

City Council Special Meeting

MINUTES

Tuesday, March 28, 2023 6:00 PM

CALL TO ORDER

The special City Council meeting was called to order at 6:00 p.m. with Mayor Rosario Rodriguez presiding.

ROLL CALL:

Councilmembers Present: Mike Kozlowski, Councilmember
Anna Rohrbough, Councilmember
Sarah Aquino, Councilmember
YK Chalamcherla, Vice Mayor
Rosario Rodriguez, Mayor

Councilmembers Absent: None

Participating Staff: City Manager Elaine Andersen
City Attorney Steve Wang
Deputy City Clerk Lydia Konopka

ADJOURNMENT TO CLOSED SESSION FOR THE FOLLOWING PURPOSES:

1. Conference with Labor Negotiator - Pursuant to Government Code Section 54957.6. Agency Negotiator: Human Resources Advisor John Spittler. Employee Organization: City of Folsom Police Department Middle Management Employees

Motion by Councilmember Sarah Aquino, second by Vice Mayor YK Chalamcherla, to adjourn to closed session for the above referenced item. Motion carried with the following roll call vote:

AYES: Councilmember(s): Kozlowski, Rohrbough, Aquino, Chalamcherla, Rodriguez
NOES: Councilmember(s): None
ABSENT: Councilmember(s): None
ABSTAIN: Councilmember(s): None

RECONVENE

City Attorney Steven Wang announced that no final action was taken during closed session.

ADJOURNMENT

The special meeting was adjourned to the regular City Council meeting at 6:30 p.m.

SUBMITTED BY:

Lydia Konopka, Deputy City Clerk

ATTEST:

Rosario Rodriguez, Mayor

City Council Regular Meeting

MINUTES

Tuesday, March 28, 2023 6:30 PM

CALL TO ORDER

The regular City Council meeting was called to order at 6:30 pm with Mayor Rosario Rodriguez presiding.

ROLL CALL:

Councilmembers Present: Mike Kozlowski, Councilmember
Anna Rohrbough, Councilmember
Sarah Aquino, Councilmember
YK Chalamcherla, Vice Mayor
Rosario Rodriguez, Mayor

Councilmembers Absent: None

Participating Staff: City Manager Elaine Andersen
City Attorney Steven Wang
Deputy City Clerk Lydia Konopka
CFO/Finance Director Stacey Tamagni
Environmental and Water Resources Director Marcus Yasutake
Communications Director Christine Brainerd
Senior Planner Stephanie Henry
Community Development Director Pam Johns
Principal Planner Steve Banks
Assistant City Attorney Sari Dierking
Public Works Director Mark Rackovan

PLEDGE OF ALLEGIANCE

The pledge of allegiance was recited.

AGENDA UPDATE

City Attorney Steven Wang announced that there was a revised staff report and additional information for item 13.

BUSINESS FROM THE FLOOR:

The following speakers addressed the City Council:

1. Beverly Siess regarding the winter shelter
2. Jennifer Lane regarding River District Ad Hoc Committee
3. Ethan Walker regarding SB54

SCHEDULED PRESENTATIONS:

1. Folsom Tourism and Economic Development Corporation (TEDCorp) Quarterly Report

TEDCorp CEO Joe Gagliardi introduced the item. Choose Folsom representatives Laura Fickle, Phil Scott, and Daniel Kaye of Bekonix made a presentation and responded to questions from the City Council.

CONSENT CALENDAR:

Items appearing on the Consent Calendar are considered routine and may be approved by one motion. City Councilmembers may pull an item for discussion.

