

Meeting Minutes
Folsom City Council Special Meeting
June 10, 2014

CALL TO ORDER: The special City Council meeting was called to order at 6:01 p.m. in the City Council Chambers, 50 Natoma Street, Folsom, California, with Mayor Kerri Howell presiding.

ROLL CALL:

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

ADJOURNMENT TO CLOSED SESSION FOR THE FOLLOWING PURPOSES:

- 3a. Conference with Labor Negotiator - Pursuant to Government Code Section 54957.6:
 i. Agency Negotiator: Human Resources Director John Spittler
 Employee Organization: Folsom Middle Management Group

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

Motion by Council Member Andy Morin, second by Council Member Steve Miklos to adjourn to Closed Session for the above-referenced item. Motion carried with the following roll call vote:

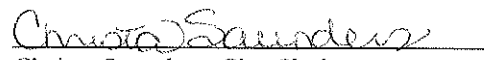
AYES: Council Member(s): Sheldon, Miklos, Morin, Howell
NOES: Council Member(s): None
ABSENT: Council Member(s): Starsky
ABSTAIN: Council Member(s): None

The City Council reconvened from Closed Session at 6:32 p.m. City Attorney Bruce Cline confirmed that no final action was taken during Closed Session.

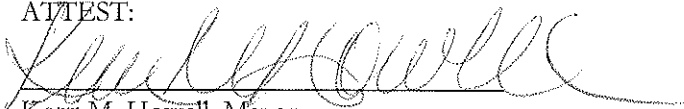
ADJOURNMENT:

There being no further business to come before the Folsom City Council, the meeting was adjourned at 6:32 p.m.

PREPARED AND SUBMITTED BY:


Christa Saunders, City Clerk

ATTEST:


Kerri M. Howell, Mayor

Meeting Minutes
Folsom City Council Regular Meeting
June 10, 2014

CALL TO ORDER: The regular City Council meeting was called to order at 6:32 p.m. in City Council Chambers, 50 Natoma Street, Folsom, California, with Mayor Kerri Howell presiding.

ROLL CALL:

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

Council Members Absent: Jeff Starsky, Council Member

Staff Present: City Manager Evert Palmer
Deputy City Manager Elaine Andersen
City Attorney Bruce Cline
Assistant City Attorney Steve Wang
City Clerk Christa Saunders
Finance Director Jim Francis
Community Development and Public Works Director David Miller
Police Commander Perry Albers

PLEDGE OF ALLEGIANCE:

The Pledge of Allegiance was recited.

AGENDA UPDATE:

City Attorney Bruce Cline announced that there were no updates to the agenda.

SCHEDULED PRESENTATIONS:

5a. Resolution of Commendation Honoring Intel on the 30th Anniversary of the Folsom Campus

Mayor Kerri Howell presented the Resolution of Commendation to Anna Ballard, Intel External Affairs Director.

5b. Resolution of Commendation Congratulating Lukas Novak on Being Named as a 2014 United States Presidential Scholar

Council Member Andy Morin presented the Resolution of Commendation to Lukas Novak.

BUSINESS FROM THE FLOOR:

The following speakers addressed the City Council:

- Colette Anderson, regarding the Sierra Marlins Swim Team

In response to a request from Mayor Kerri Howell, City Manager Evert Palmer provided clarification about the city's suggestion of a possible mediator to assist in the swim team's internal issues.

- Peter Maroon, regarding the Sierra Marlins Swim Team
- Kevin Whelan, regarding the Sierra Marlins Swim Team
- Justin Jones, regarding the Sierra Marlins Swim Team

Council Member Andy Morin responded to comments about alleged "city subsidies" of the Sierra Marlins Swim Team, clarifying that the city subsidizes the aquatic center's entire operation and does not subsidize specific teams.

