

City Council Special Meeting

MINUTES

Tuesday, June 13, 2023 3:00 PM

CALL TO ORDER

The special City Council meeting was called to order at 3:00 p.m. with Mayor Rosario Rodriguez presiding.

ROLL CALL:

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

Councilmembers Absent: Anna Rohrbough, Councilmember (arrived at 3:01 pm)

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

ADJOURNMENT TO CLOSED SESSION FOR THE FOLLOWING PURPOSES:

1. Conference with Legal Counsel – Existing Litigation – Pursuant to Government Code Section 54956.9(d)(1): Darlene Patricia Miranda v. City of Folsom, Sacramento County Superior Court Case No. 23CV000662
2. Conference with Legal Counsel – Existing Litigation – Pursuant to Government Code Section 54956.9(d)(1): Benjamin J. Bryant v. City of Folsom, County of Sacramento, Sattler Family Trust, Daryon Sattler, Sacramento County Superior Court Case No. 34-2020-00273590
3. Conference with Legal Counsel – Existing Litigation – Pursuant to Government Code Section 54956.9(d)(1): Margaret Morris, Administrator of the Estate of Steven Bradley Morris v. City of Folsom, Sacramento County Superior Court Case No. 23CV000358
4. Performance Evaluation of Public Employee Pursuant to Government Code section 54957(b)(1): Position Title: City Manager

Motion by Councilmember Sarah Aquino, second by Councilmember Mike Kozlowski, to adjourn to closed session for the above referenced items. Motion carried with the following roll call vote:

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

Councilmember Anna Rohrbough arrived at 3:01 pm and participated in the entire closed session discussion.

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 6:32 p.m.

SUBMITTED BY:

Lydia Konopka, Deputy City Clerk

ATTEST:

Rosario Rodriguez, Mayor

City Council Regular Meeting

MINUTES

Tuesday, May 23, 2023 6:30 PM

CALL TO ORDER

The regular City Council meeting was called to order at 6:32 pm with Mayor Rosario Rodriguez presiding.

ROLL CALL:

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

Councilmembers Absent: None

Participating Staff: City Manager Elaine Andersen
City Attorney Steven Wang
CFO/Finance Director Stacey Tamagni
Deputy City Clerk Lydia Konopka
Assistant City Clerk Jennifer Jimenez
Community Development Director Pam Johns
Public Works Director Mark Rackovan
Public Works Traffic Engineer Zach Bosch
Community Development Planning Manager Desmond Parrington

PLEDGE OF ALLEGIANCE

The pledge of allegiance was recited.

AGENDA UPDATE

City Attorney Steven Wang announced that there was additional information for items 6 and 15 and a revised staff report for item 16. He explained that items will be taken out of order, after item 13, item would be in the order of items 16, 15 then 14.

BUSINESS FROM THE FLOOR:

The following speakers addressed the City Council:

1. Loretta Hettinger regarding support for Folsom history
2. Folsom Police Officer Rickey Jones, who yielded his time to Sergeant Grueneberg
3. Folsom Police Sergeant Mike Grueneberg, representing the Folsom Police Officers Association regarding Mayor Rodriguez's comments at the previous Council meeting, the problems related to homelessness, and the Police Department's efforts addressing homelessness
4. Doug Scalzi regarding homelessness and in support of law enforcement

SCHEDULED PRESENTATIONS:

1. Proclamation of the Mayor of the City of Folsom Proclaiming July 1 - 3, 2023 as Western Rodeo Days in the City of Folsom

Mayor Rosario Rodriguez presented the proclamation to Folsom Pro Rodeo Grand Marshal Kris Keables.

CONSENT CALENDAR (taken out of order):

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. Resolution No. 11039 – A Resolution Authorizing the City Manager to Execute an Agreement with the Sacramento and San Joaquin Drainage District, Acting by and Through the Central Valley Flood Protection Board of the State of California, for the Reimbursement of Road Usage in Relation to the Folsom Dam Raise Project
3. Resolution No. 11042 - A Resolution Authorizing the City Manager to Submit an Application for Grant Funds to the California Board of State and Community Corrections (BSCC) Organized Retail Theft Prevention Grant Program
4. Resolution No. 11043 – A Resolution Authorizing the City Manager to Execute an Inter-Agency Agreement for Cost-Sharing of the Water Forum 2.0 Agreement Update for Fiscal Year 2023-24 and Fiscal Year 2024-25
5. Resolution No. 11045 – A Resolution Authorizing the City Manager to Execute a Cooperative Agreement with Sacramento Housing and Redevelopment Agency for Continued Participation in the Community Development Block Grant Program and Related Activities from January 1, 2024 to December 31, 2026
6. **pulled for comment**
7. Resolution No. 11047 - A Resolution Authorizing the City Manager to Execute a Communications Site License Agreement with Dish Wireless, LLC.
8. Resolution No. 11048 – A Resolution Authorizing the City Manager to Execute Fifth Amendment to the Reciprocal Use and Funding Agreement Among the Sacramento Placerville Transportation Corridor Joint Powers Authority (JPA) and Its Member Agencies in Connection with Sacramento Regional Transit (SacRT) Double-Tracking Project

