

**CITY OF FOLSOM**  
**SPECIAL CITY COUNCIL MEETING MINUTES**  
**SEPTEMBER 9, 2008**

**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 King presiding.

<b><u>ROLL CALL:</u></b>	Council Members Present:	Morin, Starsky, Howell, King
	Council Members Absent:	Miklos
	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 - Existing Litigation - Pursuant to Government Code section 54956.9(C):
- i. Claim of Howard S. Wright Constructors

City Attorney Cline read the closed session items 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>Morin, Starsky, Howell, King</b>
<b>NOES:</b>	<b>Council Members:</b>	<b>None</b>
<b>ABSENT:</b>	<b>Council Members:</b>	<b>Miklos</b>
<b>ABSTAIN:</b>	<b>Council Members:</b>	<b>None</b>

Mayor King 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.

  
Christa Schmidt, City Clerk

**ATTEST:**

  
Eric S. King, Mayor

Approved 9/23/2008

**CITY OF FOLSOM**  
**REGULAR CITY COUNCIL MEETING MINUTES**  
**SEPTEMBER 9, 2008**

**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 King presiding.

<b><u>ROLL CALL:</u></b>	Council Members Present:	Morin, Starsky, Howell, King
	Council Members Absent:	Miklos
	Staff Present:	City Manager Kerry Miller Assistant City Manager Evert Palmer Assistant City Attorney Steve Wang City Clerk Christa Schmidt

**PLEDGE OF ALLEGIANCE:**

The Pledge of Allegiance was recited.

**AGENDA UPDATE:**

Assistant City Manager Palmer announced that there were no changes to the agenda.

**SCHEDULED PRESENTATIONS:**

- 5a. Proclamation of the Mayor of the City of Folsom Proclaiming the Month of September 2008 as Prostate Cancer Awareness Month in the City of Folsom

Mayor King presented the Proclamation.

- 5b. Proclamation of the Mayor of the City of Folsom Proclaiming September 29, 2008 as Crespano Del Grappa Day

Council Member Howell presented the Proclamation.

- 5c. Presentation Regarding Cyclebration - Folsom Lake Bike Festival September 12 - 14, 2008

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

- 5d. Update on Folsom Lake Crossing Construction

Public Works Director Lorenz made a presentation and responded to questions from the City Council.

**BUSINESS FROM THE FLOOR:**

Ernie Sheldon addressed the City Council and presented Council Member Morin with a football passing trophy from opening day at Livermore Park.

Approved 9/23/2008

**CONSENT CALENDAR:**

- 7a. deleted
- 7b. deleted
- 7c. Resolution No. 8366 - A Resolution Authorizing the City Manager to Execute a Purchase Agreement with Golden State Fire Apparatus (Pierce Manufacturing Inc.) for a Mobile Air Unit
- 7d. Resolution No. 8367 - A Resolution Amending the Financial Policies of the City of Folsom as Adopted by Resolution 7332 Regarding Grant Applications
- 7e. Resolution No. 8368 - A Resolution Rescinding Resolution No. 8234 and Authorizing the Expenditure of Proposition 1B Funds on the Folsom Lake Crossing, Submission of the Project Plan to the State Department of Finance and Appropriation of Funds
- 7f. Resolution No. 8369 - A Resolution Authorizing the City Manager to Proceed with the Sale of Seven Surplus Vehicles for the Fire, Police, Public Works, and Parks and Recreation Departments
- 7g. Resolution No. 8370 - A Resolution Authorizing the Mayor to Execute a Subdivision Improvement Agreement and Accept Offers of Dedication for the Valencia Condominiums Phase I Subdivision and Approval of the Final Map for Valencia Condominiums Phase I
- 7h. Resolution No. 8371 - A Resolution Declaring the City of Folsom Willow Creek Community Facilities District No. 1 Redemption Account as Surplus, Ordering the Disposition of Said Surplus Amounts, and Approving the District Closeout Analysis and Findings Report

**Motion by Council Member Starsky, second by Council Member Howell to approve the Consent Calendar. Motion carried with the following roll call vote:**

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

Council Member Starsky congratulated Fire Chief Haverty on the purchase of a new mobile air unit (item 7c).

**OLD BUSINESS:**

- 8a. Ordinance No. 1110 - An Ordinance of the City of Folsom Amending Title 17 of the Folsom Municipal Code to add Chapter 17.105 Second Dwelling Units (Second Reading and Adoption) AND Adoption of a Negative Declaration

Community Development Director Miller made a presentation and responded to questions from the City Council members.

Approved 9/23/2008

**Motion by Council Member Morin, second by Council Member Howell to adopt Ordinance No. 1110 and to adopt the Negative Declaration. Motion carried with the following roll call vote:**

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

**PUBLIC HEARING:**

9a. Ordinance No. 1109 - An Ordinance of the City Council of the City of Folsom Repealing and Re-Enacting Chapter 17.06 of the Folsom Municipal Code Dealing with Design Review and Amending Sections 2.11.060, 14.33.190, and 17.110.050 of Said Code to Remove References to the Architectural Review Commission (Introduction and First Reading) AND Adoption of a Negative Declaration

Community Development Director Miller made a presentation and responded to questions from the City Council members.

