

CITY OF FOLSOM
SPECIAL CITY COUNCIL MEETING MINUTES
NOVEMBER 27, 2007

CALL TO ORDER: The special meeting of the Folsom City Council was called to order at 5:30 p.m. in City Council Chambers, 50 Natoma Street, Folsom, with Mayor Morin presiding.

ROLL CALL:

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

ADJOURNMENT TO CLOSED SESSION FOR THE FOLLOWING PURPOSES:

- 3a. Conference with Real Property Negotiator - Pursuant to Government Code section 54956.8:
- i. Property: Park Site 44 at Blue Ravine Road and Manseau Drive
 - Negotiating Parties: Kerry Miller on behalf of the City of Folsom
 - Tom Martin
 - Under Negotiation: Price and terms of sale or lease
- 3b. Conference With Legal Counsel - Anticipated Litigation
- i. Significant Exposure to Litigation Pursuant to Government Code section 54956.9(b)(1):
1 Potential Case
 - ii. Initiation of Litigation Pursuant to Government Code section 54956.9(c):
1 Potential Case
Sacramento County Airport System, County of Sacramento
Sacramento County Board of Supervisors

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

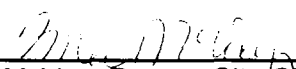
Motion by Council Member Starsky, second by Vice Mayor King to adjourn to Closed Session for the above-referenced items. Motion carried with the following roll call vote:

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

Mayor Morin reconvened the special meeting at 6:30 p.m. City Attorney Cline announced that no final action was taken during Closed Session.

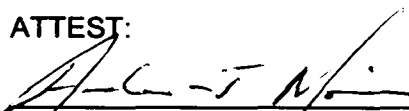
ADJOURNMENT:

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



Tina McVay, Deputy City Clerk

ATTEST:



Andrew J. Morin, Mayor

Approved 12/11/2007

CITY OF FOLSOM
REGULAR CITY COUNCIL MEETING MINUTES
NOVEMBER 27, 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.

<u>ROLL CALL:</u>	Council Members Present:	King, Miklos, Starsky, Morin
	Council Members Absent:	Howell
	Staff Present:	City Manager Kerry Miller Assistant City Manager Evert Palmer City Attorney Bruce Cline Deputy City Clerk Tina McVay

PLEDGE OF ALLEGIANCE:

The Pledge of Allegiance was recited.

AGENDA UPDATE:

Assistant City Manager Palmer announced the following changes: Consent Calendar items 7b and 7g have been amended, Consent Calendar item 7d has been continued to December 11, 2007, and Public Hearing item 9d will be heard immediately following Scheduled Presentations.

SCHEDULED PRESENTATIONS:

- 5a. Resolution of Commendation Honoring Eric Dutton on His Retirement from the City of Folsom After 31 Years of Service to the City of Folsom

Mayor Morin and the City Council presented the proclamation to Eric Dutton.

- 5b. Resolution of Commendation Honoring Steve Keables Upon His Retirement After 28 Years of Service to the City of Folsom

Mayor Morin and the City Council presented the proclamation to Steve Keables.

- 5c. Presentation of Awards to Veterans Day Parade Entrants

Mayor Morin, Ernie Sheldon and the Grand Marshalls of the parade presented awards to parade participants and presented a video.

- 5d. Staff Presentation of New Website Technologies

Assistant City Manager Palmer introduced Lorraine Poggione, Landscaping and Lighting Manager, Joe Luchi, Intergovernmental Affairs and Economic Development Director, Mona Navarrete, GIS Analyst and Betty Marchbanks, Engineering Technician, who provided presentations.

- 5e. City Manager's Fiscal Year 2007-08 First Quarter Financial Report

Mark Bresolin, Financial Analysis and Reporting Manager, made a presentation.

Approved 12/11/2007

Public Hearing item 9d was heard out of order after Scheduled Presentations.

- 9d. Ordinance No. 1101 - An Ordinance of the City of Folsom Amending Chapter 17.59 of the Folsom Municipal Code to Allow Off-Site Advertisement on a Permitted Animated Sign (Introduction and First Reading) **Continued from November 11, 2007**

John Linhart, Senior Planner, made a presentation and responded to questions from the City Council.

Mayor Morin opened the Public Hearing at 8:08 p.m. Hearing no speakers, the Public Hearing was closed.

Motion by Council Member Starsky, second by Council Member Miklos to introduce Ordinance No. 1101. 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

BUSINESS FROM THE FLOOR:

Bill Bryant thanked and congratulated the City Council on their actions regarding Mather cargo expansion.