9. Resolution No. 11049 - A Resolution Authorizing Staff to Submit Recreational Trail Program (RTP) Grant Application to the California Department of Parks and Recreation for the Trail Connections Projects
10. Resolution No. 11050- – A Resolution Authorizing the City Manager to Execute an Agreement with National Auto Fleet Group for the Purchase of a Patch Truck
11. Resolution No. 11051 – A Resolution Authorizing the City Manager to Execute a Design and Consulting Services Contract with R.E.Y. Engineers, Inc. for the American River Canyon Drive Surface Drainage Project
12. **pulled for comment**

Motion by Councilmember Sarah Aquino, second by Vice Mayor YK Chalamcherla, to approve items 2-5 and 7-11 of the Consent Calendar.

Motion carried with the following roll call vote:

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

CONSENT CALENDAR ITEMS PULLED FOR DISCUSSION:

6. Resolution No. 11046 – A Resolution Authorizing the City Manager to Execute a Consultant and Professional Services Agreement with RRM Design Group for Completion of the River District Master Plan

This item was pulled at the request of speaker Terry Sorensen. Mr. Sorensen commented regarding the lack of information in the staff report. City Manager Elaine Andersen explained that additional information has been provided and is available at the table of the Council Chambers.

Motion by Councilmember Mike Kozlowski, second by Councilmember Sarah Aquino, to approve Resolution No. 11046.

Motion carried with the following roll call vote:

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

12. Resolution No. 11052 - A Resolution Authorizing the City Manager to Execute a Construction Agreement with RBH Construction, Inc. for the Community Development Department Permit Counter Project and Appropriation of Funds

Vice Mayor YK Chalamcherla commented regarding the procurement process.

Motion by Vice Mayor YK Chalamcherla, second by Councilmember Sarah Aquino, to approve Resolution No. 11052.

Motion carried with the following roll call vote:

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

PUBLIC HEARING:

13. Resolution No. 11041 - A Resolution of the City Council of the City of Folsom Declaring the Results of the Majority Protest Proceedings and Renewing the Historic Folsom Property and Business Improvement District, Approving the Assessment Formula and Levying the Assessments

City Attorney Steven Wang introduced the item. Consultant Emily Brown from Civitas made a presentation.

Mayor Rosario Rodriguez opened the public hearing and announced that ballots must be submitted by the close of the public hearing.

The following speaker addressed the City Council:

Crystal Tobias regarding clarification regarding which property owners received ballots. Consultant Emily Brown responded.

Mayor Rosario Rodriguez announced that Assistant City Clerk Jennifer Jimenez would tally the ballots. She explained that the meeting would continue during the tally, and that the Council would take final action on this item after the ballot canvass is complete.

OLD BUSINESS (item taken out of order):

16. Resolution No. 11044 - A Resolution Authorizing the Formation of the River District Master Plan Citizens Advisory Committee

Consultant Robert Goss made a presentation and explained the ballot process for voting for committee members.

The following speakers addressed the City Council:

1. Claudia Cummings
2. Terry Sorensen

The City Council discussed the item and received clarification from City Attorney Steven Wang regarding the process. Consultant Robert Goss and Community Development Director Pam Johns provided additional clarification. Jim Snook, representing Folsom Historic District Association,

responded at the request of Mayor Rosario Rodriguez regarding their representative on the ballot. There was more discussion and clarification between Council and staff.

Councilmember Sarah Aquino suggested the committee be formed with two members from every stakeholder group and one from the Open Space Resource group and to allow every resident who applied as an at-large member to be on the committee. Councilmember Mike Kozlowski concurred. Councilmember Mike Kozlowski recommended that Claudia Cummings be added to the River District Organizing Committee group. The Council discussed these ideas and concurred.