2. Approval of March 14, 2023 Special and Regular Meeting Minutes
3. Ordinance No. 1337 - An Uncodified Ordinance of the City of Folsom Approving Amendment No. 2 to the First Amended and Restated Tier 1 Development Agreement Between the City of Folsom and Eagle Commercial Properties, LLC Relative to the Folsom South Specific Plan (Second Reading and Adoption)
4. **pulled for comment**
5. Resolution No. 11008 - A Resolution Authorizing the City Manager to Execute a Memorandum of Understanding between the City of Folsom and the City of Folsom Fire Department Middle Management Employees (CFFDMME)
6. Resolution No. 11009 - A Resolution Authorizing the City Manager to Execute a Memorandum of Understanding between the City of Folsom and the Folsom Middle Management Group (FMMG)
7. Resolution No. 11013 - A Resolution Authorizing the City Manager to Execute an Agreement with NBS Government Financing Group for Assessment Engineering Services
8. Resolution No. 11014 - A Resolution Directing the Preparation of Engineer's Report for the Following Landscaping and Lighting Districts for Fiscal Year 2023-2024 American River Canyon North, American River Canyon North No. 2, American River Canyon North No. 3, Blue Ravine Oaks, Blue Ravine Oaks No. 2, Briggs Ranch, Broadstone, Broadstone No. 4, Broadstone Unit No. 3, Cobble Ridge, Cobble Hills Ridge II/Reflections II, Folsom Heights, Folsom Heights No. 2, Hannaford Cross, Lake Natoma Shores, Los Cerros, Natoma Station, Natoma Valley, Prairie Oaks Ranch, Prairie Oaks Ranch No. 2, Prospect Ridge, Sierra Estates, Silverbrook, Steeplechase, The Residences at American River Canyon, The Residences at American River Canyon II, Willow Creek Estates East, Willow Creek Estates East No. 2, Willow Creek Estates South, and Willow Springs

9. pulled for comment

Motion by Councilmember Mike Kozlowski, second by Vice Mayor YK Chalamcherla, to approve items 2-3 and 5-8 of the Consent Calendar.

Motion carried with the following roll call vote:

AYES: Councilmember(s): Kozlowski, Rohrbough, Aquino, Chalamcherla, Rodriguez
NOES: Councilmember(s): None
ABSENT: Councilmember(s): None
ABSTAIN: Councilmember(s): None

CONSENT CALENDAR ITEMS PULLED FOR DISCUSSION:

9. 2022 General Plan (and Housing Element) Annual Progress Report

Mayor Rosario Rodriguez pulled item 9 at the request of Loretta Hettinger who addressed the City Council regarding the history of Folsom.

Motion by Mayor Rosario Rodriguez, second by Vice Mayor YK Chalamcherla, to approve the Annual Progress Report.

Motion carried with the following roll call vote:

AYES: Councilmember(s): Kozlowski, Rohrbough, Aquino, Chalamcherla, Rodriguez
NOES: Councilmember(s): None
ABSENT: Councilmember(s): None
ABSTAIN: Councilmember(s): None

4. Resolution No. 11006 - A Resolution Authorizing the City Manager to Execute an Agreement with McGuire and Hester for the Construction of the Greenback Sewer and Lift Station No. 3 Project and Appropriation of Funds

Vice Mayor YK Chalamcherla pulled the item for clarification and to make a motion. Environmental and Water Resources Director Marcus Yasutake responded. City Attorney Steve Wang provided additional clarification.

Motion by Vice Mayor YK Chalamcherla, second by Councilmember Mike Kozlowski, to reject all bids.

Motion failed with the following roll call vote:

AYES: Councilmember(s): Chalamcherla
NOES: Councilmember(s): Kozlowski, Rohrbough, Aquino, Rodriguez
ABSENT: Councilmember(s): None
ABSTAIN: Councilmember(s): None

Motion by Councilmember Sarah Aquino, second by Councilmember Mike Kozlowski, to approve Resolution No. 11006.

Motion carried with the following roll call vote:

AYES: Councilmember(s): Kozlowski, Rohrbough, Aquino, Rodriguez
NOES: Councilmember(s): Chalamcherla
ABSENT: Councilmember(s): None
ABSTAIN: Councilmember(s): None

PUBLIC HEARING:

10. Amendment to City of Folsom Community Facilities District No. 23 (Folsom Ranch) Improvement Area No. 2

i. Resolution No. 11010 - A Resolution of the City Council of the City of Folsom Calling a Special Mailed-Ballot Election Related to Change Proceedings for Improvement Area No. 2 within City of Folsom Community Facilities District No. 23 (Folsom Ranch)

ii. Resolution No. 11011 – A Resolution of Change of the City Council of the City of Folsom Relating to Improvement Area No. 2 within the City of Folsom Community Facilities District No. 23 (Folsom Ranch)

iii. Ordinance No. 1338 – An Uncodified Ordinance Levying a Special Tax for the Fiscal Year 2023-2024 and Following Fiscal Years Solely within and Relating to Improvement Area No. 2 within the City of Folsom Community Facilities District No. 23 (Folsom Ranch) (Introduction and First Reading)

CFO/Finance Director Stacey Tamagni made a presentation.

