

Meeting Minutes
Folsom City Council Regular Meeting
March 24, 2015

CALL TO ORDER: The regular City Council meeting was called to order at 6:31 p.m. in City Council Chambers, 50 Natoma Street, Folsom, California, with Mayor Andy Morin presiding.

ROLL CALL:

Council Members Present: Steve Miklos, Vice Mayor
Ernie Sheldon, Council Member
Jeff Starsky, Council Member
Kerri Howell, Council Member
Andy Morin, Mayor

Council Members Absent: None

Staff Present: City Manager Evert Palmer
Deputy City Manager Elaine Andersen
City Attorney Bruce Cline
City Clerk Christa Saunders
Finance Director Jim Francis
Assistant City Attorney Steve Wang
Parks and Recreation Director Robert Goss
Community Development/Public Works Director David Miller
Water Resources Director Marcus Yasutake
Senior Planner Steve Banks

PLEDGE OF ALLEGIANCE:

The Pledge of Allegiance was recited, led by 6-year old Brady Bautista.

AGENDA UPDATE:

City Attorney Bruce Cline announced that there was additional and amended information relative to items 8a, 9a, and 9b.

SCHEDULED PRESENTATIONS:

- 5a. Resolution of Commendation Honoring Snchaa Ganesh Kumar for Winning the Central Valley Regional Spelling Bee and Representing Folsom at the Scripps National Spelling Bee in May

Mayor Andy Morin presented the Resolution of Commendation to Miss Kumar.

- 5b. Resolution of Commendation Honoring the Folsom Jr. Bulldogs for Earning the 2014 Excellence in Academics and Athletics Award

Mayor Andy Morin presented the Resolutions of Commendation.

- 5c. Proclamation of the Mayor of the City of Folsom Proclaiming April 10 through 18, 2015 as "Creek Week" in the City of Folsom

Mayor Andy Morin presented the Proclamation.

- 5d. Proclamation of the Mayor of the City of Folsom Proclaiming April 12-18, 2015 as National Library Week

Mayor Andy Morin presented the Proclamation.

BUSINESS FROM THE FLOOR:

The following speakers addressed the City Council:

1. Madeleine Mosley, regarding the recent death of a longtime Folsom resident
2. Ann Lake, with her concern about construction near her home
3. Roberta Long, regarding a book about Folsom
4. Sandra Lunceford, regarding the area south of Highway 50
5. Stephanie Caruso, regarding impending construction of a gas main station within the Historic District
6. Emily Caruso, regarding impending construction of a gas main station within the Historic District
7. Allison Caruso, regarding impending construction of a gas main station within the Historic District
8. Monique Glowniak, regarding the Relay For Life event

CONSENT CALENDAR:

- 7a. Approval of the March 10, 2015 Special/Regular Meeting Minutes
- 7b. Ordinance No. 1218 - An Ordinance of the City of Folsom Amending Certain Provisions in Title 17 of the Folsom Municipal Code Pertaining to Day Care Use and Home Occupation Permits (Second Reading and Adoption)
- 7c. pulled for discussion
- 7d. pulled for discussion
- 7e. Ordinance No. 1221 - An Uncodified Ordinance Levying Special Taxes for the Fiscal Year 2015-16 and Following Fiscal Years Solely within and Relating to each Improvement Area within the City of Folsom Community Facilities District No. 16 (The Islands at Parkshore) (Second Reading and Adoption)
- 7f. Resolution No. 9529 -- A Resolution of the City of Folsom Identifying the Terms and Conditions for Fire Department Response Away From Their Official Duty Station and Assigned to an Emergency Incident
- 7g. Resolution No. 9530 - A Resolution Authorizing the City Manager to Execute an Agreement with Leo Electric for Electrical Maintenance and Repair Services on an As-needed Basis for Water and Wastewater Facilities
- 7h. Resolution No. 9531 - A Resolution Authorizing the City Manager to Execute an Agreement with Tully and Young for Professional Services for the 2015 Urban Water Management Plan and Water Master Plan and Appropriation of Funds

- 7i. Resolution No. 9532 - A Resolution Authorizing the City Manager to Execute an Agreement with Sacramento County to Divert and Process the City's Green Waste and Wood Waste Material
- 7j. Resolution No. 9533 - A Resolution of the City of Folsom to Support all Means Possible to Secure Federal Assistance Through the Reauthorization of Surface Transportation Programs to Advance the Capital Southeast Connector Project
- 7k. Annual Progress Report on the Implementation of the 2013-2021 Housing Element of the Folsom General Plan