Motion by Councilmember Sarah Aquino, second by Councilmember Mike Kozlowski, to take two stakeholders from each category except the Open Space Resource category which will have one and appoint all 11 residents who applied as at-large members and approve Resolution No. 11044.

Motion carried with the following roll call vote:

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

Deputy City Clerk Lydia Konopka distributed ballots to the City Council. She read each ballot with the following results:

Councilmember Sarah Aquino:

Major Landowners - CA State Parks and US Bureau of Reclamation
Cultural Resources - Folsom History and Shingle Springs Band of Miwok Indians
Recreation Resources - CSUS Aquatic Center and Lake Natoma Paddlers
Open Space Resources - Friends of Folsom Parkways
Historic District - HRFA Historic Folsom Residents Association and Sutter Street Merchants Association
Economic Development - River District Organizing Committee and Folsom Chamber of Commerce/Visit Folsom

Councilmember Mike Kozlowski:

Major Landowners- CA State Parks and US Bureau of Reclamation
Cultural Resources - Folsom History and Shingle Springs Band of Miwok Indians
Recreation Resources - CSUS Aquatic Center and Lake Natoma Paddlers
Open Space Resources (Select up to 1) - Friends of Folsom Parkways
Historic District - HRFA Historic Folsom Residents Association and Sutter Street Merchants Association
Economic Development - River District Organizing Committee and Folsom Chamber of Commerce/Visit Folsom

Mayor Rosario Rodriguez:

Major Landowners - CA State Parks and US Bureau of Reclamation
Cultural Resources - Friends of Folsom Preservation and Folsom History
Recreation Resources - CSUS Aquatic Center and FATRAC Folsom Auburn Trail Riders Action Coalition
Open Space Resources - Friends of Folsom Parkways
Historic District - HRFA Historic Folsom Residents Association and Sutter Street Merchants Association

Economic Development - River District Organizing Committee and Folsom Chamber of Commerce/Visit Folsom

Councilmember Anna Rohrbough:

- Major Landowners - CA State Parks and US Bureau of Reclamation
- Cultural Resources - Friends of Folsom Preservation and Folsom History
- Recreation Resources - CSUS Aquatic Center and Lake Natoma Paddlers
- Open Space Resources (Select up to 1) - Friends of Folsom Parkways
- Historic District - HRFA Historic Folsom Residents Association and Sutter Street Merchants Association
- Economic Development - River District Organizing Committee and Folsom Chamber of Commerce/Visit Folsom

Vice Mayor YK Chalamcherla:

- Major Landowners - CA State Parks and US Bureau of Reclamation
- Cultural Resources - Friends of Folsom Preservation and heritage Preservation League
- Recreation Resources - FATRAC Folsom Auburn Trail Riders Action Coalition and Lake Natoma Paddlers
- Open Space Resources - Friends of Folsom Parkways
- Historic District - HRFA Historic Folsom Residents Association and Sutter Street Merchants Association
- Economic Development - River District Organizing Committee and Folsom Auto Mall Dealers Association

Deputy City Clerk Lydia Konopka read the results into the record, noting that the below stakeholder organizations/individuals are appointed:

Major Landowners		
	CA State Parks (Devin Swartwood)	The contractual operating and managing partner for US Bureau of Reclamation of the Folsom Lake State Recreation Area (FLSRA)
	US Bureau of Reclamation (Edward Roza)	USBR is the major landowner (75%+) within River District and is responsible for operations at both Folsom Dam and Nimbus Dam.

Cultural Resources		
	Friends of Folsom Preservation (Debra Grassl)	To advocate for the protection and preservation of Folsom’s heritage, cultural resources, and the natural environment; and to advocate for land use planning.
	Folsom History (Rita Mukherjee Hoffstadt)	To inspire an innovative future together by connecting Folsom to its inventive roots; founded in 1961; operates the Folsom History Museum and Pioneer Village in the Historic District, and the developing Chinese Heritage Museum.

Recreation Resources		
	CSUS Aquatic Center (Brian Dulgar)	A cooperative operation of the Associated Students Inc. of CSUS, Sacramento, the University Union of Sac State, CA Div. of Boating and Waterways, and the CA Dept of Parks and Recreation, providing boating and safety programs through education, recreation, competition.
	Lake Natoma Paddlers (Lisa Horton)	A Facebook group with 8k members focused on recreational paddleboard, and other paddle watercraft activities on Lake Natoma.

