

Meeting Minutes
Folsom City Council Special Meeting
January 28, 2014

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

ROLL CALL:

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

Absent: Jeff Starsky, Council Member

Staff Present: City Manager Evert Palmer
 Deputy City Manager Elaine Andersen
 City Attorney Bruce Cline
 City Clerk Christa Saunders
 Human Resources Director John Spittler

ADJOURNMENT TO CLOSED SESSION FOR THE FOLLOWING PURPOSES:

- 3a. Conference with Legal Counsel - Existing Litigation - Pursuant to Government Code section 54956.9(a):
 i. Dave Hart v. City of Folsom
 WCAB Case No.: ADJ8830258

City Attorney Bruce Cline read the closed session item into the record.

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

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

The City Council reconvened from Closed Session at 6:30 p.m. City Attorney Bruce Cline announced no final action was taken during Closed Session.

ADJOURNMENT:

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

PREPARED AND SUBMITTED BY:



Christa Saunders, City Clerk

ATTEST:


Kerri M. Howell, Mayor

Approved 02/11/2014

Meeting Minutes
Folsom City Council Regular Meeting
January 28, 2014

CALL TO ORDER: The regular City Council meeting was called to order at 6:30 p.m. in City Council Chambers, 50 Natoma Street, Folsom, California, with Mayor Kerri Howell presiding.

ROLL CALL:

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

Council Members Absent: Jeff Starsky, Council Member (arrived at 7:32 pm)

Staff Present: City Manager Evert Palmer
 Deputy City Manager Elaine Andersen
 City Attorney Bruce Cline
 City Clerk Christa Saunders
 Human Resources Director John Spittler
 Community Development and Public Works Director David Miller

PLEDGE OF ALLEGIANCE:

The Pledge of Allegiance was recited.

AGENDA UPDATE:

City Attorney Bruce Cline announced that there were updates/additional information regarding items 8a and 9a.

SCHEDULED PRESENTATIONS:

- 5a. Resolution of Commendation Honoring Folsom Vista Jr. Eagles for Receiving the 2013 Soaring to Excellence Award

Mayor Kerri Howell and Council Member Andy Morin presented the Resolutions of Commendation.

- 5b. Presentation on the STARS After School Program with Resolutions of Commendation Honoring Kaiser Permanente and Micron Technology, Inc. for their Contribution and Support

Mayor Kerri Howell presented the Resolutions of Commendation. Representatives from STARS made a brief presentation regarding their after school program.

5c. Mayor's State of the City Address

Mayor Kerri Howell presented the State of the City Address.

BUSINESS FROM THE FLOOR:

None

CONSENT CALENDAR:

- 7a. Approval of the January 14, 2014 Special/Regular Meeting Minutes
- 7b. Ordinance No. 1189 - An Uncodified Ordinance of the City of Folsom, California Levying a Special Tax in Connection with City of Folsom Community Facilities District No. 2013-1 (Water Facilities and Supply) and Taking Certain Related Actions (Second Reading and Adoption)
- 7c. Ordinance No. 1190 - An Ordinance of the City of Folsom Levying Special Taxes within City of Folsom Community Facilities District No. 2014-1 (mPOWER PACE Program) (Second Reading and Adoption)
- 7d. Ordinance No. 1191 - An Ordinance of the City of Folsom Repealing Chapter 8.36 and Re-Enacting Chapter 8.36 of the Folsom Municipal Code Concerning the Folsom Fire Code (Second Reading and Adoption)
- 7e. Resolution No. 9300 - A Resolution Authorizing the City Manager to Execute Non-exclusive Consultant Services Agreements with Vali Cooper & Associates, HDR Engineering and Unico Engineering for On-call Construction Inspection and Materials Testing of Various Capital Improvement Projects
- 7f. Resolution No. 9301 - A Resolution Authorizing the City Manager to Execute an Agreement with Water Works Engineers for Design and Construction Administration Services for the Folsom Plan Area Zone 4 and Zone 5 Booster Pump Station Project and Appropriation of Funds
- 7g. Resolution No. 9302 - A Resolution Authorizing the City Manager to Execute an Agreement with HDR, Inc. for Design and Construction Administration Services for the Folsom Plan Area Water Treatment Plant Pump Station Phase 1 Improvements Project and Appropriation of Funds
- 7h. Resolution No. 9303 - A Resolution Authorizing the City Manager to Execute Amendment No. 1 to the Agreement with the California Department of Corrections and Rehabilitation for Inmate Community Service Work Crews (Contract No. 172-21 11-023) to Add a Third Inmate Community Service Work Crew and to Extend the Term of the Agreement for One Year Subject to Annual Budget Appropriations
- 7i. Resolution No. 9304 - A Resolution Authorizing Appropriation Increases in the Community Development Department and Amending the Existing Contracts for Building Plan Check and Inspection Services with Bureau Veritas, Inc., 4Leaf, Inc., Willdan Engineering and Interwest Consulting Group to Increase the Aggregate Contract Amount
- 7j. Resolution No. 9305 - A Resolution Accepting the Grant Award from the Sacramento Area Council of Governments Bicycle and Pedestrian Funding Program for the Lake Natoma Trail Gap Closure Project

- 7k. Resolution No. 9306 - A Resolution Authorizing the City Manager to Execute Amendment No. 1 to the Previously Approved Agreement with Raney Planning and Management, Inc. for the Preparation of the Life Time Fitness Environmental Impact Report and Appropriation of Funds (Contract No. 173-21 13-068)

Motion by Council Member Steve Miklos, second by Council Member Andy Morin to approve the Consent Calendar. Motion carried with the following roll call vote:

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

OLD BUSINESS:

- 8a. Resolution No. 9266 - A Resolution of the City Council of the City of Folsom Creating the Sutter Street Entertainment District

City Manager Evert Palmer made a brief presentation. The following speakers addressed the City Council:

- Bob Holderness, regarding allowed hours of entertainment.
- Murray Weaver, Powerhouse Pub, expressing his concern about formation of the entertainment district and his desire to work with the city.