Motion by Vice Mayor Steve Miklos, second by Council Member Jeff Starsky to approve the Consent Calendar items except 7c and 7d. Motion carried with the following roll call vote:

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

CONSENT CALENDAR ITEMS PULLED FOR DISCUSSION:

- 7c. Ordinance No. 1219 - An Ordinance of the City of Folsom Adding Chapter 5.100 to the Folsom Municipal Code Pertaining to Large Family Day Care Homes (Second Reading and Adoption)

City Manager Evert Palmer pointed out that the staff report still contains a reference to the one hour window, but the ordinance clarifies a 30 minute window as agreed at the last Council meeting.

The following speakers addressed the City Council:

1. Michele Panara, expressing concern about her neighbor's day care and the impact to her home
2. Thomas Williams, expressing concern about his neighbor's day care and impact to his home
3. Ashok Bathulla, regarding efforts to minimize impacts to neighborhoods
4. Michelle Kwek, regarding her children's preschool
5. Heidi & CJ Pope, regarding her son's preschool
6. Jennifer Stuart, regarding her preschool
7. Jeff Stuart, regarding his preschool
8. Sarah Shields, regarding her son's preschool
9. Jamic Hills, regarding her son's preschool
10. Lisa Nicolls, regarding her children's preschool
11. Jennifer Lorence, regarding her son's preschool
12. Heidi Cook regarding her child's preschool
13. Alicia Smith, regarding her son's preschool
14. Benjamin Lefever, regarding his children's preschool
15. Debbie Doss, regarding preschool operations

City Council Members offered comments on the proposed ordinance.

Motion by Vice Mayor Steve Miklos, second by Council Member Kerri Howell to adopt Ordinance No. 1219. Motion carried with the following roll call vote:

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

- 7d. Ordinance No. 1220 - An Ordinance of the City of Folsom Repealing Section 10.40.070 of the Folsom Municipal Code Pertaining to the use of Electric Assist Mobility Devices on Class I Bike Trails (Second Reading and Adoption)

Council Member Ernie Sheldon requested item 7d be pulled for a separate vote

**Motion by Mayor Andy Morin, second by Council Member Kerri Howell to adopt Ordinance No. 1220.
Motion carried with the following roll call vote:**

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

PUBLIC HEARING:

- 8a. Folsom Community Facilities District No. 17 (Willow Hill Pipeline) **(amended)**
- i. Resolution No. 9534 - A Resolution of the City Council of the City of Folsom Modifying Resolution of Intention and Approving Amended Rate and Method of Apportionment
 - ii. Resolution No. 9535 - A Resolution of the City Council of the City of Folsom to Form a Community Facilities District and to Levy Special Taxes Therein
 - iii. Resolution No. 9536 - A Resolution of the City Council of the City of Folsom Deeming it Necessary to Incur Bonded Indebtedness in and for the City of Folsom Community Facilities District No. 17 (Willow Hill Pipeline)
 - iv. Resolution No. 9537 - A Resolution of the City Council of the City of Folsom Calling Special Mailed-Ballot Election in the City of Folsom Community Facilities District No. 17 (Willow Hill Pipeline)
 - v. Resolution No. 9538 - A Resolution of the City Council of the City of Folsom Declaring Election Results in the City of Folsom Community Facilities District No. 17 (Willow Hill Pipeline)
 - vi. Ordinance No. 1223 - An Uncodified Ordinance of the City Council of the City of Folsom Levying Special Taxes for the Fiscal Year 2015-16 and following Fiscal Years Solely within and Relating to the City of Folsom Community Facilities District No. 17 (Willow Hill Pipeline) (Introduction and First Reading)
 - vii. Resolution No. 9539 - A Resolution of the City Council of the City of Authorizing the Execution of an Indenture Providing for the Issuance of the City of Folsom Community Facilities District No. 17 Special Tax Bonds, Series 2015, Authorizing the Execution of a Local Obligation Purchase Contract, and Authorizing Necessary Actions and the Execution of Other Documents in Connection Therewith
 - viii. Resolution No. 9540 - A Resolution of the City Council of the City of Folsom Declaring the Official Intent of the City to Reimburse Certain Capital Expenditures from Proceeds of Indebtedness

Finance Director Jim Francis made a presentation and responded to questions from the City Council.

