

CITY OF FOLSOM
SPECIAL CITY COUNCIL MEETING MINUTES
NOVEMBER 13, 2007

CALL TO ORDER: The special meeting of the Folsom City Council was called to order at 5:00 p.m. in City Council Chambers, 50 Natoma Street, Folsom, with Mayor Morin presiding.

ROLL CALL:

Council Members Present:	Starsky, Howell, King, Miklos, Morin
Council Members Absent:	None
Staff Present:	City Manager Kerry Miller Assistant City Manager Evert Palmer City Attorney Bruce Cline City Clerk Christa Schmidt

ADJOURNMENT TO CLOSED SESSION FOR THE FOLLOWING PURPOSES:

- 3a. Conference with Real Property Negotiator - Pursuant to Government Code section 54956.8
- i. Property: APNs: 071-1240-031, 071-1240-009 and 071-1240-021
Negotiating Parties: Parks and Recreation Director Robert Goss on behalf of the City of Folsom
Kirk Bone on behalf of The Parkway Venture
Under Negotiation: Terms of acceptance of dedication of open space
- 3b. Conference with Legal Counsel - Anticipated Litigation
- i. Initiation of Litigation Pursuant to Government Code section 54956.9(c):
1 case Undisclosed

Motion by Council Member Howell, second by Council Member Starsky to adjourn to Closed Session for the above-referenced items. Motion carried with the following roll call vote:

AYES:	Council Members:	Starsky, Howell, King, Miklos, Morin
NOES:	Council Members:	None
ABSENT:	Council Members:	None
ABSTAIN:	Council Members:	None

Mayor Morin reconvened the special meeting at 6:31 p.m. City Attorney Cline announced that no final action was taken during Closed Session.

ADJOURNMENT:

There being no further business to come before the Folsom City Council, the special meeting was adjourned at 6:31 p.m.


Christa Schmidt, City Clerk

ATTEST:


Andrew J. Morin, Mayor

Approved 12/11/2007

CITY OF FOLSOM
REGULAR CITY COUNCIL MEETING MINUTES
NOVEMBER 13, 2007

CALL TO ORDER: The regular meeting of the Folsom City Council was called to order at 6:31 p.m. in City Council Chambers, 50 Natoma Street, Folsom, with Mayor Morin presiding.

<u>ROLL CALL:</u>	Council Members Present:	Starsky, Howell, King, Miklos, Morin
	Council Members Absent:	None
	Staff Present:	City Manager Kerry Miller Assistant City Manager Evert Palmer City Attorney Bruce Cline City Clerk Christa Schmidt

PLEDGE OF ALLEGIANCE:

The Pledge of Allegiance was recited.

AGENDA UPDATE:

Assistant City Manager Palmer announced the following changes: items 5b and 10c are being continued to November 27, 2007, items 7h and 10b have been revised, and items 9b and 9c have additional information.

SCHEDULED PRESENTATIONS:

- 5a. Hazardous Materials Division 2007 Program Excellence Award From North American Hazardous Materials Management Association

Mayor Morin and Utilities Director Payne presented the Award.

- 5b. City Manager's Fiscal Year 2007-08 First Quarter Financial Report (**continued to November 27, 2007**)

- 5c. Dog Park Development Update by the Folsom Independent Dog Owners (FIDO) Group

Jennifer Lake, FIDO, made a presentation and responded to questions from the City Council.

The City Council requested that staff return at a future City Council meeting with a report on options to assist with park improvement funding.

BUSINESS FROM THE FLOOR:

The following speakers addressed the City Council:

Ernie Sheldon thanked City leaders, staff, and volunteers for their support of the Veterans Day Parade.