- Kiki Akers, regarding the Sierra Marlins Swim Team
- Kathleen Kinsey, regarding the Sierra Marlins Swim Team
- Darren Bello, regarding the Sierra Marlins Swim Team
- Deborah Doss, regarding the Sierra Marlins Swim Team
- Mercedeh Sheik, regarding the Sierra Marlins Swim Team
- Scott Mefford, regarding the Sierra Marlins Swim Team
- John Pellegrini, regarding the Sierra Marlins Swim Team
- Taylor Lehr, regarding the Sierra Marlins Swim Team
- Linda Klotz, regarding the Sierra Marlins Swim Team

CONSENT CALENDAR:

- 7a. Approval of the May 13, 2014 Special/Regular Meeting Minutes
- 7b. Approval of the May 27, 2014 Special/Regular Meeting Minutes
- 7c. pulled for discussion
- 7d. pulled for discussion
- 7e. pulled for discussion
- 7f. Resolution No. 9368 - A Resolution Appointing Primary and Alternate City of Folsom Representatives to the Sacramento Central Groundwater Authority Governing Board
- 7g. pulled for discussion
- 7h. Resolution No. 9370 - A Resolution Authorizing the City Manager to Execute an Agreement with West Yost Associates for Design and Construction Administration Services for the Folsom Plan Area Mangini Ranch Sewer Lift Station Project and Appropriation of Funds

- 7i. Resolution No. 9371 - A Resolution Authorizing the City Manager to Amend Existing Contractor Agreements for the Seniors Helping Seniors Program by Extending the Effective Date of Each Contract to June 30, 2015
- 7j. Resolution No. 9372 - A Resolution Authorizing the City Manager to Execute Amendment No. 1 to the Contract with UNICO Engineering Consulting for Additional Inspection and Special Testing Services for the Johnny Cash Trail Project (Contract No. 173-21 14-039)
- 7k. pulled for discussion
- 7l. pulled for discussion
- 7m. Resolution No. 9375 - A Resolution Authorizing the City Manager to Execute an Agreement with SAK Construction, LLC for the Construction of the Hinkle Creek Pipeline Rehabilitation Project
- 7n. Resolution No. 9376 - A Resolution Authorizing the City Manager to Execute an Agreement with West Yost Associates for Professional Services for the Sanitary Sewer Inflow and Infiltration Reduction Study
- 7o. Resolution No. 9377 - A Resolution Authorizing the City Manager to Execute an Agreement with HydroScience Engineers, Inc. for Construction Management and Inspection Services for the Hinkle Creek Pipeline Rehabilitation Project
- 7p. Resolution No. 9378 - A Resolution Authorizing mPower Folsom Participation in the California Alternative Energy and Advanced Transportation Finance Authority's (CAEATFA) Pace (Property Assessed Clean Energy) Loss Reserve Program, the Collection of the Program Fee on Residential Assessments Charged by CAEATFA and Designating the Placer County Treasurer-Tax Collector or her Designee as the Authorized Program Representative and Direction that the Placer County Treasurer-Tax Collector Take Any Other Actions as Necessary to Implement Participation in the Program

Motion by Council Member Andy Morin, second by Council Member Steve Miklos to approve Consent Calendar items 7a, 7b, 7f, 7h, 7i, 7j, 7m, 7n, 7o, 7p. Motion carried with the following roll call vote:

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

CONSENT CALENDAR ITEM PULLED FOR DISCUSSION:

- 7c. Uncodified Ordinances of the City of Folsom for the First Amended and Restated Tier 1 Development Agreement by and Between the City of Folsom and Certain Landowners in the Folsom Plan Area Relative to the Folsom South Specific Plan (Second Readings and Adoptions)
 - i. Ordinance No. 1195 - An Uncodified Ordinance of the City of Folsom Approving the First Amended and Restated Tier 1 Development Agreement with West Scott Road, LLC
 - ii. Ordinance No. 1196 - An Uncodified Ordinance of the City of Folsom Approving the First Amended and Restated Tier 1 Development Agreement with White Rock Land Investors, LLC
 - iii. Ordinance No. 1197 - An Uncodified Ordinance of the City of Folsom Approving the First Amended and Restated Tier 1 Development Agreement with West Prairie Estates, LLC

