

Meeting Minutes
City Council Regular Meeting
January 26, 2016

CALL TO ORDER: The regular City Council meeting was called to order at 6:00 p.m. in City Council Chambers, 50 Natoma Street, Folsom, California, with Mayor Steve Miklos presiding.

ROLL CAL

Council Members Present:	Andy Morin, Council Member Ernie Sheldon, Council Member Steve Miklos, Mayor
Council Members Absent:	Jeff Starsky, Vice Mayor (arrived at 7:14 p.m.) Kerri Howell, Council Member
Staff Present/Speaking:	City Manager Evert Palmer Assistant City Manager Elaine Andersen City Attorney Bruce Cline Assistant City Attorney Steve Wang City Clerk Christa Saunders Chief Financial Officer Jim Francis Police Chief Cindy Renaud Community Development Director David Miller

PLEDGE OF ALLEGIANCE:

The Pledge of Allegiance was recited.

AGENDA UPDATE:

City Attorney Bruce Cline announced additional material has been distributed regarding items 7c and 8a.

SCHEDULED PRESENTATIONS:

5a. Mayor's State of the City Address

Mayor Steve Miklos delivered the State of the City Address.

BUSINESS FROM THE FLOOR:

Vice Mayor Jeff Starsky arrived at 7:14 p.m.

The following speakers addressed the City Council:

- Unidentified speaker addressed the City Council regarding the Sacramento Valley Railroad

CONSENT CALENDAR:

- 7a. Approval of the December 8, 2015 Special/Regular Meeting Minutes
- 7b. Approval of the January 12, 2016 Special/Regular Meeting Minutes
- 7c. Ordinance No. 1250 - An Uncodified Ordinance to Amend the Zoning Designation for the 4.68-acre Project Site (APN: 072-3120-023) from M-L PD (Limited Manufacturing, Planned Development District) to BP PD (Business and Professional, Planned Development District) for the Iron Point Retirement Community Project (Second Reading and Adoption)
- 7d. pulled for discussion
- 7e. Ordinance No. 1252 - An Uncodified Ordinance of the City Council of the City of Folsom Levying Special Taxes for the Fiscal Year 2016-17 and following Fiscal Years Solely within and Relating to the City of Folsom Community Facilities District No. 19 (Mangini Ranch) (Second Reading and Adoption)
- 7f. Resolution No. 9714 - A Resolution Authorizing the City Manager to Execute the Memorandum of Agreement Regarding Contracting for Lobbying Support of Modifications of Folsom Dam Facilities Together with Authorization for the City Manager to Amend the Memorandum of Agreement with the City of Roseville and San Juan Water District for Services from the Ferguson Group (Contract No. 173-21 09-055)
- 7g. Resolution No. 9716 - A Resolution Approving the Application for Grant Funds from the Land Water Conservation Fund for the Folsom Zoo Sanctuary Barnyard Experience Project
- 7h. Resolution No. 9717 - A Resolution of the City Council of the City of Folsom Endorsing the Agreement for Right of Way Dedication and Acquisition for the Mainline D3 Segment of the Capital SouthEast Connector between The New Home Company and the Capital SouthEast Connector Joint Powers Authority.

Motion by Vice Mayor Jeff Starsky, second by Council Member Andy Morin to approve the Consent Calendar items, with the exception of item 7d. Motion carried with the following roll call vote:

AYES:	Council Member(s):	Morin, Sheldon, Starsky, Miklos
NOES:	Council Member(s):	None
ABSENT:	Council Member(s):	Howell
ABSTAIN:	Council Member(s):	None

CONSENT CALENDAR ITEMS PULLED FOR DISCUSSION:

- 7d. Ordinance No. 1251 - An Ordinance of the City of Folsom Amending Section 17.112.010 and Repealing and Re-enacting Chapter 17.114 of the Folsom Municipal Code Pertaining to Mobile Marijuana Delivery Services and Marijuana Cultivation in the City of Folsom (Second Reading and Adoption)

Mark Cohen expressed his concerns with the adoption of the Ordinance, and impacts to disabled persons who may not be able to receive their medical marijuana.

Motion by Mayor Steve Miklos, second by Vice Mayor Jeff Starsky to adopt Ordinance No. 1251. Motion carried with the following roll call vote:

AYES: Council Member(s): Morin, Sheldon, Starsky, Miklos
NOES: Council Member(s): None
ABSENT: Council Member(s): Howell
ABSTAIN: Council Member(s): None

PUBLIC HEARING:

8a. An Appeal by Shannon Adams of a Planning Commission Action Approving a Tentative Parcel Map Application at 124 Hillswood Drive (PN 15-230)

Senior Planner Steve Banks presented staff's report and responded to questions from the City Council.

Mayor Steve Miklos explained the process of this quasi-judicial hearing.

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

Applicant's legal counsel Robert Holderness addressed the City Council, along with the applicant's representative David Storer regarding calculation of the 10-day appeal period.

Appellant Shannon Adams responded.

The City Council discussed the appeal time period.