Approved 12/11/2007

CONSENT CALENDAR:

- 7a. Approval of the October 23, 2007 Special/Regular Meeting Minutes
- 7b. Resolution No. 8170 - A Resolution Authorizing the City Manager to Execute an Agreement with J. Laurence Mintier & Associates for Consulting Services for the Update of the Housing Element, and Appropriation of Funds
- 7c. Resolution No. 8171 - A Resolution Authorizing the Public Works Director to Execute and Submit the Folsom Transportation Development Act Claim for Fiscal Year 2007/08 to the Sacramento Area Council of Governments (SACOG)
- 7d. Resolution No. 8172 - A Resolution Authorizing the City Manager to Execute a Purchase Agreement with Folsom Lake Dodge for the Purchase of Five (5) 2008 Dodge Charger V-8 Police Package Vehicles
- 7e. Resolution No. 8173 - A Resolution Authorizing the City Manager to Execute an Agreement with the Sacramento Housing and Redevelopment Agency for the Programming of \$200,000 in Community Development Block Grant Funds for 2008
- 7f. Resolution No. 8174 - A Resolution Authorizing the City Manager to Execute Contract Amendment No. 1 with Willdan for Staff Augmentation Consulting Services
- 7g. Resolution No. 8175 - A Resolution Authorizing the Use of Donated Funds for Construction of a Dog Park at Cummings Family Park and Appropriation of Funds
- 7h. Resolution No. 8176 - A Resolution Approving the Application for Grant Funds from the State Bicycle Transportation Account for the Folsom/Placerville Rail Trail Project (**Amended and pulled for discussion**)
- 7i. Resolution No. 8178 - A Resolution Adopting the Water Supply Assessment Report for the Proposed Easton Place/Glenborough Development Project within the Aerojet-General Corporation Lands with Respect to Water Service within the City of Folsom's Current Water Service Area
- 7j. Resolution No. 8179 - A Resolution Authorizing the City Manager to Execute an Agreement with C&D Contractors, Inc. for the Construction of the EPA Phase II Historic District Utilities Rehabilitation Project
- 7k. Resolution No. 8180 - A Resolution Authorizing the City Manager to Execute an Agreement with Sacramento County to Divert and Process the City's Green Waste and Wood Waste Materials
- 7l. Resolution No. 8181 - A Resolution Accepting the Comprehensive Annual Financial Report, Report on Federal Awards in Accordance with Office of Management and Budget Circular A-133, and the Independent Auditor's Management Letter for Fiscal Year Ended June 30, 2007
- 7m. Resolution No. 8182 - A Resolution Approving the Application for Grant Funds from the Environmental Enhancement and Mitigation Program under Section 164.56 of the Streets and Highways Code for the Acquisition and Development of the Folsom Lake Trail Project (**Pulled for discussion**)

- 7n. Resolution No. 8183 - A Resolution Authorizing the City Manager to Execute Amendment No. 2 to the Construction Agreement with Gold Valley Construction, Inc. for the Livermore Community Park Phase 4 Site Improvements Project, and Appropriation of Funds

Motion by Council Member Miklos, second by Council Member Howell to approve the Consent Calendar, with the exception of item 7h and 7m, which were pulled for discussion. Motion carried with the following roll call vote:

AYES:	Council Members:	Starsky, Howell, King, Miklos, Morin
NOES:	Council Members:	None
ABSENT:	Council Members:	None
ABSTAIN:	Council Members:	None

CONSENT CALENDAR ITEMS PULLED FOR DISCUSSION:

- 7h. Resolution No. 8176 - A Resolution Approving the Application for Grant Funds from the State Bicycle Transportation Account for the Folsom/Placerville Rail Trail Project (**Amended**)
- 7m. Resolution No. 8182 - A Resolution Approving the Application for Grant Funds from the Environmental Enhancement and Mitigation Program under Section 164.56 of the Streets and Highways Code for the Acquisition and Development of the Folsom Lake Trail Project

Speaker Charles McGann pulled items 7h and 7m to express Folsom Area Bicycle Advocates' (FABA) support of both proposed projects.

Motion by Council Member Miklos, second by Council Member Howell to approve items 7h and 7m. Motion carried with the following roll call vote:

AYES:	Council Members:	Starsky, Howell, King, Miklos, Morin
NOES:	Council Members:	None
ABSENT:	Council Members:	None
ABSTAIN:	Council Members:	None

OLD BUSINESS:

- 8a. Ordinance No. 1088 - An Ordinance of the City of Folsom Repealing and Re-Enacting Chapter 9.36 of the Folsom Municipal Code Pertaining to Fireworks (Introduction and First Reading) (**Continued from October 9, 2007**)

Fire Chief Haverty made a presentation and responded to questions from the City Council.

