

**CITY OF FOLSOM**  
**SPECIAL CITY COUNCIL MEETING MINUTES**  
**SEPTEMBER 25, 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:	Howell, King, Miklos, Starsky, Morin
Council Members Absent:	None
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 Legal Counsel - Anticipated Litigation
- i. Significant Exposure to Litigation Pursuant to Government Code section 54956.9(b)(3)(C):  
1 potential case  
Daniel Little

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

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

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

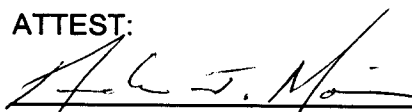
Mayor Morin reconvened the special meeting at 6:30 p.m. City Attorney Cline announced that, in discussion of item 3a(i), the City Council authorized claimant Daniel Little to submit a late claim without prejudice to any defense the City may have.

**ADJOURNMENT:**

There being no further business to come before the Folsom City Council, the special meeting was adjourned at 6:30 p.m.

  
Christa Schmidt, City Clerk

ATTEST:

  
Andrew J. Morin, Mayor

Approved 10/9/2007

**CITY OF FOLSOM**  
**REGULAR CITY COUNCIL MEETING MINUTES**  
**SEPTEMBER 25, 2007**

**CALL TO ORDER:** The regular meeting of the Folsom City Council was called to order at 6:30 p.m. in City Council Chambers, 50 Natoma Street, Folsom, with Mayor Morin presiding.

**ROLL CALL:**

Council Members Present:	Howell, King, Miklos, Starsky, 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 7b will be continued to the next City Council meeting.

**SCHEDULED PRESENTATIONS:**

- 5a. Proclamation of the Mayor of the City of Folsom Proclaiming September 29, 2007 as Crespano Del Grappa Day

Council Member Howell presented the Proclamation.

- 5b. Proclamation of the Mayor of the City of Folsom Proclaiming October 2007 as Arts and Humanities Month

Mayor Morin presented the Proclamation.

**BUSINESS FROM THE FLOOR:**

The following speakers addressed the City Council:

- Bob Mazur, regarding a recent fire on the bluff above Greenback Lane and his concerns about ongoing fire hazard, loose rocks on the bluff, and the sound problem from Greenback Lane traffic
- Candy Miller, regarding the 10<sup>th</sup> annual antique evaluation day
- Jim Pelley, regarding the Folsom Live event this weekend

**CONSENT CALENDAR:**

- 7a. Approval of the September 11, 2007 Special/Regular Meeting Minutes

Approved 10/9/2007

- 7b. Resolution No. 8138 - A Resolution Authorizing the City Manager to Execute an Agreement with Young Electric Sign Company (YESCO) for the Construction of the Phase 1 Wayfinding Improvements (**continued to October 9, 2007**)
- 7c. Resolution No. 8142 - A Resolution Authorizing the City Manager to Execute an Agreement with Portable Computer Systems for the Purchase of Mobile Data Computers
- 7d. Resolution No. 8143 - A Resolution Authorizing the City Manager to Execute a Professional Services Agreement with Keenan & Associates, for Trust and Investment Management Services for a GASB 45 (OPEB) Trust
- 7e. Resolution No. 8144 - A Resolution Authorizing the City Manager to Execute Contracts Not to Exceed \$150,000 for Building Plan Check and Inspection Services with Building Department Services Inc., Bureau Veritas, CSG Consultants Inc., Interwest Consulting Group, and Willdan (**pulled for discussion**)
- 7f. Resolution No. 8150 - A Resolution Authorizing the Mayor to Execute a Contract Amendment for the Employment Contract for the City Manager (**pulled for discussion**)
- 7g. Resolution No. 8145 - A Resolution Authorizing the City Manager to Execute an Agreement with the Goodwin Consulting Group, Inc. to Complete a Fiscal Impact Analysis and a Public Facilities Financing Plan for the Sphere of Influence Area (**pulled for discussion**)
- 7h. Resolution No. 8148 - A Resolution Authorizing the City Manager to Execute an Agreement with the Goodwin Consulting Group, Inc. to Complete a Fiscal Impact Analysis and a Public Facilities Financing Plan for the Glenborough / Easton Project Area (**pulled for discussion**)
- 7i. Resolution No. 8146 - A Resolution Authorizing Adoption of a Defined Contribution Retirement Plan as Permitted Under Relevant Sections of the Internal Revenue Code and California Government Code for Eligible and Participating Executive Management Employees (**pulled for discussion**)
- 7j. Resolution No. 8147 - A Resolution Approving the Benefit Package for the City Contribution to the Folsom Lake College Visual and Performing Arts Center Capital Campaign, Providing Direction to the Folsom Arts and Cultural Commission, Authorizing and Appropriating Funding Contributions Totaling \$500,000, and Authorizing the City Manager to Execute a Memorandum of Understanding with the Folsom Lake College Foundation (**pulled for discussion**)

**Motion by Vice Mayor King, second by Council Member Howell to approve the Consent items 7a, 7c, and 7d. Motion carried with the following roll call vote:**

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

- 7e. Resolution No. 8144 - A Resolution Authorizing the City Manager to Execute Contracts Not to Exceed \$150,000 for Building Plan Check and Inspection Services with Building Department Services Inc., Bureau Veritas, CSG Consultants Inc., Interwest Consulting Group, and Willdan

Council Member Howell pulled this item for discussion; she thought that with the slowdown in building, internal staff could handle the plan checking. Chief Building Official Latz responded that the City is not experiencing a reduction in the number of submitted plans, and that this contract will ensure that plans are checked in a timely manner. Council Member Howell urged staff to ensure that plan checking is done an efficient manner.