Open Space Resources		
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	Friends of Folsom Parkways (Bruce Cline)	Advocating awareness, use and care of Folsom parkways, fund raising for parkway issues, education, development proposal influence to benefit parkways, identify parkway expansion where appropriate.
Historic District		
	HFRA - Historic Folsom Residents Association (Mike Reynolds)	Focus is to preserve and protect the Folsom Historic District by forming a resident group that is large enough to be recognized and noticed when decisions are being made that affect the Historic District.
	Sutter Street Merchants Association dba Folsom Historic District Association (Karen Holmes)	To preserve, protect, and enhance the Folsom Historic District and its historic and natural assets; to educate others...; to establish it as a destination for visitors and residents alike; etc.

Economic Development		
	River District Organizing Committee (Will Kempton and Claudia Cummings)	To assist, promote, and monitor the development of a River District Master Plan for the City of Folsom which contributes to the city's economic development and results in benefits to all stakeholders.
	Folsom Chamber of Commerce/Visit Folsom (Joe Gagliardi)	For nearly 80 years, the chamber has been a local business association advocating for businesses concerns, tourism and economic development within the city.

The City Council adjourned the regular meeting to the joint City Council / Traffic Safety Committee meeting.

JOINT CITY COUNCIL / TRAFFIC SAFETY COMMITTEE MEETING (item taken out of order):

CONVENE JOINT MEETING

Joint City Council / Traffic Safety Committee Meeting

ROLL CALL:

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

Councilmembers Absent: None

Traffic Safety Committee Members Present
 Scott Bailey
 Joanne Brausch
 Kevin Goddard
 Zach Bosch (PW Dept)
 Sgt. Tim Galovich (Police)
 Matt Washburn (FCUSD)
 Asst. Chief Chad Wilson (Fire)

Participating Staff: City Manager Elaine Andersen
 City Attorney Steven Wang
 Deputy City Clerk Lydia Konopka
 Public Works Director Mark Rackovan
 Public Works Traffic Engineer Zach Bosch

NEW BUSINESS:

15. Workshop Regarding Traffic Safety Along the Folsom Lake Corridor

Public Works Director Mark Rackovan and Public Works Traffic Engineer Zach Bosch made a presentation and responded to questions from the City Council.

Members of the Traffic Safety Committee commented and asked questions of staff. Public Works Director Mark Rackovan and Public Works Traffic Engineer Zach Bosch responded.

The following speakers addressed the City Council:

1. Mark McClelland
2. Bob Delp

Members of the Traffic Safety Committee provided additional comments and asked questions of staff who provided clarification.

The City Council adjourned the joint meeting back to the regular meeting.

PUBLIC HEARING (item 13 resumed, item 14 taken out of order):

Item 13 was resumed following completion of the protest vote tabulation.

13. Resolution No. 11041 - A Resolution of the City Council of the City of Folsom Declaring the Results of the Majority Protest Proceedings and Renewing the Historic Folsom Property and Business Improvement District, Approving the Assessment Formula and Levying the Assessments

Assistant City Clerk Jennifer Jiminez presented the results of the protest vote tabulation. as 87.75% yes votes and 12.25% no votes. She advised that, since a majority protest does not exist, the City Council may consider approval of Resolution No. 11041.

Motion by Councilmember Mike Kozlowski, second by Councilmember Sarah Aquino, to approve Resolution No. 11041.

Motion carried with the following roll call vote:

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

DRAFT - Not official until approved by City Council

ABSTAIN: Councilmember(s): None

14. Appeal by Bob Delp of Decisions by the Historic District Commission Approving the Demolition of the Cabin at 608 Bridge Street (DRCL23-00016) and Determination that the Project is Exempt from CEQA

Community Development Planning Manager Desmond Parrington made a presentation. He explained that before moving forward with the appeal that the City Council would need to answer whether the appellant has standing to file an appeal. City Attorney Steven Wang provided further clarification regarding eligibility to appeal as stated in the Folsom Municipal Code. Appellant Bob Delp explained why he believes he should be able to appeal this project. Applicant Jennifer Jennings explained why she believes the appellant does not have standing to appeal the project. The City Council deliberated and discussed. City Attorney Steven Wang provided clarification. The City Council decided to allow the appeal.

Motion by Councilmember Anna Rohrbough, second by Vice Mayor YK Chalamcherla, that appellant Bob Delp has the right to appeal the project.

Motion carried with the following roll call vote:

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

Community Development Planning Manager Desmond Parrington provided background information regarding the project.

Appellant Bob Delp made a presentation.

Applicant Jennifer Jennings made a presentation.