Speaker Ernie Sheldon addressed the City Council and offered his compliments to the Fire Chief and his staff for their work on this proposed fireworks ordinance.

Motion by Council Member Howell, second by Vice Mayor King to introduce Ordinance No. 1088. Motion carried with the following roll call vote:

AYES:	Council Members:	Starsky, Howell, King, Miklos, Morin
NOES:	Council Members:	None
ABSENT:	Council Members:	None
ABSTAIN:	Council Members:	None

Approved 12/11/2007

NEW BUSINESS:

- 9a. Resolution No. 8177 - A Resolution Adopting the City of Folsom 2007 Bikeway Master Plan Update and Approving the Negative Declaration

Parks and Recreation Director Goss introduced the item, and Senior Park Planner Konopka made a presentation and responded to questions from the City Council.

Speaker Charles McGann, Folsom Area Bicycle Advocates (FABA) addressed the City Council.

Motion by Council Member Starsky, second by Council Member Howell to approve Resolution No. 8177. Motion carried with the following roll call vote:

AYES:	Council Members:	Starsky, Howell, King, Miklos, Morin
NOES:	Council Members:	None
ABSENT:	Council Members:	None
ABSTAIN:	Council Members:	None

- 9b. Ordinance No. 1089 - An Ordinance of the City of Folsom Repealing Chapters 8.36 and 14.18; and Re-enacting Chapter 8.36 of the Folsom Municipal Code Concerning Adoption of the International Fire Code (Introduction and First Reading) **(Additional materials provided)**

Fire Chief Haverty made a presentation and responded to questions from the City Council. Chief Building Official Latz provided additional information.

Dennis Rogers, Building Industry Association, addressed the City Council.

Motion by Council Member Starsky, second by Vice Mayor King to introduce Ordinance No. 1089. Motion carried with the following roll call vote:

AYES:	Council Members:	Starsky, Howell, King, Miklos, Morin
NOES:	Council Members:	None
ABSENT:	Council Members:	None
ABSTAIN:	Council Members:	None

- 9c. Repealing and Re-Enacting of the Folsom Municipal Code Title 14-Building and Construction **(Additional materials provided)**

- i. Ordinance No. 1090 - An Ordinance of the City of Folsom Repealing and Re-Enacting Title 14, Chapter 14.02 of the Folsom Municipal Code Concerning Enforcement of the Folsom Codes (Introduction and First Reading)
- ii. Ordinance No. 1091 - An Ordinance of the City of Folsom Repealing and Re-Enacting Title 14, Chapter 14.08 of the Folsom Municipal Code Concerning the California Electrical Code (Introduction and First Reading)
- iii. Ordinance No. 1092 - An Ordinance of the City of Folsom Repealing and Re-Enacting Title 14, Chapter 14.12 of the Folsom Municipal Code Concerning the California Plumbing Code (Introduction and First Reading)
- iv. Ordinance No. 1093 - An Ordinance of the City of Folsom Repealing and Re-Enacting Title 14, Chapter 14.16 of the Folsom Municipal Code Concerning the California Mechanical Code (Introduction and First Reading)

