

**CITY OF FOLSOM**  
**SPECIAL CITY COUNCIL MEETING MINUTES**  
**AUGUST 28, 2007**

**Call to Order:** The special meeting of the Folsom City Council was called to order at 5:00 p.m. in City Council Chambers, 50 Natoma Street, Folsom, with Mayor Morin presiding.

**ROLL CALL:**

Council Members Present:	Miklos, Howell, King, Morin
Council Members Absent:	Starsky
Staff Present:	City Manager Kerry Miller Assistant City Manager Evert Palmer City Attorney Bruce Cline City Clerk Christa Schmidt

**Adjournment to Closed Session for the Following Purposes:**

3a. Conference with Real Property Negotiator - Pursuant to Government Code section 54956.8

- i. Property: Fire Station 37, 1301 Prairie City Road; APN: 072-0010-049 and 072-0010-069  
Negotiating Parties: Director of Intergovernmental Affairs and Economic Development Joseph Luchi on behalf of the City of Folsom  
Under Negotiation: Price and terms of sale
- ii. Property: Park Site 44 at Blue Ravine Road and Manseau Drive  
Negotiation Party: City Manager Kerry Miller on behalf of the City of Folsom  
Under Negotiation: Price and terms of sale
- iii. Property: Dedicated Open Space off of Iron Point Road, adjacent to Folsom High School and Willow Hill Reservoir; APN 072-0020-029  
Negotiating Parties: Director of Parks and Recreation Robert Goss on behalf of the City of Folsom  
Matt Strathman on behalf of Willow Springs, L.P.  
Under Negotiation: Dedication of property
- iv. Property: Folsom-Cordova Unified School District Property, APNs: 071-1090-083, 071-0190-084 and 071-0190-085  
Negotiating Parties: Debbie Bettencourt on behalf of Folsom-Cordova Unified School District  
City Manager Kerry Miller on behalf of the City of Folsom  
Under Negotiation: Price and terms of sale

- 3b. Personnel Matters Pursuant to Government Code section 54957:  
i. PUBLIC EMPLOYEE PERFORMANCE EVALUATION  
Title: City Manager
- 3c. Conference with Legal Counsel - Anticipated Litigation  
i. Significant Exposure to Litigation Pursuant to Government Code section 54956.9(b)(3)(C):  
1 potential case  
Howard S. Wright and Layne Geo Construction
- 3d. Conference with Legal Counsel - Existing Litigation - Pursuant to Government Code section 54956.9(a):  
i. City of Folsom v. Charles E. Durner, et al.  
Sacramento Superior Court Case No. 05AS01202

City Attorney Cline read the closed session items into the record.

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

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

**RECONVENE:**

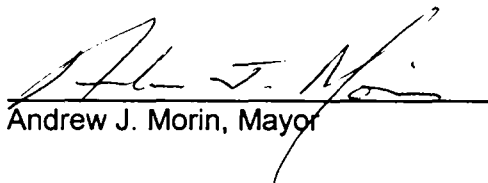
Mayor Morin reconvened the special meeting at 6:30 p.m. City Attorney Cline announced that, in discussion of item 3d, City of Folsom v. Charles E. Durner, et al., the City Council voted unanimously (with Council Member Starsky absent) to approve a settlement agreement in the amount of \$179,000.

**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**  
**AUGUST 28, 2007**

**CALL TO ORDER:** The regular meeting of the Folsom City Council was called to order at 6:31 p.m. in City Council Chambers, 50 Natoma Street, Folsom, with Mayor Morin presiding.

**ROLL CALL:**

Council Members Present:	Miklos, Starsky, Howell, King, Morin
Council Members Absent:	None
Staff Present:	City Manager Kerry Miller 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 Palmer announced that item 7j has been amended and item 8a has additional information.

**SCHEDULED PRESENTATIONS:**

- 5a. Resolution of Commendation of the Mayor of the City of Folsom Given in Appreciation to Tom Martin for his Service and Dedication to the Folsom Community

Council Member Miklos presented the Resolution of Commendation.

- 5b. Sacramento Metropolitan Air Quality Management District Presentation - Proposed Rule 421: Mandatory No-Burn Restrictions in Sacramento County

Larry Green, Air Pollution Control Manager, made a presentation and responded to questions from the City Council.

