

# City Council Special Meeting

## MINUTES

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Tuesday, September 13, 2022  
5:30 PM

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### **CALL TO ORDER**

The special City Council meeting was called to order at 5:31 pm with Mayor Kerri Howell presiding.

### **ROLL CALL:**

#### CITY COUNCIL PRESENT

Vice Mayor Rosario Rodriguez  
Councilmember Sarah Aquino  
Councilmember YK Chalamcherla  
Councilmember Mike Kozlowski  
Mayor Kerri Howell

#### STAFF PRESENT

City Manager Elaine Andersen  
City Attorney Steven Wang  
City Clerk Christa Freemantle

### **ADJOURNMENT TO CLOSED SESSION FOR THE FOLLOWING PURPOSES:**

1. Conference with Legal Counsel - Existing Litigation - Pursuant to Government Code Section 54956.9(d)(1): Friends of Folsom Preservation, et al. v. City of Folsom, et al., Sacramento County Superior Court Case Number: 34-2022-80003898
2. Conference with Legal Counsel - Existing Litigation - Pursuant to Government Code Section 54956.9(d)(1): Daniel Artherton v. City of Folsom, et al., Sacramento County Superior Court Case No. 34-2021-00293406
3. Conference with Legal Counsel Anticipated Litigation, Initiation of Litigation Pursuant to Government Code Section 54956.9(d)(4): One Potential Case
4. Conference with Labor Negotiator - Pursuant to Government Code Section 54957.6. Agency Negotiator: Interim Human Resources Director John Spittler. Employee Organization: Various Bargaining Groups

**Motion by Councilmember Mike Kozlowski, second by Vice Mayor Rosario Rodriguez to adjourn to Closed Session for the above referenced items. Motion carried with the following roll call vote:**

**AYES:** Councilmember(s): Rodriguez, Aquino, Chalamcherla, Kozlowski, Howell  
**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 meeting was adjourned at 6:31 p.m.

SUBMITTED BY:

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Christa Freemantle, City Clerk

ATTEST:

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Kerri Howell, Mayor

# City Council Regular Meeting

## MINUTES

[www.folsom.ca.us](http://www.folsom.ca.us)

Tuesday, September 13, 2022  
6:30 PM

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### **CALL TO ORDER**

The regular City Council meeting was called to order at 6:31 pm with Mayor Kerri Howell presiding.

### **ROLL CALL:**

#### **CITY COUNCIL PRESENT**

Vice Mayor Rosario Rodriguez  
Councilmember Sarah Aquino  
Councilmember YK Chalamcherla  
Councilmember Mike Kozlowski  
Mayor Kerri Howell

#### **STAFF PRESENT**

City Manager Elaine Andersen  
City Attorney Steven Wang  
City Clerk Christa Freemantle  
CFO/Finance Director Stacey Tamagni  
Parks and Recreation Director Lorraine Poggione  
Recreation and Community Services Manager Tom Hellman  
Human Resources Manager Allison Garcia  
Community Development Director Pam Johns  
Principal Planner Steve Banks  
Principal Planner Desmond Parrington

### **PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was recited.

### **AGENDA UPDATE**

City Attorney Steven Wang advised that additional information was available for item 23.

### **BUSINESS FROM THE FLOOR:**

The following speaker(s) addressed the City Council:

1. Andre Casanova regarding prevailing wage
2. Justin Raithel regarding permit fees

### **SCHEDULED PRESENTATIONS:**

1. Proclamation of the Mayor of the City of Folsom Proclaiming September 17 through 23, 2022 as Constitution Week in the City of Folsom

Councilmember Mike Kozlowski presented the proclamation.

2. Proclamation of the Mayor of the City of Folsom Proclaiming the Month of September 2022 as Ovarian Cancer Awareness Month in the City of Folsom

Mayor Kerri Howell presented the proclamation.

3. Presentation of 2022 Community Service Day

Parks and Recreation Director Lorraine Poggione, Parks and Recreation Manager Tom Hellman and Community Service Day President Justin Raithel made a presentation.