Mayor Rosario Rodriguez opened the public hearing and asked if there were any protests or public comments. There were none.

Mayor Rosario Rodriguez asked if there was a majority protest for CFD No. 23. Deputy City Clerk Lydia Konopka confirmed that there was no majority protest. Mayor Rodriguez stated that because there is no majority protest the City Council may consider the resolution.

Motion by Councilmember Sarah Aquino, second by Councilmember Mike Kozlowski, to approve Resolution No. 11010.

Motion carried with the following roll call vote:

AYES: Councilmember(s): Kozlowski, Rohrbough, Aquino, Chalamcherla, Rodriguez
NOES: Councilmember(s): None
ABSENT: Councilmember(s): None
ABSTAIN: Councilmember(s): None

Mayor Rosario Rodriguez asked the City Clerk to conduct the election and proceed to canvas. Deputy

City Clerk Lydia Konopka stated she received the ballots, and declared the election closed. She read the canvas results and explained that the votes are one hundred percent in favor of the measure.

Motion by Councilmember Sarah Aquino, second by Councilmember Mike Kozlowski, to approve Resolution No. 11011.

Motion carried with the following roll call vote:

AYES: Councilmember(s): Kozlowski, Rohrbough, Aquino, Chalamcherla, Rodriguez
NOES: Councilmember(s): None
ABSENT: Councilmember(s): None
ABSTAIN: Councilmember(s): None

Motion by Councilmember Sarah Aquino, second by Councilmember Mike Kozlowski, to introduce and conduct the first reading of Ordinance No. 1338.

Motion carried with the following roll call vote:

AYES: Councilmember(s): Kozlowski, Rohrbough, Aquino, Chalamcherla, Rodriguez
NOES: Councilmember(s): None
ABSENT: Councilmember(s): None
ABSTAIN: Councilmember(s): None

Mayor Rosario Rodriguez closed the public hearing.

NEW BUSINESS:

11. Proposed Historic Folsom Property & Business Improvement District

- i. Resolution 11007 – A Resolution Authorizing the City Manager to Sign the Petition and Ballot on Behalf of the City of Folsom in Support of the Renewal of the Historic Folsom Property and Business Improvement District

Communications Director Christine Brainerd introduced the item and Folsom Historic District Association President Jim Snook made a presentation and responded to questions from the City Council.

Motion by Councilmember Sarah Aquino, second by Councilmember Mike Kozlowski to approve Resolution No. 11007.

Motion carried with the following roll call vote:

AYES: Councilmember(s): Kozlowski, Rohrbough, Aquino, Chalamcherla, Rodriguez
NOES: Councilmember(s): None
ABSENT: Councilmember(s): None
ABSTAIN: Councilmember(s): None

12. Housing Element Program H-2 - Additional Housing Capacity Buildout Assumptions Analysis and Recommendations

Senior Planner Stephanie Henry made a presentation and responded to questions from the City Council. Additional clarification was provided by City Attorney Steve Wang.

The following speaker addressed the City Council:

- Judi Alexander

Community Development Director Pam Johns confirmed that City Council direction to staff was to proceed with the assumptions which staff will study and bring back to the City Council.

13. Appeal by Katharine Gray of Decisions by the Planning Commission Adopting a Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program and Approving a Conditional Use Permit, Planned Development Permit, and Density Bonus for Development of the 136-unit Vintage Senior Apartments project (PN 21-259) Located at 103 East Natoma Street

Mayor Rosario Rodriguez opened the public hearing and summarized the proceedings of the appeal hearing.

Principal Planner Steve Banks made a presentation and responded to questions from the City Council. City Attorney Steven Wang provided additional clarification.

The appellant team consisting of Kat Gray, Erin Sergeant and Henry Sundermier made a presentation.