City Attorney Bruce Cline clarified that the city cannot regulate hours of operation through the ordinance, just hours of entertainment

- Cindy Pharis, expressed concern with the name “entertainment district” and ongoing concerns about parking, noise and traffic issues.
- Josh Margolis, Folsom Hotel, expressed his desire to work with the city and requested the City Council allow entertainment Wednesday nights until midnight, explaining that this is an important night for his business.
- Jennifer Lane, noted that in her neighborhood they have been fighting for their rights for almost 25 years, and observed that perhaps Sutter Street has received attention because of the drunks in the neighborhood, loud noises and disgusting behavior. She urged the Council to look at parking issues in her Sibley Street area.
- Edward Auell, Hacienda del Rio, encouraged the Council to adopt the RUI [Responsible Hospitality Institute] recommendations.
- Madeleine Mosely, expressed her dismay that some of the area cattlemen have to sell their cattle due to the drought, saying it was a real shame.

The City Council discussed the proposed entertainment district permit conditions.

Council Member Jeff Starsky arrived at 7:32 pm.

Motion by Council Member Andy Morin to approve Resolution No. 9266 as recommended by staff.

Following further discussion among the City Council Members, Council Member Steve Miklos seconded Mr. Morin’s motion.

Following further discussion among the City Council Members, Council Member Jeff Starsky proposed an amendment to Mr. Morin's motion to approve Resolution No. 9266, with a modification to allow entertainment on Wednesdays until midnight instead of 11 pm. Council Member Andy Morin and Council Member Steve Miklos both agreed to the proposed amended motion.

City Attorney Bruce Cline provided further clarification and direction.

Mayor Kerri Howell called for the vote on the Amended Motion. The Amended Motion carried with the following roll call vote:

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

8b. Resolution No. 9298 - A Resolution Approving the Public Facilities Financing Plan (PFFP) for the Folsom Plan Area South of Highway 50 **(Continued from January 14, 2014)**

City Manager Evert Palmer presented the staff report and explained actions taken since the last meeting to modify the PFFP.

The following speakers addressed the City Council:

- Dan Otis, saying family-oriented facilities will attract buyers.
- Jonathan Aring, Folsom Tigersharks, spoke of funding for a pool.
- Mike Lockwood, FYBA Board, complained about currently not having enough gyms and gym time.
- Dan Callanan, offered his perspective as a brand new resident of Folsom who enjoys the lake and bike trails.
- Dan Palheggi, asking for more park and rec facilities.
- Mike Dunn, asking for more park and rec facilities.
- Larry Johnson, concerned about roads and trails and the proposed municipal center.
- Ashley Feeney, The New Home Company, expressed his support of the PFFP.
- Tim Taron, representing the landowners group, expressed his support of the PFFP.
- Robert Holderness, thanking staff for their work.
- Jaime Gomes, EPS, provided information regarding the funding phasing, in response to a request from Council Member Jeff Starsky.

The City Council Members discussed the proposed PFFP.

Motion by Council Member Jeff Starsky to approve Resolution No. 9298. Second by Council Member Andy Morin. Motion carried with the following roll call vote:

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

PUBLIC HEARING:

- 9a. Resolution No. 9299 - A Resolution Eliminating Condition of Approval No. 14 Related to Owner-occupancy Requirements in "The Knolls" Subdivision at 1300 East Natoma Street

Community Development Director David Miller introduced the item.

Mayor Kerri Howell opened the Public Hearing at 10:00 p.m.

Craig Pizer, representing "The Knolls" was present and offered to answer any questions from the Council. There were no questions for Mr. Pizer.

Hearing no speakers, the Public Hearing was closed.

Motion by Council Member Andy Morin, second by Council Member Steve Miklos to approve Resolution No. 9299. Motion carried with the following roll call vote:

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

CITY MANAGER REPORTS:

City Manager Evert Palmer reminded everyone to continue to conserve water.

COUNCIL COMMENTS:

Council Member Jeff Starsky congratulated the City Manager and staff for their work on the PFFP. He welcomed VSP to Folsom and noted that they will bring many jobs with them.

Vice Mayor Ernie Sheldon thanked the sports people that attended the meeting and commented.

Council Member Steve Miklos thanked staff for delivering a fantastic product for the future of the City (PFFP) and for making Sutter Street a safer environment.

Council Member Andy Morin concurred with all the other Council comments, and added that he was not able to attend Bob Holderness' birthday party because he was helping out with the Folsom Jazz Festival. He wished Bob a happy birthday.

Mayor Kerri Howell thanked her colleagues for their support up to this point. She apologized for not being at the State of the City Address at the Chamber. She asked everyone to drive carefully and to keep their fingers crossed that it rains tomorrow and continues.

ADJOURNMENT:

There being no further business to come before the Folsom City Council, the meeting was adjourned at 10:04

PREPARED AND SUBMITTED BY:

Christa Saunders
Christa Saunders, City Clerk

ATTEST:

Kerri M. Howell
Kerri M. Howell, Mayor