Motion by Vice Mayor Jeff Starsky, second by Council Member Ernie Sheldon to determine that the appeal was filed in a timely manner. Motion carried with the following roll call vote:

AYES: Council Member(s): Morin, Sheldon, Starsky, Miklos
NOES: Council Member(s): None
ABSENT: Council Member(s): Howell
ABSTAIN: Council Member(s): None

Appellant Shannon Adams and Debbie Hintz made a presentation and responded to questions from the City Council.

Applicant representative David Storer made a presentation. Steve AuClair, MRO Engineers, provided additional information.

Mayor Steve Miklos opened the Public Hearing at 8:40 p.m. The following speakers addressed the City Council:

1. Eryn Stevens, expressed concern about impact to the neighborhood
2. Ralph Lawrie, expressed concern about surface water and potential liability
3. Alan Kennedy, expressed concern about impact to lot sizes within the neighborhood
4. Sandra Kennedy, expressed concern about safety
5. Laurie Bittermann, expressed concern about preserving the neighborhood character and safety
6. Mike Smith, expressed concern about safety
7. Bob Adams, expressed concern about safety
8. Christopher Schaal, expressed concern about impacts of the proposed lot split and use of the proposed new lot for a care facility

9. Debbie Hintz, expressed concern about the neighborhood character
10. Bob Hintz, expressed concern about the neighborhood character
11. Bobby DeLand, expressed concern about water drainage and sight distance
12. Annie DeLand, expressed concern about the neighborhood character
13. John Bittermann, expressed about safety and neighborhood character

Hearing no further speakers, the Public Hearing was closed at 9:27 p.m.

Alan Kennedy, representing appellant Shannon Adams, presented additional comments.

Robert Holderness, counsel representing applicant, presented additional comments.

The City Council deliberated regarding the appeal.

Motion by Mayor Steve Miklos, second by Council Member Andy Morin to grant the appeal by Shannon Adams thereby denying the 124 Hillswood Drive Tentative Parcel Map to subdivide the 0.82-acre parcel into two parcels, with the following findings:

1. The site is not suitable for the type of development as there is inadequate sight distance to allow safe existing from the site and neighboring properties
2. The site distance is further complicated due to the potential for vehicles to park on the street and foliage on the neighboring property.
3. The site distance is inadequate due to the speeds of vehicles driving on the hill and approaching the site.
4. The site distance is inadequate as there are no sidewalks in the area of the proposed project, and site distance issues cause a danger to pedestrians who must use the street to walk in the neighborhood of this project.
5. The proposed subdivision is likely to cause serious public health and safety problems due to the site distance issues and the proximity of the lot on a steep portion of the street and drainage issues.
6. The proposed lot split is inconsistent with the City's General Plan policies relating to quality of life and maintaining physical characteristics of this neighborhood.

Motion carried with the following roll call vote:

AYES:	Council Member(s):	Morin, Sheldon, Starsky, Miklos
NOES:	Council Member(s):	None
ABSENT:	Council Member(s):	Howell
ABSTAIN:	Council Member(s):	None

- 8b. White Rock Springs Ranch Subdivision: Vesting Large Lot Tentative Subdivision Map, Vesting Small Lot Tentative Subdivision Map, Project Design Guidelines, Amendment No. 1 to the First Amended and Restated Development Agreement, and Inclusionary Housing Plan (PN 15-147) **(Continued to February 9, 2016)**
- i. Resolution No. 9713 - A Resolution Approving Vesting Large Lot Tentative Subdivision Map, Vesting Small Lot Tentative Subdivision Map, Project Design Guidelines and Inclusionary Housing Plan for the Development of the White Rock Springs Ranch Project
 - ii. Ordinance No. 1253 - An Uncodified Ordinance of the City Of Folsom Approving Amendment No. 1 to the First Amended and Restated Tier 1 Development Agreement Between the City of Folsom and Gragg Recovery Acquisition, LLC Relative to the White Rock Springs Ranch Project (Introduction and First Reading)

Motion by Mayor Steve Miklos, second by Vice Mayor Jeff Starsky to continue the item to February 9, 2016.
Motion carried with the following roll call vote:

AYES:	Council Member(s):	Morin, Sheldon, Starsky, Howell, Miklos
NOES:	Council Member(s):	None
ABSENT:	Council Member(s):	None
ABSTAIN:	Council Member(s):	None

CITY MANAGER REPORTS:

None

COUNCIL COMMENTS:

Council Member Ernie Sheldon requested the City Manager and Chief of Police to investigate paint vandalism.

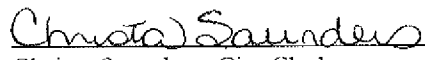
Vice Mayor Jeff Starsky congratulated staff for land use planning award for E. Bidwell project.

Mayor Steve Miklos thanked his colleagues for the honor of being mayor and the opportunity to present the state of the city address.

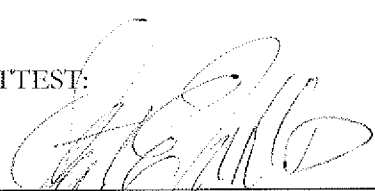
ADJOURNMENT:

There being no further business to come before the Folsom City Council, the meeting was adjourned at 10:20 p.m.

PREPARED AND SUBMITTED BY:


Christa Saunders, City Clerk

ATTEST:


Stephen E. Miklos, Mayor