerk

ATTEST:



Andy Morin, Mayor

Approved 8/28/2007