**CONSENT CALENDAR:**

4. Approval of August 23, 2022 Special and Regular Meeting Minutes
5. Resolution No. 10910 – A Resolution Authorizing the City Manager to Execute a Contract Change Order for the Oil Index Increase with Goodfellow Brothers, LLC (Contract No. 174-21 20-060) for the Capital Southeast Connector Segment D3(A), Project No. PW1607, Federal Project No. 5288(046)
6. Resolution No. 10912 – A Resolution Authorizing Submittal of Applications for All CalRecycle Grants for Which the City of Folsom is Eligible
7. Resolution No. 10913 - A Resolution Amending Resolution Nos. 10478 and 10786 and Enacting the Annual Inflationary Adjustment for City Impact and Connection Fees for Law Enforcement, Fire Suppression, General Facilities, Vehicles and Equipment, Park Improvement, Humbug Willow Creek, Housing Trust, Water, Sanitary Sewer, Solid Waste, Transportation Improvement, Drainage, and Light Rail Impact
8. Resolution No 10914 – A Resolution Authorizing the City Manager to Execute the Sacramento Regional County Sanitation District and the City of Folsom Billing and Collection Agreement
9. Resolution No. 10915 - A Resolution Authorizing the City Manager to Execute a Purchase Agreement with Golden State Fire Apparatus Inc. for Two Type 1 Fire Engines from Golden State Fire Apparatus Inc. and Appropriation of Funds
10. Grant Funds Associated with Development of Affordable Housing Units at 300 Persifer Street
  1. Resolution No. 10916 - A Resolution Authorizing an Application for the SACOG 2022 Green Means Go Funding Program for Infrastructure and Planning Activities Associated with the Development of 300 Persifer Street
  2. Resolution No. 10917 - A Resolution of the City of Folsom Authorizing the City's Allocation of \$800,000 in Home Funds Received Through Participation in the SHRA HOME Consortium to Habitat for Humanity for the Construction of 10 Affordable Housing Units at 300 Persifer Street
11. Resolution No. 10918 - A Resolution Authorizing and Accepting a Grant Award from the Federal Emergency Management Agency's Hazard Mitigation Grant Program and California Office of Emergency Services for the Implementation of the City of Folsom Defensible Space and Vegetation Management Plan

**Motion made by Councilmember Mike Kozlowski, seconded by Vice Mayor Rosario Rodriguez to approve the Consent Calendar.**

**Motion carried with the following roll call vote:**

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

**OLD BUSINESS:**

12. Resolution No. 10911 – A Resolution of the City Council of the City of Folsom Proclaiming Termination of COVID-19 Local Emergency

City Manager Elaine Andersen made a presentation; she and Human Resources Manager Allison Garcia responded to questions.

City Council direction was to terminate the City's COVID-19 sick leave bank as of October 1, 2022, as California COVID-19 sick leave bank will still be in effect for employees after that date if it is needed.

**Motion made by Vice Mayor Rosario Rodriguez, seconded by Councilmember YK Chalamcherla to approve Resolution No. 10911.**

**Motion carried with the following roll call vote:**

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

**NEW BUSINESS:**

13. Ordinance No. 1332 – An Ordinance of the City of Folsom Adding Chapter 12.25, "Temporary Outdoor Dining Permit", to the Folsom Municipal Code Regarding Temporary Use of Parking Space on City Streets and City-owned Public Properties for Outdoor Dining (Introduction and First Reading)

Vice Mayor Rosario Rodriguez explained that she was recusing from this item because she owns a restaurant with a parklet. She left the dais.

Community Development Director Pam Johns made a presentation and responded to questions from the City Council.

The following speakers addressed the City Council:

1. John Voelz
2. Karen Homes speaking on behalf of Dylan Marrow
3. Loretta Hettinger
4. Justin Raithel

After City Council discussion and clarification from staff, the City Council concurred with the following amendments:

Amend Section 12.25.010.B to add the word "reasonable" before "notice" should the City determine the need to modify or cancel the permit.

Amend Section 12.25.020.E to add the words “and design” after “proposed use” to clarify the scope of staff review in determining suitability and appropriateness of temporary outdoor dining improvements.

City Council also directed staff to bring back a fee resolution for the annual renewal permit at a lower cost than the initial annual permit. Staff will include that new renewal fee in an upcoming planning and permit processing fee analysis scheduled in 2023.

**Motion made by Councilmember Mike Kozlowski, seconded by Councilmember YK Chalamcherla to introduce and conduct first reading of Ordinance No. 1332.**

**Motion carried with the following roll call vote:**

**AYES: Councilmember(s): Aquino, Chalamcherla, Kozlowski, Howell**  
**NOES: Councilmember(s): None**  
**ABSENT: Councilmember(s): Rodriguez (*recused*)**  
**ABSTAIN: Councilmember(s): None**

Vice Mayor Rosario Rodriguez returned to the dais.

14. Potential Modifications to City of Folsom Cardroom Ordinance and Direction to City Staff

Principal Planner Steve Banks made a presentation and responded to questions from the City Council.