Mayor Andy Morin opened the Public Hearing at 8:11 p.m. City Clerk Christa Saunders confirmed that the notice of the public hearing was published as required.

No members of the public addressed the City Council regarding the proposed CFD, and the Public Hearing was closed.

City Clerk Christa Saunders confirmed that no written protests have been received from the landowners, and therefore a majority protest does not exist. Mayor Andy Morin announced that, because a majority protest did not exist, the City Council may consider resolutions to form the District, designate the Improvement Areas, declare the necessity to incur bonded indebtedness, and call a special election within each Improvement Area.

Motion by Council Member Jeff Starsky, second by Council Member Kerri Howell to approve Resolution No. 9534. Motion carried with the following roll call vote:

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

Motion by Council Member Jeff Starsky, second by Council Member Kerri Howell to approve Resolution No. 9535. Motion carried with the following roll call vote:

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

Motion by Council Member Kerri Howell, second by Council Member Jeff Starsky to approve Resolution No. 9536. Motion carried with the following roll call vote:

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

Motion by Council Member Jeff Starsky, second by Council Member Kerri Howell to approve Resolution No. 9537. Motion carried with the following roll call vote:

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

Mayor Andy Morin declared the election open and directed the City Clerk to conduct the election. Ms. Saunders advised she had received the ballots and declared the election closed. The canvass of ballots was completed, with 3,352 votes cast in support and 0 votes cast in opposition. Accordingly, the measure was approved.

Motion by Council Member Jeff Starsky, second by Council Member Kerri Howell to approve Resolution No. 9538. Motion carried with the following roll call vote:

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

Motion by Council Member Kerri Howell, second by Council Member Jeff Starsky to introduce Ordinance No. 1223. Motion carried with the following roll call vote:

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

Motion by Mayor Andy Morin, second by Council Member Kerri Howell to approve Resolution No. 9539. Motion carried with the following roll call vote:

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

Motion by Vice Mayor Steve Miklos, second by Council Member Kerri Howell to approve Resolution No. 9540. Motion carried with the following roll call vote:

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

- 8b. Harvest Subdivision: Rezone, Vesting Tentative Subdivision Map, Vesting Tentative Parcel Map, Planned Development Permit, and Consider Adoption of a Mitigated Negative Declaration Regarding the Project - 1680 East Natoma Street (PN 14-273)
- i. Resolution No. 9528 - A Resolution to Adopt a Mitigated Negative Declaration, to Approve a Vesting Tentative Subdivision Map Creating 116 Single-Family Residential Lots, to Approve a Vesting Tentative Parcel Map to Create a 4.7-Acre Public Park, and to Approve a Planned Development Permit for the Development of 116 Single-Family Residential Units for the Harvest Subdivision Project
 - ii. Ordinance No. 1222 - An Uncodified Ordinance to Amend the Zoning Designation for the 46.9-Acre Project Site (APN: 071-0060-030) from A-1-A (Agricultural-Reserve District) to R-1-M PD (Single-Family Small Lot, Planned Development District) for the Harvest Subdivision Project (Introduction and First Reading)

Council Member Ernie Sheldon asked the City Attorney to clarify if any of the Council Members have a legal or ethical conflict of interest related to this item if they had accepted campaign contributions from the subject developer.

City Attorney Bruce Cline responded, advising that it is lawful for the City Council Members to vote on this item. The referenced contributions were from individuals who work for Lewis Homes; those employees are not reimbursed for donations, therefore the City Council Members may lawfully vote on the item.

Community Development Director David Miller, along with Senior Planner Steve Banks, made a presentation and responded to questions from the City Council.

Doug Mull, Lewis Homes, made a presentation and responded to questions from the City Council.

Mayor Andy Morin opened the Public Hearing at 8:56 p.m. The following speakers addressed the City Council:

1. Loretta Hettinger, Historic Preservation League, expressed support of the project, but regret at the loss of the homestead building
2. Michael Brown, regarding Condition No. 85 and the height restrictions
3. Jennifer Lane, regarding the importance of Folsom's history
4. Sandra Lunceford, regarding the interpretive area and the preservation of cultural resources
5. June Chan, regarding the homestead building

Hearing no further speakers, the Public Hearing was closed at 9:11 p.m.

Doug Mull responded to additional questions from the City Council. Community Development David Miller provided additional information and clarification.

Motion by Council Member Jeff Starsky, second by Vice Mayor Steve Miklos to continue Resolution No. 9528 and to introduce Ordinance No. 1222.

City Council Members offered comments and discussed the proposed project.