- iv. Ordinance No. 1198 - An Uncodified Ordinance of the City of Folsom Approving the First Amended and Restated Tier 1 Development Agreement with TNHC Russell Ranch, LLC
- v. Ordinance No. 1199 - An Uncodified Ordinance of the City of Folsom Approving the First Amended and Restated Tier 1 Development Agreement with Mangini North Holdings, LLC
- vi. Ordinance No. 1200 - An Uncodified Ordinance of the City of Folsom Approving the First Amended and Restated Tier 1 Development Agreement with Gragg Ranch Recovery Acquisition
- vii. Ordinance No. 1201 - An Uncodified Ordinance of the City of Folsom Approving the First Amended and Restated Tier 1 Development Agreement with Folsom Real Estate South, LLC
- viii. Ordinance No. 1202 - An Uncodified Ordinance of the City of Folsom Approving the First Amended and Restated Tier 1 Development Agreement with Easton Valley Holdings, LLC
- ix. Ordinance No. 1203 - An Uncodified Ordinance of the City of Folsom Approving the First Amended and Restated Tier 1 Development Agreement with Eagle Office Properties, LLC
- x. Ordinance No. 1204 - An Uncodified Ordinance of the City of Folsom Approving the First Amended and Restated Tier 1 Development Agreement with Eagle Commercial Partners, LLC
- xi. Ordinance No. 1205 - An Uncodified Ordinance of the City of Folsom Approving the First Amended and Restated Tier 1 Development Agreement with Carpenter East, LLC
- xii. Ordinance No. 1206 - An Uncodified Ordinance of the City of Folsom Approving the First Amended and Restated Tier 1 Development Agreement with Arcadian Heights, LLC
- xiii. Ordinance No. 1207 - An Uncodified Ordinance of the City of Folsom Approving the First Amended and Restated Tier 1 Development Agreement with Aerojet Rocket Dyne, Inc. and Easton Development Company, LLC

Council Member Ernie Sheldon pulled the item to offer comments for the record. City Manager Evert Palmer and Council Member Steve Miklos provided clarifying information.

Motion by Council Member Andy Morin, second by Council Member Steve Miklos to approve item 7c.
Motion carried with the following roll call vote:

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

- 7d. Resolution No. 9366 - A Resolution Authorizing the City Manager to Amend Existing Contracts for Building Plan Check and Inspection Services with Bureau Veritas North America, Inc., 4Leaf, Inc., Willdan Engineering and Interwest Consulting Group to Extend the Effective Date of Each Contract Until June 30, 2015

Mayor Kerri Howell pulled the item to amend the resolution in the third paragraph to add the word "and" in front of experience and to delete the words "end cost."

Motion by Council Member Steve Miklos, second by Council Member Andy Morin to approve item 7d as amended. Motion carried with the following roll call vote:

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

7e. Resolution No. 9367 - A Resolution Authorizing Adoption of an Extension of the Memorandum of Understanding Between the City of Folsom and the Folsom Middle Management Group

Council Member Ernie Sheldon pulled the item to thank the union groups.

**Motion by Council Member Andy Morin, second by Council Member Steve Miklos to approve item 7e.
Motion carried with the following roll call vote:**

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

7g. Resolution No. 9369 - A Resolution Appointing the Primary and the Alternate City of Folsom Representatives on the Sacramento Regional County Sanitation District and the County Sanitation District 1 Boards of Directors

Mayor Kerri Howell pulled the item to correct the name of the County Sanitation District 1 to the Sacramento Area Sewer District.

Motion by Mayor Kerri Howell, second by Council Member Steve Miklos to approve Resolution No. 9369 as amended. Motion carried with the following roll call vote:

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

7k. Resolution No. 9373 - A Resolution Authorizing the City Manager to Execute a Construction Contract with California Track and Engineering, Inc. for the John Kemp Community Park and the Folsom Sports Complex Synthetic Turf Field Replacement Project Funded Through the City Capital Lease Program

Vice Mayor Ernie Sheldon pulled this item to compliment the Parks and Recreation Director, Finance Director, and City Manager.

**Motion by Council Member Andy Morin, second by Council Member Steve Miklos to approve item 7k.
Motion carried with the following roll call vote:**

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

7l. Resolution No. 9374 - A Resolution Approving Amendment No. 1 to the Joint-Use Agreement between the City of Folsom and the Folsom Cordova Unified School District (Contract No. 172-21 00-047)

Vice Mayor Ernie Sheldon pulled this item to comment on the joint use agreement.