Robert Holderness, representing Delta CLP, introduced their specialist in gambling law, Tiffany Lichtig. Ms. Lichtig responded to questions from the City Council.

City Council direction to staff was to bring back amendments to the cardroom ordinance at a future City Council meeting.

15. Zoning Code Update – Workshop on Proposed Zoning Administration and Review Process Changes and Direction to Staff

Principal Planner Desmond Parrington made a presentation and responded to questions from the City Council.

The following speaker addressed the City Council:

1. Loretta Hettinger

City Council provided direction to staff regarding the Zoning Code Update and Review Process Changes as listed below, which were generally consistent with staff recommendations:

1. Regarding Design Review, increase thresholds for Commission review for commercial projects from 1,000 square feet to 5,000 square feet and residential projects from 2 dwelling units to 10 dwelling units.
2. Regarding Permits and Variances, create a director-level Administrative Use Permit and allow director-level minor modifications up to 25% deviation from a development standard.
3. Regarding Public Hearings, Notices and Outreach, expand noticing area to 500 feet, require early notification emails, director reports to the Commission, development activity website, and grant the Community Development Director authority to require a community meeting for a project.

4. Regarding Appeals, change to one-level of appeal with director decisions appealed to the Planning Commission for final decision and Commission decisions appealed to the City Council for final decision.

## **CONVENE JOINT MEETING**

# **JOINT CITY COUNCIL AGENDA**

## **Joint City Council / Folsom Redevelopment Successor Agency / Folsom Public Financing Authority / Folsom Ranch Financing Authority / South of 50 Parking Meeting**

### **ROLL CALL:**

#### **CITY COUNCIL/BOARD PRESENT**

Vice Mayor/Vice Chair Rosario Rodriguez  
Council/Board Member Sarah Aquino  
Council/Board Member YK Chalamcherla  
Council/Board Member Mike Kozlowski  
Mayor/Board Chair Kerri Howell

#### **STAFF PRESENT**

City Manager Elaine Andersen  
City Attorney Steven Wang  
CFO Stacey Tamagni  
City Clerk Christa Freemantle

### **CONSENT CALENDAR:**

16. Approval of the July 12, 2022 Joint City Council / Redevelopment Successor Agency / Public Financing Authority / Folsom South of 50 Parking Authority / Folsom Ranch Financing Authority Meeting Minutes
17. Receive and File the City of Folsom, the Folsom Redevelopment Successor Agency, the Folsom Public Financing Authority, the Folsom Ranch Financing Authority, and the South of 50 Parking Authority Monthly Investment Reports for the Month of June 2022

**Motion made by Vice Mayor Rosario Rodriguez, seconded by Councilmember Mike Kozlowski to approve the Consent Calendar.**

**Motion carried with the following roll call vote:**

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

### **ADJOURNMENT**

There being no further business to come before the joint City Council / Redevelopment Successor Agency / Public Financing Authority / Folsom South of 50 Parking Authority / Folsom Ranch Financing Authority, the meeting was adjourned to the regular City Council meeting at 8:55 pm.

### **RECONVENE CITY COUNCIL MEETING**

### **CITY MANAGER REPORTS:**

City Manager Elaine Anderson announced upcoming events for the Organics Program Kitchen Pail Giveaway, the Parks and Recreation Fun Factory preschool registration, the Vista Del Lago annual homecoming parade, and the Wayne Spence Veterans Parade.

**COUNCIL COMMENTS:**

Vice Mayor Rosario Rodriguez thanked all the volunteers participating in Community Service Day. She announced upcoming events, including Americana Fest, Choose Folsom Leadership Course Reunion, Future Folsom and the Wild West Film Festival.

Councilmember YK Chalamchela commented regarding attending the League of California Cities conference in Long Beach and commented regarding Community Service Day and his visit to Pinebrook Village. He provided an update regarding the Sacramento Cable Commission meeting.

Councilmember Mike Kozlowski spoke about Community Service Day and the new Oktober Fest beer at Red Bus Brewery.

Councilmember Sarah Aquino asked that the meeting be adjourned in honor of Reid Bellis who passed away recently.

Mayor Kerri Howell provided updates regarding regional meetings she attended and said she is looking forward to Community Service Day and the upcoming Mayors Cup Golf Tournament.

**ADJOURNMENT**

There being no further business to come before the Folsom City Council, Mayor Kerri Howell adjourned the meeting in memory of Reid Bellis at 9:05 pm.

SUBMITTED BY:

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Christa Freemantle, City Clerk

ATTEST:

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Kerri Howell, Mayor