- v. Ordinance No. 1094 - An Ordinance of the City of Folsom Adding Title 14, Chapter 14.19 of the Folsom Municipal Code Concerning the California Energy Code (Introduction and First Reading)
- vi. Ordinance No. 1095 - An Ordinance of the City of Folsom Repealing and Re-Enacting Title 14, Chapter 14.20 of the Folsom Municipal Code Concerning Substandard Buildings (Introduction and First Reading)
- vii. Ordinance No. 1096 - An Ordinance of the City of Folsom Repealing and Re-Enacting Title 14, Chapter 14.21 of the Folsom Municipal Code Concerning Dangerous Buildings (Introduction and First Reading)
- viii. Ordinance No. 1097 - An Ordinance of the City of Folsom Repealing and Re-Enacting Title 14, Chapter 14.22 of the Folsom Municipal Code Concerning Historical Buildings (Introduction and First Reading)
- ix. Ordinance No. 1098 - An Ordinance of the City of Folsom Adding Title 14, Chapter 14.23 of the Folsom Municipal Code Concerning Property Maintenance (Introduction and First Reading)
- x. Ordinance No. 1099 - An Ordinance of the City of Folsom Repealing and Re-Enacting Title 14, Chapter 14.28 of the Folsom Municipal Code Concerning Swimming Pools, Spas and Hot Tubs (Introduction and First Reading)
- xi. Ordinance No. 1100 - An Ordinance of the City of Folsom Repealing and Re-Enacting Title 14, Chapter 14.04 of the Folsom Municipal Code Concerning the California Building Code (Introduction and First Reading)

Chief Building Official Latz made a presentation and responded to questions from the City Council.

Motion by Council Member Starsky, second by Council Member Howell to introduce Ordinance Nos. 1090, 1091, 1092, 1093, 1094, 1095, 1096, 1097, 1098, 1099 and 1100. Motion carried with the following roll call vote:

AYES:	Council Members:	Starsky, Howell, King, Miklos, Morin
NOES:	Council Members:	None
ABSENT:	Council Members:	None
ABSTAIN:	Council Members:	None

PUBLIC HEARING:

- 10a. Resolution No. 8158 - A Resolution Accepting Fiscal Year 2007-2008 Supplemental Law Enforcement Services Fund (SLESF), Citizen's Option for Public Safety (COPS) Grant for the Purchase of Equipment in Accordance with State Requirements

Police Captain Bonaventure made a presentation and responded to questions from the City Council.

Mayor Morin opened the Public Hearing at 7:35 p.m. Hearing no speakers, the Public Hearing was closed.

Motion by Council Member Starsky, second by Council Member Howell to approve Resolution No. 8158. Motion carried with the following roll call vote:

AYES:	Council Members:	Starsky, Howell, King, Miklos, Morin
NOES:	Council Members:	None
ABSENT:	Council Members:	None
ABSTAIN:	Council Members:	None

Approved 12/11/2007

- 10b. An Appeal by the Islamic Society of Folsom and an Appeal by Carmen Villarreal and Gail Skowrowski of a Planning Commission Approval of a Planned Development Permit and Conditional Use Permit for the Folsom Dog Resort & Training Center at 525 Levy Road (PN 07-252) (**Amended**)

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

City Noise Consultant Paul Bollard, Bollard Acoustical Consultants, Inc. presented noise study findings to the City Council.

Project applicant representative Randi Knott, California Connections, addressed the City Council and provided information regarding the project.

Appellant Carmen Villarreal addressed the City Council.

Project applicant representative Randi Knott responded to comments from the appellant and to questions from the City Council.

Project owner Jason Davis addressed the City Council and responded to questions. Tom Kerwin, Saratoga, California dog resort owner, spoke of his experience owning a dog resort in a residential area.

William Deadbin, attorney representing appellant Islamic Society of Folsom, addressed the City Council and submitted supplemental information.

Mayor Morin called a recess at 9:05 p.m. and reconvened the meeting at 9:15 p.m.

Appellant Islamic Society of Folsom representatives addressed the City Council. Additional appellant representatives Dale Hoffman Hammond, President of Folsom School; Craig Mixen, Educational Psychologist; David Lubman, acoustical consultant, spoke concerning the dog resort.

Project applicant representative Randi Knott responded to additional comments from the appellant and questions from the City Council.

