

**CITY OF FOLSOM**  
**SPECIAL CITY COUNCIL MEETING MINUTES**  
**MAY 26, 2009**

**CALL TO ORDER:** The special meeting of the Folsom City Council was called to order at 6:00 p.m. in City Council Chambers, 50 Natoma Street, Folsom, with Vice Mayor Starsky presiding.

**ROLL CALL:**

Council Members Present: Council Member Kerri Howell  
Council Member Andy Morin  
Council Member Ernie Sheldon  
Vice Mayor Jeff Starsky

Council Members Absent: Mayor Steve Miklos

Staff Present: City Manager Kerry Miller  
City Attorney Bruce Cline  
Assistant City Manager Evert Palmer  
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: Real Property located at 1108 Sutter Street, APNs: 070-0042-002, 070-0042-003, 070-0046-024 and 070-0046-026  
Negotiating Parties: Redevelopment and Housing Director Amy Feagans on behalf of the City of Folsom  
Steve Lebatschi on behalf of D&S Development  
Under Negotiation: Price and terms of sale

Vice Mayor Starsky read the closed session item into the record.

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

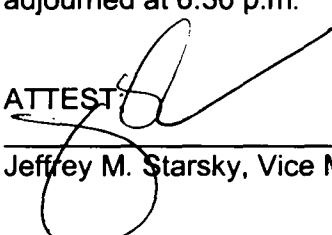
<b>AYES:</b>	<b>Council Members:</b>	<b>Howell, Morin, Sheldon, Starsky</b>
<b>NOES:</b>	<b>Council Members:</b>	<b>None</b>
<b>ABSENT:</b>	<b>Council Members:</b>	<b>Miklos</b>
<b>ABSTAIN:</b>	<b>Council Members:</b>	<b>None</b>

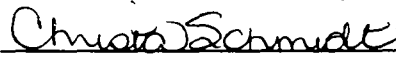
Vice Mayor Starsky reconvened the special meeting at 6:30 p.m. City Attorney Cline announced that no final action was taken during Closed Session.

**ADJOURNMENT:**

There being no further business to come before the Folsom City Council, the special meeting was adjourned at 6:30 p.m.

ATTEST

  
\_\_\_\_\_  
Jeffrey M. Starsky, Vice Mayor

  
\_\_\_\_\_  
Christa Schmidt, City Clerk

**CITY OF FOLSOM**  
**REGULAR CITY COUNCIL MEETING MINUTES**  
**MAY 26, 2009**

**CALL TO ORDER:** The regular meeting of the Folsom City Council was called to order at 6:30 p.m. in City Council Chambers, 50 Natoma Street, Folsom, with Vice Mayor Starsky presiding.

**ROLL CALL:**

Council Members Present: Council Member Kerri Howell  
Council Member Andy Morin  
Council Member Ernie Sheldon  
Vice Mayor Jeff Starsky

Council Members Absent: Mayor Steve Miklos

Staff Present: City Manager Kerry Miller  
City Attorney Bruce Cline  
Assistant City Manager Evert Palmer  
City Clerk Christa Schmidt  
Parks and Recreation Director Goss  
Public Works Director Rich Lorenz  
Community Development Director David Miller  
Principal Engineer John Maguire  
Senior Civil Engineer Mark Rackovan  
Planning Manager Gail Furness de Pardo  
Associate Planner Lisbet Gullone

**PLEDGE OF ALLEGIANCE:**

The Pledge of Allegiance was recited.

**AGENDA UPDATE:**

Assistant City Manager Palmer announced that there were no changes to the agenda.

**SCHEDULED PRESENTATIONS:**

5a. Proclamation of the Mayor of the City of Folsom Proclaiming the Month of May 2009 as Older Americans Month "Living Today for a Better Tomorrow"

Council Member Howell presented the Proclamation.

5b. Resolution of Commendation Honoring Al Deiner for His Outstanding Contribution to the Folsom Community

Council Member Sheldon presented the Resolution of Commendation.

5c. Resolution of Commendation Honoring Folsom High School, Sutter Middle School and Folsom Middle School for Their Outstanding Achievements in Music Education

Vice Mayor Starsky presented the Resolution of Commendation.