Council Member Morin suggested that the City Council recognize and honor the Architectural Review Commission members for their service.

Mayor King opened the Public Hearing at 7:17 p.m. Hearing no speakers, the Public Hearing was closed.

**Motion by Council Member Starsky, second by Council Member Howell to introduce Ordinance No. 1109 and to adopt the Negative Declaration. Motion carried by the following roll call vote.**

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

9b. Ordinance No. 1111 - An Uncodified Ordinance of the City of Folsom Approving a Development Agreement by and between the City of Folsom and Evergreen / Folsom Land Joint Venture and Bradville, Inc. Relating to the Development known as "Folsom Corporate Center" (Introduction and First Reading) **(Continued from August 26, 2008)** AND Adoption of a Negative Declaration

Community Development Director Miller made a presentation and responded to questions from the City Council members.

Mayor King opened the Public Hearing at 7:22 p.m.

Greg Forest, attorney for Bradville and Evergreen / Folsom Land Joint Venture, addressed the City Council.

Hearing no further speakers, the Public Hearing was closed at 7:24 p.m.

● **Motion by Council Member Starsky, second by Council Member Howell to introduce Ordinance No. 1111 and to adopt the Negative Declaration. Motion carried by the following roll call vote:**

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

9c. Ordinance No. 1112 - An Uncodified Ordinance Approving Amendment No. 5 to the Development Agreement by and between the City of Folsom and Elliott Homes, Inc. Relating to the Development Known as "Palladio Mall" in Broadstone Unit No. 2 (Introduction and First Reading)

Community Development Director Miller made a presentation and responded to questions from the City Council members.

Mayor King opened the Public Hearing at 7:29 p.m.

Price Walker, Elliott Homes, addressed the City Council.

Hearing no further speakers, the Public Hearing was closed at 7:32 p.m.

**Motion by Council Member Howell, second by Council Member Starsky to introduce Ordinance No. 1112. Motion carried by the following roll call vote.**

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

#### **NEW BUSINESS:**

10a. Ordinance No. 1113 - An Uncodified Emergency Ordinance of the City of Folsom Amending Section 13.26.020 and 13.26.060 of the Folsom Municipal Code to Define Wasteful Use of Water and Amend Penalties for Wasteful Use of Water

Principal Civil Engineer Sadler made a presentation and responded to questions from the City Council. City Attorney Cline responded to questions from the City Council.

Speaker Jay O'Brien addressed the City Council and encouraged approve of Ordinance No. 1113.

**Motion by Council Member Starsky, second by Council Member Howell to adopt Emergency Ordinance No. 1113. Motion carried by the following roll call vote.**

<b>AYES:</b>	<b>Council Members:</b>	<b>Morin, Starsky, Howell, King</b>
<b>NOES:</b>	<b>Council Members:</b>	<b>Miklos</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 7:44 p.m.

Approved 9/23/2008

The City Council reconvened from the special Redevelopment Agency meeting at 7:48 p.m.

**CITY MANAGER REPORTS:**

City Manager Miller invited residents to attend the September 11 memorial ceremony; Fire Chief Haverty and Police Chief Spiegel provided details of the ceremony. Mr. Miller also invited residents to attend the Emergency Preparedness Fair on September 13 at the Community Center. In closing, City Manager Miller complimented both the citizens and staff for efforts towards water conservation.

**COUNCIL COMMENTS:**

Council Member Starsky echoed thanks to residents for their efforts toward water conservation. Mr. Starsky thanked Community Development Director Miller and his staff for their work on the Sphere of Influence annexation process. Council Member Starsky also thanked and complimented Parks and Recreation Director Goss and his staff for work on the Cyclebration event.

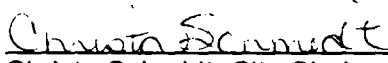
Council Member Howell invited residents to attend Cyclebration, Folsom Live and the Gourd Festival. She encouraged residents to drive carefully. Council Member Howell spoke of the seriousness of the drought and encouraged residents to carefully conserve water.

Council Member Morin echoed all compliments to staff for their work on water conservation. Mr. Morin thanked staff for their work on the Cyclebration, and spoke of his attendance at the Vista Jr. Eagles season opening event. Council Member Morin thanked the Police Department for their work on the September 11 ceremony and wished both high school varsity football teams good luck.

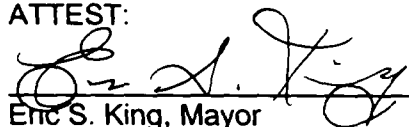
Mayor King reiterated the seriousness of the drought, and complimented staff for their efforts on the Cyclebration event and the September 11 ceremony. He invited residents to attend the Emergency Preparedness Fair on September 13 at the Community Center.

**ADJOURNMENT:**

There being no further business to come before the Folsom City Council, the regular meeting was adjourned at 8:01 p.m.

  
Christa Schmidt, City Clerk

ATTEST:

  
Eric S. King, Mayor