- 5c. City Manager's Fiscal Year 2006-07 Fourth Quarter Financial Report and Strategic Plan Update

Financial Analysis and Reporting Manager Bresolin made a presentation and responded to questions from the City Council.

**BUSINESS FROM THE FLOOR:**

Ernie Sheldon addressed the City Council regarding the Jr. Bulldogs Opening Day ceremonies. Charles Hooper addressed the City Council regarding promotional websites currently being hosted by the Rocklin Historical Society, Placerville, Grace Foundation, Railroad JPA, and FIDO Dog park.

**CONSENT CALENDAR:**

- 7a. Approval of the July 24, 2007 Regular Meeting Minutes
- 7b. Receive and File the City of Folsom Monthly Investment Reports for the Months of April through June 2007
- 7c. Resolution No. 8124 - A Resolution Authorizing the City Manager to Execute Amendment No. 1 to the Broadstone No. 2 Public Improvements Lease Agreement
- 7d. Resolution No. 8125 - A Resolution Authorizing the City Manager to Execute Amendment No. 1 to the Agreement with Economic and Engineering Services, Inc., now doing Business as HDR Engineering Inc., to Provide Water and Sewer Rate and Fee Analysis Services
- 7e. Resolution No. 8126 - A Resolution of the City Council Supporting the League of California Cities' Resolutions at the League's Annual Conference to be held on September 5-8, 2007
- 7f. Resolution No. 8127 - A Resolution Authorizing the City Manager to Execute Amendment No. 4 to the Agreement with CKB Environmental Consulting, Inc. for Stormwater Quality Compliance Support Project No. 7011
- 7g. Resolution No. 8128 - A Resolution Approving the Final Annual Disadvantaged Business Enterprise Goal for U.S. Department of Transportation - Assisted Projects for Federal Fiscal Year 2007/08
- 7h. Resolution No. 8130 - A Resolution Authorizing the City Manager to Execute a Wholesale Water Supply Agreement with the San Juan Water District (**pulled for discussion**)
- 7i. Resolution No. 8131 - A Resolution Authorizing the City Manager to Execute a Purchase and Sale Agreement with RJ Walter Properties Inc. for the Sale of 607 Mormon Street
- 7j. Resolution No. 8132 - A Resolution Rescinding Resolution No. 6566 and Adopting a Business and Travel Expense Policy and a Cal-Card Authorization and Use Policy for City Council Members (**amended**)

**Motion by Vice Mayor King, second by Council Member Starsky to approve Consent Calendar items a, b, c, d, e, f, g, i, and j (as amended) . Motion carried with the following roll call vote:**

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

**CONSENT CALENDAR ITEM PULLED FOR DISCUSSION:**

- 7h. Resolution No. 8130 - A Resolution Authorizing the City Manager to Execute a Wholesale Water Supply Agreement with the San Juan Water District

Council Member Howell pulled this item to clarify that this proposed agreement replaces previous agreements from 1972, 1974 and 1983.

**Motion by Council Member Howell, second by Council Member Starsky to approve Resolution No. 8130. Motion carried with the following roll call vote:**

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

**OLD BUSINESS:**

- 8a. Update on Status of Senate Bill 375 - Transportation Planning (Steinberg) (**Received updated information**)

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

- 8b. Ordinance No. 1084 - An Ordinance Repealing Chapter 10.40 of Title 10 of the Folsom Municipal Code Relating to Trip Reduction Programs (Second Reading and Adoption)

Community Development Director Miller presented the staff report noting that no changes have been made since the first reading.

**Motion by Mayor Morin, second by Council Member Miklos to adopt Ordinance No. 1084. Motion carried with the following roll call vote:**

<b>AYES:</b>	<b>Council Members:</b>	<b>Miklos, Starsky, Howell, King, 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. 1086 - An Ordinance of the City of Folsom Amending Chapter 9.42 of Title 9 of the Folsom Municipal Code Relating to Objectionable Behavior (Second Reading and Adoption)

Police Lieutenant McShane confirmed that no changes have been made to the ordinance since the first reading.