CONSENT CALENDAR:

- 7a. Receive and File the City of Folsom's Monthly Investment Reports for the Months of July through September 2007
- 7b. Resolution No. 8185 - A Resolution Authorizing the City Manager to Temporarily Suspend the Building Division Permit and Plan Check Fee for Residential Photovoltaic System Installation Until December 31, 2009 (**Amended**)
- 7c. Resolution No. 8186 - A Resolution Enacting the Previously Adopted Fee Adjustments as of January 1, 2008, for City Impact and Connection Fees for Law Enforcement, Fire Suppression, General Facilities, Vehicles and Equipment, Water, Sanitary Sewer, Transportation Improvement, Drainage, and Light Rail
- 7d. Resolution No. 8187 - A Resolution Authorizing the City Manager to Establish a Futuris Public Entity Investment Trust and a Retirement Board of Authority (**Continue to December 11, 2007**)
- 7e. Resolution No. 8189 - A Resolution Authorizing a Transfer of Police Special Revenue Trust Funds to the Police Department Operating Budget and Appropriation of Funds for the Purchase of Training Equipment
- 7f. Resolution No. 8190 - A Resolution Authorizing the City Manager to Execute the Purchase Agreement with Motorola Incorporated for the Purchase of Portable Radios and Accessories for the Fire Department

- 7g. Resolution No. 8191 - A Resolution Authorizing the City Manager to Execute an Agreement with Brown and Caldwell for Professional Services Required for the Clean Closure of the Corporation Yard Landfill and Appropriation of Funds (**Amended**)
- 7h. Resolution No. 8192 - A Resolution Authorizing the City Manager to Execute Amendment No. 1 to the Agreement with Domenichelli & Associates, Inc. for Construction Management and Inspection Services for the EPA Phase II Historic Utilities Rehabilitation Project
- 7i. Resolution No. 8193 - A Resolution Approving the Application for Grant Funds from the Sacramento Area Council of Governments Bicycle and Pedestrian Funding Program for Long-Term Bike Parking at Folsom Light Rail Stations and New Parking Garage
- 7j. Resolution No. 8194 - A Resolution Approving the Application for Grant Funds from the Sacramento Area Council of Governments Bicycle and Pedestrian Funding Program for the Folsom Lake Trail Bike/Pedestrian Overcrossing Project
- 7k. Resolution No. 8195 - A Resolution Approving a Community Design Program Grant Application to the Sacramento Area Council of Governments for the Sutter Street Streetscape Project
- 7l. Resolution No. 8196 - A Resolution Authorizing the City Manager to Execute Modification No. 3 to Addendum No. 1 to the Agreement with AT&T for Data Communications Services
- 7m. Resolution No. 8197 - A Resolution Authorizing the City Engineer to Request an Extension for Highway Bridge Replacement and Rehabilitation Program Funds for the Rainbow Bridge Project No. 9516 (**Pulled for Discussion**)
- 7n. Resolution No. 8198 - A Resolution Authorizing the City Manager to Execute an Agreement with Checkpoint Systems, Inc. for a Radio Frequency Identification (RFID) System and Appropriation of Funds

**Motion by Council Member Miklos, second by Council Member Starsky to approve the Consent Calendar as amended, except items 7b and 7m, and continue item 7d to December 11, 2007.
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

CONSENT CALENDAR ITEMS PULLED FOR DISCUSSION:

- 7b. Resolution No. 8185 - A Resolution Authorizing the City Manager to Temporarily Suspend the Building Division Permit and Plan Check Fee for Residential Photovoltaic System Installation Until December 31, 2009 (**Amended**)

Lois Wright, SMUD representative, spoke in support of the resolution and responded to questions from the City Council.

Motion by Council Member Starsky, second by Council Member Miklos to approve Resolution No. 8185 as amended. 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

7m. Resolution No. 8197 - A Resolution Authorizing the City Engineer to Request an Extension for Highway Bridge Replacement and Rehabilitation Program Funds for the Rainbow Bridge Project No. 9516

Vice Mayor King pulled this item for discussion. He expressed the importance of creating a design that would protect the bridge from graffiti in the future.

Motion by Vice Mayor King, second by Council Member Starsky to approve Resolution No. 8197. 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

OLD BUSINESS:

8a. Ordinance No. 1088 - An Ordinance of the City of Folsom Repealing and Re-Enacting Chapter 9.36 of the Folsom Municipal Code Pertaining to Fireworks (Second Reading and Adoption)

John Haberek, Fire Marshall, indicated that no changes were made to the ordinance.