The applicant team consisting of attorney Robert Holderness, project manager Jennifer VanGerpen and civil engineer Chris Schulze made a presentation and responded to questions of the City Council.

The following speakers addressed the City Council:

1. Kandi Jones in opposition
2. Judi Alexander in opposition
3. Bob Maechler in opposition
4. Nancy Coe in opposition
5. Art Jones in opposition
6. Jean Sundermier in opposition
7. Henry Sundermier in opposition
8. Eli in opposition
9. Teresa Golden-Okson in opposition

Mayor Rosario Rodriguez called for a five-minute recess at 9:19 pm and reconvened the City Council meeting at 9:25 pm.

Appellant Erin Sergeant made rebuttal comments.

Applicant representative Bob Holderness made rebuttal comments.

At the request of Councilmember Sarah Aquino, Principal Planner Steve Banks responded to questions asked by the speakers during public comment. City Attorney Steven Wang provided legal clarification.

Applicant Jennifer VanGerpen responded to questions from the City Council.

DRAFT - Not official until approved by the City Council

The City Council commented and discussed the project. City staff and the applicant's team responded to questions from the City Council and provided clarification.

Motion by Councilmember Sarah Aquino, second by Councilmember Mike Kozlowski to deny the appeal with changes to conditions No. 3 to change the approval length of the project entitlements from three years to two years, and Condition No. 54 to eliminate the requirement for specially designated guest parking spaces.

Motion carried with the following roll call vote:

AYES: Councilmember(s): Kozlowski, Aquino, Chalamcherla, Rodriguez
NOES: Councilmember(s): Rohrbough
ABSENT: Councilmember(s): None
ABSTAIN: Councilmember(s): None

OLD BUSINESS:

14. Resolution No. 11015 - A Resolution Adopting the City of Folsom Strategic Plan, FY2023-24 through FY2027-28

City Manager Elaine Andersen made a presentation and responded to questions from the City Council.

Councilmember Sarah Aquino requested changes to the Goal C: Economic and Community Development Strategies section: change no. 9 to begin sooner and change no. 13 to begin later. City Manager Elaine Andersen received consensus from the City Council for those changes.

There was more discussion between the City Council and clarification with City Manager Elaine Andersen.

Motion by Councilmember Mike Kozlowski, second by Councilmember Sarah Aquino to approve Resolution No. 11015.

Motion carried with the following roll call vote:

AYES: Councilmember(s): Kozlowski, Rohrbough, Aquino, Chalamcherla, Rodriguez
NOES: Councilmember(s): None
ABSENT: Councilmember(s): None
ABSTAIN: Councilmember(s): None

COUNCIL REQUEST FOR FUTURE AGENDA ITEMS

Mayor Rosario Rodriguez requested a future agenda item to consider formation of an ad hoc committee for budget oversight and future financial needs.

CITY MANAGER REPORTS:

City Manager Elaine Andersen announced that the Landscape Festival was a successful event and thanked everyone involved.

COUNCIL COMMENTS:

Councilmember Sarah Aquino thanked everyone involved in the Landscape Festival. She thanked Police Lieutenant Chris Emery for joining her at the State Capitol regarding Assembly Bill 742. She asked that City Manager Elaine Andersen send a letter opposing the bill.

Councilmember Mike Kozlowski discussed meetings he attended of the Regional Transit and SACOG boards and encouraged everyone to attend the upcoming track meet at Folsom High School.

Councilmember Anna Rohrbough thanked Councilmember Kozlowski for sending her information regarding one of his committees.

Vice Mayor YK Chalamcherla commented regarding meeting with Regional Transit members and that he is going on the Cap to Cap trip next month.

Mayor Rosario Rodriguez spoke of attending upcoming events of the kick-off for the American River 50 Mile Endurance Run and the Arts Academy Jazz Festival. She commended Deputy Fire Marshal Michelle Toledo for a great job with her recent business inspection and thanked the Deputy City Clerk for clerking the meeting.

ADJOURNMENT

There being no further business to come before the Folsom City Council, Mayor Rosario Rodriguez adjourned the meeting at 11:05 pm.

SUBMITTED BY:

Lydia Konopka, Deputy City Clerk

ATTEST:

Rosario Rodriguez, Mayor