The following speakers addressed the City Council.

1. Loretta Hettinger
2. Beth Kelly
3. Terry Sorensen

Appellant Bob Delp made closing comments.

Applicant Jennifer Jennings made closing comments.

The City Council asked for clarification regarding the cabin's history and historic significance. Planning Manager Desmond Parrington responded.

Mayor Rosario Rodriguez closed the public hearing.

Motion by Councilmember Sarah Aquino to deny the appeal.

Mayor Rosario Rodriguez recommended that the applicant offer the cabin to anyone who would like to remove it from the property. Attorney Steven Wang clarified that it would need to be part of the motion to add a condition of approval. The City Council discussed adding this requirement including having a specified time limit of 30 days to allow anyone interested to remove the cabin before the applicant can demolish it. Councilmember Sarah Aquino asked City Attorney Steven Wang if they needed to add language regarding tolling in case of a lawsuit. Mr. Wang clarified that they would need to amend condition number 3 and he asked Mr. Parrington to provide language.

Planning Manager Desmond Parrington provided language to amend condition of approval 3 regarding tolling and language to add a new condition regarding removal of the cabin:

- Condition of Approval #3 [Modification of existing condition]: The project approval granted under this staff report shall remain in effect for two years from final date of approval (May 3, 2025). Failure to obtain the relevant demolition permit within this time, without the subsequent extension of this approval, shall result in the termination of this approval. If a lawsuit is filed against the City which seeks to invalidate the approval or the permit required in connection with the approval, or to challenge the issuance by any governmental agency of any environmental document or exemption determination, the project approval shall be tolled during the time that any litigation is pending, including any appeals.
- Condition of Approval 8 [New Condition]: The applicant shall not demolish the cabin for 30 days to allow for the possible removal of the cabin by others within the 30-day period at no cost to the applicant.

Amended Motion by Councilmember Sarah Aquino to deny the appeal but the applicant does not demolish the building for 30 days to allow time for someone to come forward and remove the cabin and to amend condition of approval number 3 as stated.

Councilmember Anna Rohrbough asked for an amendment for clarification that there will be no cost to the applicant for the removal of the cabin and that the cabin must be removed within 30 days.

Councilmember Sarah agreed to the amendment.

Second Amended Motion by Councilmember Sarah Aquino, second by Councilmember Mike Kozlowski, to deny the appeal and the applicant cannot demolish the building for 30 days to give time for someone to come forward and remove the cabin, with no cost to the applicant and that the cabin must be removed within 30 days and amend condition number 3 as stated.

Motion carried with the following roll call vote:

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

COUNCIL REQUEST FOR FUTURE AGENDA ITEMS

Councilmember Sarah Aquino asked that the Folsom Municipal Code be reviewed regarding keeping livestock. Community Development Director Pam Johns explained that this will be part of the future Zoning Code Update. The Council agreed not to bring it back as a separate item.

DRAFT - Not official until approved by City Council

Councilmember Mike Kozlowski requested the Council review options as it pertains to who has standing for appeals throughout the City to have a consistent set of rules that apply.

CITY MANAGER REPORTS

City Manager Elaine Andersen announced the following: end of stage 3 water conservation in Folsom, traffic safety improvement project at Folsom Lake Crossing, 10th Annual Community Service Day September 16 and she thanked City Attorney Steven Wang for his service with the US Army.

COUNCIL COMMENTS:

Councilmember Anna Rohrbough thanked City Attorney Steven Wang for his service to our country. She commented regarding visiting the Folsom Dam and spillway.

Vice Mayor YK Chalamcherla commented regarding the Joint meeting with Traffic Safety Committee.

Councilmember Mike Kozlowski reminded everyone to get their tickets for the Folsom Pro Rodeo.

Mayor Rosario Rodriguez, in response to Folsom Police Sergeant Mike Grueneberg's comments during business from the floor described her experience with homelessness in Folsom. She spoke of her appreciation for the collaborative efforts between local non-profits and the Police Department and commended the Folsom Community Crime Suppression Unit, Sergeant Grueneberg and Officer Jones for their work.

ADJOURNMENT

There being no further business to come before the Folsom City Council, Mayor Rosario Rodriguez adjourned the meeting at 11:43 pm.

SUBMITTED BY:

Lydia Konopka, Deputy City Clerk

ATTEST:

Rosario Rodriguez, Mayor

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to facilitate double-sided printing.*



CITY OF
FOLSOM
DISTINCTIVE BY NATURE