



Folsom City Council Meeting

Additional Information Transmittal

MEETING DATE:	7/14/2026
AGENDA SECTION:	Closed Session
STAFF REPORT TITLE	1. Public Employee Appointment – Pursuant to Government Code section 54957(b)(1): Title: City Attorney
FROM:	City Manager's Office

Staff is providing the attached additional information for the above-referenced agenda item.

Sari Dierking

From: Scott Rafferty <rafferty@gmail.com>
Sent: Saturday, July 11, 2026 5:56 PM
To: Sari Dierking; AttorneyCityWebsiteMail; Sarah Aquino; Barbara Leary; Mike Kozlowski; Bryan Whitemyer; Justin Raithel; Anna Rohrbough; Christa Freemantle
Subject: Special Meeting Item 1 - City Attorney Appointment

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The City should appoint and maintain attorneys only on an interim basis until the people vote on how future city attorneys are "directed."

The City should disclose more details of the problems that arose when the former city attorney acted under the control of the city manager, council, and city's unknown policy-makers, such as the one whose texted instructions were read to the council after public comment had closed. A small selection of troubling incidents involving city elections are described in comments to Item 14 of the regular meeting.

As the Supreme Court explained in *Arnel Development Co. v. City of Costa Mesa* (1980) 28 Cal. 3d 511, the city attorney's loyalty in election cases is to the voters, not to elected officials or undisclosed political operatives. The former city manager and former at-large counsel failed to respect that principle.

Given the history of unusual incidents in Folsom, the most effective remedy is for the people to elect the city attorney. No contract or other tenure should entrench an appointee until the people decide how their attorney is selected and "directed."

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