Motion by Council Member Starsky, second by Council Member Miklos to waive the 10:30 rule. Motion carried with the following roll call vote:

AYES:	Council Members:	Starsky, Howell, King, Miklos, Morin
NOES:	Council Members:	None
ABSENT:	Council Members:	None
ABSTAIN:	Council Members:	None

Mayor Morin opened the Public Hearing at 10:00 p.m. The following speakers addressed the City Council:

1. Mayor Morin noted that 35 speaker cards have been submitted from individuals in support of the project who have agreed not to speak individually, but wanted to collectively express their support.
2. Dan Steinberg, in opposition to the project
3. Gail Skowrowski, in opposition to the project, submitted f
4. Don Reid, Syblon Reid, in support of the project
5. Mary Polito, in opposition to the project

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6. Mohammed Khader, in opposition to the project
7. Zarina K, in opposition to the project
8. Zia Khan, in opposition to the project
9. Syed Ateeq Ahmed, in opposition to the project
10. Khursheed Mohammed, in opposition to the project
11. Nadim Muhammad, in opposition to the project
12. Faheem Mazhari, in opposition to the project
13. Deya Elghassein, in opposition to the project
14. Madeleine Moseley, in opposition to the project
15. Bob Quinlan, in support of the project
16. Riaz Siddique, in opposition to the project
17. Rafi Saied, in opposition to the project
18. Bill Hilliard, in opposition to the project
19. Muhammed Momen, in opposition to the project
20. Zainak Siddique, in opposition to the project
21. Meer Nazir, in opposition to the project
22. Zeba Khan, in opposition to the project
23. Jennifer Lake, in support of the project
24. Sue Dreher, in support of the project
25. Zahib Samoud, in opposition to the project

Hearing no further speakers, the Public Hearing was closed at 10:52 p.m.

Assistant City Attorney Hobbs responded to questions from the City Council. Community Development Director Miller provided additional information.

Motion by Council Member Howell, second by Council Member Miklos to:

- **remove Condition of Approval (COA) #27 and replace with a condition requiring construction of a six-foot wood fence on the western property boundary that goes up prior to issuance of a certificate of occupancy for the mosque;**
- **the Community Development Director shall require odor testing (ammonia in soil or other equal and adequate measure);**
- **no dog access to the undeveloped areas as identified on the site plan (page 25 of the staff report);**
- **elimination of landscape screening; and**
- **deny the appeal, uphold the adoption of the Mitigated Negative Declaration and Mitigation Monitoring Program and to uphold the Planning Commission's approval of the Conditional Use Permit and Planned Development Permit Modification for the Folsom Dog Resort and Training Center with General Findings A and B, CEQA Findings C through G, Planned Development Permit Findings H through M, and Conditional Use Permit Finding N, and Conditions of Approval 1 through 49 (as modified).**

Motion carried with the following roll call vote:

AYES:	Council Members:	Starsky, Howell, Miklos, Morin
NOES:	Council Members:	King
ABSENT:	Council Members:	None
ABSTAIN:	Council Members:	None

Approved 12/11/2007

10c. Ordinance No. 1101 - An Ordinance of the City of Folsom Amending Chapter 17.59 of the Folsom Municipal Code to Allow Off-Site Advertisement on a Permitted Animated Signs (Introduction and First Reading) (**Continued to November 27, 2007**)

CONVENE REDEVELOPMENT AGENCY MEETING:

The City Council adjourned to the special Redevelopment Agency meeting at 12:09 a.m. The special Redevelopment Agency meeting was adjourned to the special Public Financing Authority meeting.

RECONVENE CITY COUNCIL MEETING:

The regular City Council meeting reconvened from the special Public Financing Authority meeting at 12:11 a.m.

CITY MANAGER REPORTS:

None

COUNCIL COMMENTS:

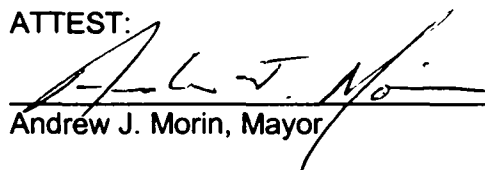
None

ADJOURNMENT:

There being no further business to come before the Folsom City Council, the regular meeting was adjourned at 12:11 a.m.


Christa Schmidt, City Clerk

ATTEST:


Andrew J. Morin, Mayor

Approved 12/11/2007