Motion by Council Member Miklos, second by Council Member Starsky to adopt Ordinance No. 1088. 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

PUBLIC HEARING:

9a. Resolution No. 8184 - A Resolution to Adopt the Mitigated Negative Declaration and Mitigation Monitoring Program for the Parkway Lots I and J Redesign Project, to Approve a Vesting Tentative Subdivision Map to Subdivide the Existing 18.45-Acre Site (Lots I and J) Into 57 Single-Family Detached Lots, 7 Single-Family Attached Lots, and 11 Common Area Lots, and to Approve a Planned Development Permit Modification for the Development of a 209-Unit Single Family Attached and Detached Residential Subdivision for the Parkway Lots I and J Redesign Project

Steve Banks, Senior Planner, made a presentation and responded to questions from the City Council.

Ashley Fenney, John Laing Homes representative, responded to questions from the City Council.

Approved 12/11/2007

Mayor Morin opened the Public Hearing at 8:27 p.m. Hearing no speakers, the Public Hearing was closed.

Motion by Council Member Starsky, second by Vice Mayor King to approve Resolution No. 8184. 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

9b. Gekkeikan Sake Expansion, General Plan Amendment, Rezone, and Variance, 1136 Sibley Street (PN07-256)

- i. Resolution No. 8188 - A Resolution to Adopt the Mitigated Negative Declaration and Mitigation Monitoring Program for the Gekkeikan Sake Expansion Project, Amend the General Plan Land Use Designation for a .5-Acre Area of a Larger 7.66-Acre Parcel (APN: 071-0020-057) from Multi-Family High Density (MHD) to Industrial/Office Park (IND), to Approve a Parking Variance to Allow for a Reduced Number of Onsite Parking Spaces, and to Approve a Height Variance to Allow the Proposed Bottling/Storage/Office Building to Exceed the Height Limitation Established for the Light Industrial Zoning District for the Gekkeikan Sake Expansion Project
- ii. Ordinance No. 1102 - An Uncodified Ordinance to Amend the Zoning Designation for a .5-Acre Area of a Larger 7.66-Acre Parcel (APN: 071-0020-057) from General Apartment, Planned Development District (R-4, PD) to Light Industrial District (M-1) for the Gekkeikan Sake Expansion Project (Introduction and First Reading)

Steve Banks, Senior Planner, made a presentation and responded to questions from the City Council.

Mayor Morin opened the Public Hearing at 8:32 p.m.

Bob Holderness on behalf of the applicant Gekkeikan Sake requested support of the expansion project.

Hearing no further speakers, the Public Hearing was closed at 8:33 p.m.

Motion by Council Member Starsky, second by Vice Mayor King to continue Resolution No. 8188 to December 11, 2007 and introduce Ordinance No. 1102. 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

9c. Ordinance No. 1089 - An Ordinance of the City of Folsom Repealing Chapters 8.36 and 14.18; and Re-Enacting Chapter 8.36 of the Folsom Municipal Code Concerning Adoption of the International Fire Code (Introduction and First Reading)

John Haberek, Fire Marshall, made a presentation and responded to questions from the City Council.

Approved 12/11/2007

Mayor Morin opened the Public Hearing at 8:35 p.m. Hearing no speakers, the Public Hearing was closed.

**Motion by Mayor Morin, second by Council Member Starsky to introduce Ordinance No. 1089.
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

Public Hearing item 9d was heard following Scheduled Presentations.

9d. Ordinance No. 1101 - An Ordinance of the City of Folsom Amending Chapter 17.59 of the Folsom Municipal Code to Allow Off-Site Advertisement on a Permitted Animated Sign (Introduction and First Reading) **Continued from November 11, 2007**

Public Hearing item 9e was heard following item 9c.

- 9e. Repeal and Re-Enacting of the Folsom Municipal Code Title 14-Building and Construction:
- i. Ordinance No. 1090 - An Ordinance of the City of Folsom Repealing and Re-Enacting Title 14, Chapter 14.02 of the Folsom Municipal Code Concerning Enforcement of the Folsom Codes (Second Reading and Adoption)
 - ii. Ordinance No. 1091 - An Ordinance of the City of Folsom Repealing and Re-Enacting Title 14, Chapter 14.08 of the Folsom Municipal Code Concerning the California Electrical Code (Second Reading and Adoption)
 - iii. Ordinance No. 1092 - An Ordinance of the City of Folsom Repealing and Re-Enacting Title 14, Chapter 14.12 of the Folsom Municipal Code Concerning the California Plumbing Code (Second Reading and Adoption)
 - iv. Ordinance No. 1093 - An Ordinance of the City of Folsom Repealing and Re-Enacting Title 14, Chapter 14.16 of the Folsom Municipal Code Concerning the California Mechanical Code (Second Reading and Adoption)
 - v. Ordinance No. 1094 - An Ordinance of the City of Folsom Adding Title 14, Chapter 14.19 of the Folsom Municipal Code Concerning the California Energy Code (Second Reading and Adoption)
 - vi. Ordinance No. 1095 - An Ordinance of the City of Folsom Repealing and Re-Enacting Title 14, Chapter 14.20 of the Folsom Municipal Code Concerning Substandard Buildings (Second Reading and Adoption)
 - vii. Ordinance No. 1096 - An Ordinance of the City of Folsom Repealing and Re-Enacting Title 14, Chapter 14.21 of the Folsom Municipal Code Concerning Dangerous Buildings (Second Reading and Adoption)
 - viii. Ordinance No. 1097 - An Ordinance of the City of Folsom Repealing and Re-Enacting Title 14, Chapter 14.22 of the Folsom Municipal Code Concerning Historical Buildings (Second Reading and Adoption)
 - ix. Ordinance No. 1098 - An Ordinance of the City of Folsom Adding Title 14, Chapter 14.23 of the Folsom Municipal Code Concerning Property Maintenance (Second Reading and Adoption)
 - x. Ordinance No. 1099 - An Ordinance of the City of Folsom Repealing and Re-Enacting Title 14, Chapter 14.28 of the Folsom Municipal Code Concerning Swimming Pools, Spas and Hot Tubs (Second Reading and Adoption)