**Motion by Council Member Howell, second by Vice Mayor King to approve Resolution No. 8144.  
Motion carried with the following roll call vote:**

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

- 7f. Resolution No. 8150 - A Resolution Authorizing the Mayor to Execute a Contract Amendment for the Employment Contract for the City Manager

Council Member Howell pulled this item to request the City Attorney describe the contract amendments. City Attorney Cline noted that the amendments are: a salary increase of 7.9%, an increase in deferred compensation to 9.5% of base salary, 80 hours annual administrative leave and that future reviews of the City Manager will be done following adoption of annual budget.

**Motion by Mayor Morin, second by Council Member Starsky to approve Resolution No. 8150.  
Motion carried with the following roll call vote:**

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

- 7g. Resolution No. 8145 - A Resolution Authorizing the City Manager to Execute an Agreement with the Goodwin Consulting Group, Inc. to Complete a Fiscal Impact Analysis and a Public Facilities Financing Plan for the Sphere of Influence Area

- 7h. Resolution No. 8148 - A Resolution Authorizing the City Manager to Execute an Agreement with the Goodwin Consulting Group, Inc. to Complete a Fiscal Impact Analysis and a Public Facilities Financing Plan for the Glenborough / Easton Project Area

Council Member Howell pulled items 7g and 7h to ask why they are not consolidated into one contract. Budget Manager Hemley responded that they impact different areas. City Manager Miller noted that the contracts will result in different actions and different applications before LAFCo.

**Motion by Council Member Howell, second by Council Member Miklos to approve Resolution Nos. 8145 and 8148. Motion carried with the following roll call vote:**

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

- 7i. Resolution No. 8146 - A Resolution Authorizing Adoption of a Defined Contribution Retirement Plan as Permitted Under Relevant Sections of the Internal Revenue Code and California Government Code for Eligible and Participating Executive Management Employees

Council Member Howell pulled this item to comment on the proposal, and expressed concern over other public agencies who took similar action, resulting in significant cost, grand jury investigations and in some of those elected officials who took the similar action not being re-elected.

Human Resources Director Spittler responded to Council Member Howell's concerns. City Manager Miller further clarified that this action does not create any future unfunded liabilities, as may have been the case with those districts referenced by Council Member Howell.

Council Member Starsky expressed his concern over this "scheme" which appears to allow the City to engage in granting bonuses, particularly with unfettered discretion being given to the City Manager. Council Member Starsky agreed with the concept, but would be more comfortable if there were usage guidelines.

**Motion by Council Member Miklos, second by Vice Mayor King to continue off calendar item 7i, with the request that Council Members Howell and Starsky work with the City Manager and the Human Resources Director to address their concerns and bring the proposal back for City Council consideration. Motion carried with the following roll call vote:**

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

- 7j. Resolution No. 8147 - A Resolution Approving the Benefit Package for the City Contribution to the Folsom Lake College Visual and Performing Arts Center Capital Campaign, Providing Direction to the Folsom Arts and Cultural Commission, Authorizing and Appropriating Funding Contributions Totaling \$500,000, and Authorizing the City Manager to Execute a Memorandum of Understanding with the Folsom Lake College Foundation

This item was pulled at the request of speaker Ernie Sheldon.

Mr. Sheldon expressed his concern regarding what the city is getting for its \$500,000 donation.

Dr. Thelma Scott-Skillman, Folsom Lake College, provided additional information and responded to questions from the City Council.

**Motion by Council Member Howell, second by Vice Mayor King to approve Resolution No. 8147.  
Motion carried with the following roll call vote:**

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

**CITY MANAGER REPORTS:**

City Manager Miller invited residents to attend the Folsom Trail Days bike ride and the Folsom Police Motor Challenge.

**COUNCIL COMMENTS:**

Council Member Starsky invited residents to attend the Folsom Police Motor Challenge on Saturday, September 29, 2007; and encouraged residents to use the City's trail system.

Council Member Howell thanked staff for their work on the Mayors Cup golf tournament. Ms. Howell spoke of two City employees injured in a traffic accident resulting from a red light-runner, and wished them a speedy recovery.

Council Member Miklos thanked staff for their work on the Mayors Cup golf tournament. Mr. Miklos thanked Brad and Katie Parks for their work on the Scott Russell Memorial Golf Tournament. Mr. Miklos complimented City Manager Miller for his work, saying Mr. Miller is the top of City Managers he has seen.

Vice Mayor King thanked City Manager Miller and complimented his great work over the last year, both inside and outside City Hall.

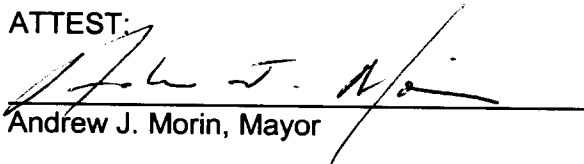
Mayor Morin echoed his thanks to staff for the Mayors Cup golf tournament. Mr. Morin expressed his sympathy to the family of Norm Siefkin.

**ADJOURNMENT:**

There being no further business to come before the Folsom City Council, the regular meeting was adjourned at 7:31 p.m.

  
Christa Schmidt, City Clerk

ATTEST:

  
Andrew J. Morin, Mayor