Motion carried with the following roll call vote:

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

Motion by Vice Mayor Steve Miklos, second by Council Member Kerri Howell to waive the 10:30 rule.

Motion carried with the following roll call vote:

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

Mayor Andy Morin called a brief recess at 9:31 pm; the meeting reconvened at 9:39 p.m.

OLD BUSINESS:

- 9a. Ordinance No. 1225 - An Ordinance of the City of Folsom Amending Certain Provisions of Chapter 8.17 Relating to Smoking Regulations (Introduction and First Reading) **(amended)**

City Attorney Bruce Cline made a presentation and responded to questions from the City Council.

The following speakers addressed the City Council:

1. Alison Atkins
2. Theresa Baschert
3. Kimberly Bankston-Lee
4. Kristin Landstrom
5. Jim Lofgren
6. Murray Weaver
7. Dan Haverty, Folsom Chamber of Commerce, Government Affairs Committee
8. Tim Gibbs
9. Stephanie Berry
10. Robert Holderness, representing Powerhouse Pub and Scarlett's

The City Council discussed the optional changes.

Motion by Council Member Ernie Sheldon to select option A1. Motion died for lack of a second.

**Motion by Vice Mayor Steve Miklos, second by Council Member Jeff Starsky to selection option A2.
Motion carried with the following roll call vote:**

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

**Motion by Council Member Jeff Starsky, second by Council Member Kerri Howell to select option A3.
Motion carried by the following roll call vote:**

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

**Motion by Council Member Jeff Starsky, second by Council Member Ernie Sheldon to select Option A4.
Motion carried with the following roll call vote:**

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

Motion by Vice Mayor Steve Miklos, second by Mayor Andy Morin to select Option H2. Motion carried with the following roll call vote:

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

Mayor Andy Morin called a recess at 11:15pm; the meeting reconvened at 11:20 p.m.

- 9b. Resolution No. 9513 - A Resolution to Adopt the Nexus Study for the Park Improvement Fee Update, to Amend Resolution No. 8901 Regarding Park Improvement Fees, and to Establish Revised Park Improvement Fees for the Remaining Development within the City of Folsom, Excluding the Folsom Plan Area, and to Direct the City Manager to Negotiate an Amendment to the Russell Ranch Developmental Agreement to Address the Supplemental Park Fee **(Continued from the February 24, 2015 meeting) (amended)**

Finance Director Jim Francis made a presentation and responded to questions from the City Council.

The following speakers addressed the City Council:

1. Milo Terzich
2. Brian Cutting, Woodside Homes
3. Erin Snyder, Folsom Lacrosse Association
4. Debbie Doss
5. Scott Whyte
6. Deana Ellis, Cresleigh Homes

The City Council Members discussed the proposed fee updates. City Manager Evert Palmer offered additional clarification, as did Finance Director Jim Francis. The City Council reviewed the Nexus Study and heard concerns raised by speakers, and determined that a percentage reduction in the rate would be appropriate and consistent with the Nexus Study.

Motion by Vice Mayor Steve Miklos, second by Council Member Jeff Starsky to approve Resolution No. 9513 with modifications as follows:

- **Residential Single Family: \$6,501/unit on July 1, 2015**
- **Residential Multi-Family: \$4,319/unit on July 1, 2015**
- **Residential Senior Housing: \$3,339/unit on July 1, 2015**
- **Non-Residential Commercial /Office /Industrial: \$0.440 per sq. ft. on July 1, 2015**

The City Council also:

- **hereby directs the City Manager to negotiate an amendment to the Russell Ranch Developmental Agreement to address the Supplemental Park Fee; and**
- **hereby directs the City Manager to refer the Parks and Recreation Capital Improvement Plan of funding sources to the Parks and Recreation Commission for discussion and recommendation**

Motion carried with the following roll call vote:

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

CITY MANAGER REPORTS:

None


COUNCIL COMMENTS:

Vice Mayor Steve Miklos reported on his trip to the International Conference of Shopping Centers in compliance with AB 1234.

ADJOURNMENT:

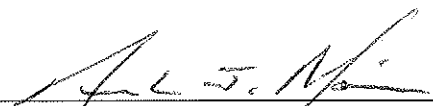
There being no further business to come before the Folsom City Council, the meeting was adjourned at 12:39 am.

PREPARED AND SUBMITTED BY:



Christa Saunders, City Clerk

ATTEST:



Andrew J. Morin, Mayor