Approved 12/11/2007

- xi. Ordinance No. 1100 - An Ordinance of the City of Folsom Repealing and Re-Enacting Title 14, Chapter 14.04 of the Folsom Municipal Code Concerning the California Building Code (Second Reading and Adoption)

Bob Latz, Chief Building Official, made a presentation and responded to questions from the City Council.

Mayor Morin opened the Public Hearing at 8:35 p.m. Hearing no speakers, the Public Hearing was closed.

Motion by Council Member Starsky, second by Vice Mayor King to adopt Ordinance Nos. 1090, 1091, 1092, 1093, 1094, 1095, 1096, 1097, 1098, 1099 and 1100. 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

CONVENE REDEVELOPMENT AGENCY MEETING:

The City Council adjourned to the special Redevelopment Agency meeting at 8:38 p.m. The special Redevelopment Agency meeting was adjourned to the special Public Financing Authority meeting.

RECONVENE CITY COUNCIL MEETING:

The regular City Council meeting reconvened from the special Public Financing Authority meeting at 8:39 p.m.

CITY MANAGER REPORTS:

City Manager Miller announced that the annual community tree lighting is scheduled for Friday, November 30, 2007, the Historical Society Museum on Sutter Street opened an exhibit on November 3, 2007 to commemorate 150 years of the Folsom Fire Department's history and invited the public to view it; and that the Police Department is seeking holiday basket donations of food and toys for needy families in the City of Folsom that can be dropped off at the Police Department.

Chief Spiegel added that two additional drop locations have been identified, the City Hall lobby and Folsom Lake Bank on Sutter Street.

COUNCIL COMMENTS:

Council Member Miklos recognized and thanked Steve Banks on his presentation of the dog resort staff report at the November 11, 2007 City Council meeting. He attended the transit meeting for the region and suggested that the City consider taking part in a senior discount program, and indicating that meeting participants requested expanded hours for Light Rail and that tickets are not taken from passengers. Council Member Miklos reported that LAFCo is implementing new disclosure requirements related to annexations, incorporations, sphere of influence changes and other processes;

Approved 12/11/2007

and will coordinate with the City Attorney. Council Member Miklos wished everyone a happy and safe holiday season and wished his mom a happy birthday.

Council Member Starsky requested follow-up on funding for the dog park and the priority of park projects. He thanked Ernie Sheldon for his work on the Veterans Day Parade and thanked staff for their work on the City's website.

Vice Mayor King, as a final thanks, congratulated Eric Dutton for his many years of service to the City, echoed Council Member Starsky's comments on the Veterans Day parade and recognized the parade as a regional draw, and invited residents to attend the annual community tree lighting on Friday.

Mayor Morin thanked the Fire Department for their work in assembling the Fire Department history display at the Historical Society Museum, he wished the participants of the 25th annual California International Marathon (CIM) good luck and reminded residents that streets will be closed for the event. Mayor Morin thanked Council Member Miklos for sharing comments on the Light Rail Annual Transit Needs meeting and will take the comments to the Regional Transit Board. Mayor Morin thanked and complimented staff for their work on the web page and the ease in navigating the web.

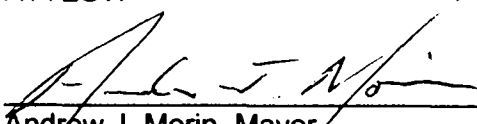
ADJOURNMENT:

There being no further business to come before the Folsom City Council, the regular meeting was adjourned at 8:52 p.m.



Tina McVay, Deputy City Clerk

ATTEST:



Andrew J. Morin, Mayor