**Motion by Council Member Miklos, second by Council Member Howell to adopt Ordinance No. 1086. Motion carried with the following roll call vote:**

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

Approved 9/11/2007

**PUBLIC HEARING:**

- 9a. Resolution No. 8129 - A Resolution Adopting the Water Meter Implementation Plan and Approving the Negative Declaration for the Water Meter Implementation Plan

Senior Engineer Eising presented the staff report and responded to questions from the City Council. City Attorney Cline and Utilities Director Payne responded to additional questions from the City Council.

Mayor Morin opened the Public Hearing at 8:03 p.m. The following speakers addressed the City Council:

- Mark Allaman complimented staff for their work in developing the implementation plan
- Bill Bryant asked if the City would reimburse those residents who paid for the purchase and installation of their own water meters

Hearing no further speakers, Mayor Morin closed the Public Hearing at 8:10 p.m.

**Motion by Council Member Starsky, second by Council Member Howell to approve Resolution No. 8129. Motion carried with the following roll call vote:**

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

- 9b. Fire Station No. 37 General Plan Amendment and Rezone - 1301 Prairie City Road (PN06-490)

- Resolution No. 8134 - A Resolution to Amend the General Plan Land Use Designation for an .82-Acre Area (APN: 072-0010-049 and 072-0010-069) from Single Family High Density (SFHD) to Specialty Commercial (CA) and to Adopt the Mitigated Negative Declaration and Mitigation Monitoring Program for the Fire Station No. 37 Project
- Ordinance No. 1087 - An Uncodified Ordinance to Amend the Zoning Designation for an .82-Acre Area (APN: 072-0010-049 and 072-0010-069) from Residential Multifamily, Planned Development District (R-M PD) to Business and Professional, Planned Development District (BP PD) for the Fire Station No. 37 Project (Introduction and First Reading)

Community Development Director Miller introduced the item. Senior Planner Banks presented the staff report and responded to questions from the City Council.

Mayor Morin opened the Public Hearing at 8:17 p.m.; hearing no speakers, the Public Hearing was closed.

**Motion by Council Member Miklos, second by Council Member Howell to continue Resolution No. 8134 and introduce Ordinance No. 1087. Motion carried with the following roll call vote:**

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

Approved 9/11/2007

**NEW BUSINESS:**

- 10a. Resolution 8133 - A Resolution Authorizing an Extension to Amendment No. 4 of the Broadstone Unit 2 Development Agreement to Provide for the Application of the City Impact and Connection Fee Schedule in Effect on September 26, 2006 for the Palladio Development for a Limited Time Period

Budget Manager Hemley presented the staff report and responded to questions from the City Council.

**Motion by Council Member Starsky, second by Council Member Howell to approve Resolution No. 8133. Motion carried with the following roll call vote:**

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

The City Council adjourned to the special Redevelopment Agency Meeting at 8:20 p.m.

**RECONVENE CITY COUNCIL MEETING:**

The regular City Council meeting reconvened from the special Public Financing Authority meeting at 8:21 p.m.

**CITY MANAGER REPORTS:**

City Manager Miller expressed his appreciation of former Assistant City Manager Gill and introduced Interim Finance Director Gene Albaugh. City Manager Miller and Fire Chief Haverty spoke of the exceptional cooperation between Police and Fire staff in a recent fire along Blue Ravine Road.

**COUNCIL COMMENTS:**

Council Member Starsky expressed his appreciation to the Utilities Department for their work on the water meter implementation plan.

Council Member Howell invited residents to the Scott Russell Memorial Golf Tournament on September 24, 2007; and she noted that residents could obtain contact information through the City Clerk's Department. Council Member Howell also commented on the dog park ground breaking.

Council Member Miklos reported on his attendance at the Association of California Cities Associated with Prisons (ACCAP) conference, and thanked Angelo Tsakopoulos for his contribution toward the Association.

Vice Mayor King invited residents to the second annual Emergency Preparedness Fair on September 15, 2007.

Mayor Morin commented on the dog park groundbreaking and Jr. Bulldogs opening day ceremonies. Mayor Morin spoke of National Night Out and invited residents to attend the City's September 11 Memorial Event at 10:00 a.m.

**ADJOURNMENT:**

There being no further business to come before the Folsom City Council, the regular meeting was adjourned at 8:42 p.m.

Christa Schmidt  
Christa Schmidt, City Clerk

ATTEST:

Andrew J. Morin  
Andrew J. Morin, Mayor