Motion by Vice Mayor Ernie Sheldon, second by Council Member Andy Morin to approve item 7I.
Motion carried with the following roll call vote:

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

OLD BUSINESS:

- 8a. A Resolution and Ordinance Authorizing an Amendment to the PERS Contract to Remove the Contract Exclusion of Resident Fire Fighters Hired on or After May 20, 1986, Whose Tenure Does Not Exceed 36 Months, Prospectively Only
- i. Resolution No. 9314 - Resolution of Intention to Approve an Amendment to the Contract Between the Board of Administration, California Public Employees' Retirement System and the City Council, City of Folsom to Provide Section 20503 (Removal of the Contract Exclusion of "Resident Fire Fighters Hired on or After May 20, 1986, Whose Tenure Does Not Exceed 36 Months," Prospectively Only)
 - ii. Ordinance No. 1192 - An Ordinance of the City Council of the City of Folsom Enacting Section 2.33.180, Chapter 2.33 of the Folsom Municipal Code and Authorizing Further Amendment to the Contract Between the City of Folsom and the Board of Administration of the California Public Employees' Retirement System (Introduction and First Reading)

Human Resources Director John Spittler made a presentation and responded to questions from the City Council.

Motion by Council Member Steve Miklos, second by Mayor Kerri Howell to approve Resolution No. 9314 and to introduce Ordinance No. 1192. Motion carried with the following roll call vote:

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

PUBLIC HEARING:

- 9a. An Appeal of a Planning Commission Action Denying a Design Review Application at 323 Randall Drive PN 13-303 (to be continued to June 24, 2014)

Motion by Council Member Steve Miklos, second by Council Member Andy Morin to continue item 9a to June 24, 2014. Motion carried with the following roll call vote:

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

- 9b. Ordinance No. 1209 - An Ordinance of the City of Folsom Amending Section 17.22.030(E)(234) of the Folsom Municipal Code Pertaining to E-Cigarettes (Introduction and First Reading) and Determination that the Project is Exempt from CEQA and Direction to Staff Regarding Regulation of E-Cigarettes

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

Mayor Kerri Howell opened the Public Hearing at 7:45 p.m. Hearing no speakers, the Public Hearing was closed.

Motion by Council Member Steve Miklos, second by Council Member Andy Morin to introduce Ordinance No. 1209. Motion carried with the following roll call vote:

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

Assistant City Attorney Steve Wang requested City Council direction regarding regulation of e-cigarettes. After brief discussion, the City Council's consensus was to direct staff to mirror regulations for cigarettes and e-cigarettes

NEW BUSINESS:

- 10a. Ordinance No. 1208 - An Ordinance of the City of Folsom Adding Chapter 10.05 to the Folsom Municipal Code Pertaining to Traffic Medians (Introduction and First Reading)

Police Commander Perry Albers presented the staff report and responded to questions.

Motion by Council Member Steve Miklos, second by Council Member Andy Morin to introduce Ordinance No. 1208. Motion carried with the following roll call vote:

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

CITY MANAGER REPORTS:

City Manager Evert Palmer invited residents to participate in a group swim lesson at the Aquatic Center and to attend the concerts in the park.

COUNCIL COMMENTS:

Vice Mayor Ernie Sheldon spoke about the problems in the Sierra Marlins Swim Team.

Council Member Steve Miklos clarified that the City Council did not agendize a discussion about the Sierra Marlins Swim Team and does not subsidize the team; it subsidizes the entire facility operation to benefit all residents. He reported on recent SACOG Board of Director activity regarding proposed "Sustainable Communities" strategies.

Council Member Andy Morin encouraged everyone to continue water conservation and encouraged the Sierra Marlins Swim Team members to resolve their issues.

Mayor Kerri Howell encouraged the Sierra Marlins Swim Team members to work with Mr. Holderness to resolve their issues. She invited residents to attend an event at the Veterans Hall and reminded residents to drive carefully.

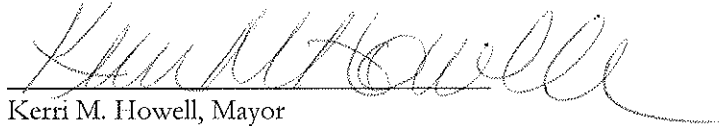
ADJOURNMENT:

There being no further business to come before the Folsom City Council, the meeting was adjourned at 8:18p.m.

PREPARED AND SUBMITTED BY:


Christa Saunders, City Clerk

ATTEST:


Kerri M. Howell, Mayor