Approved 06/09/2009

**BUSINESS FROM THE FLOOR:**

The following speakers addressed the City Council:

- Madeleine Moseley, regarding Memorial Day celebrations
- Margie Donovan, regarding ADA access and the Dial-A-Ride public transit program

**CONSENT CALENDAR:**

- 7a. Approval of the May 12, 2009 Special/Regular Meeting Minutes
- 7b. Ordinance No. 1120 - An Ordinance of the City of Folsom Repealing and Replacing Title 7 of the Folsom Municipal Code Concerning Animals (Second Reading and Adoption) (**pulled for discussion**)
- 7c. Resolutions Authorizing the City Manager to Execute Administering Agency-State Agreement No. 03-5288 Program Supplement for Pavement Repair and Resurfacing
- i. Resolution No. 8492 - A Resolution Authorizing the City Manager to Execute Administering Agency-State Agreement No. 03-5288 Program Supplement SAC24148 and SAC24320 for the Pavement Repair and Resurfacing of East Natoma Street and Natoma Street
  - ii. Resolution No. 8493 - A Resolution Authorizing the City Manager to Execute Administering Agency-State Agreement No. 03-5288 Program Supplement for SAC24433 for the Pavement Repair and Resurfacing of Oak Avenue Parkway
- 7d. Resolution No. 8494 - A Resolution Authorizing the City Manager to Execute Amendment No. 2 with David Evans and Associates for Design Services for the Widening of East Natoma Street from Folsom Lake Crossing to Blue Ravine Road, Project PW0803, as an Adjunct to the Folsom Lake Crossing Project
- 7e. Resolution No. 8495 - A Resolution Authorizing the City Manager to Execute an Agreement with Cummins West Inc. for Seventeen (17) Diesel Engine Exhaust Retrofits to Meet California Air Resources Board Emission Requirements
- 7f. Resolution No. 8498 - A Resolution Adopting the Fee Structure Related to Folsom Municipal Code, Title 7, Chapter 7.02, Section 7.02.08 - Animal Service Fees
- 7g. Resolution No. 8499 - A Resolution Authorizing the City Manager to Execute an Agreement with Blue Ravine Animal Hospital for Animal Sheltering Services

**Motion by Vice Mayor Starsky, second by Council Member Howell to approve Consent Calendar items 7a and 7c through 7g. Motion carried with the following roll call vote:**

<b>AYES:</b>	<b>Council Members:</b>	<b>Howell, Morin, Sheldon, Starsky</b>
<b>NOES:</b>	<b>Council Members:</b>	<b>None</b>
<b>ABSENT:</b>	<b>Council Members:</b>	<b>Miklos</b>
<b>ABSTAIN:</b>	<b>Council Members:</b>	<b>None</b>

**CONSENT CALENDAR ITEMS PULLED FOR DISCUSSION:**

- 7b. Ordinance No. 1120 - An Ordinance of the City of Folsom Repealing and Replacing Title 7 of the Folsom Municipal Code Concerning Animals (Second Reading and Adoption) (**pulled for discussion**)

Item 7b was pulled at the request of resident Chuck Coalson and Council Member Howell. Council Member Howell expressed her concern about the limitation on the number of animals allowed in a residence.

Speaker Chuck Coalson addressed the City Council regarding the number of dogs allowed in a residence.

Assistant City Manager Palmer responded to questions from the City Council members regarding setting and enforcing limitations on the number of animals allowed in a residence.

**Motion by Council Member Howell to adopt Ordinance No. 1120. Motion died for lack of a second.**

**After further discussion, the City Council directed staff to modify the ordinance setting limitations on the number of dogs and cats at three each.**

**OLD BUSINESS:**

- 8a. Presentation of Analysis Regarding Historic District Traffic Diverters and Request for Direction

Principal Engineer Maguire introduced the item, and Senior Civil Engineer Rackovan made a presentation and responded to questions from the City Council. City consultant John Guard, Fehr & Peers, made a supplemental presentation and responded to questions from the City Council. Public Works Director Lorenz provided additional information and responded to questions from the City Council.

The following speakers addressed the City Council regarding the Historic District traffic:

- June Chan
- Kathryn Corbett
- Deino Trotta
- Tony Powers
- Robert Holderness
- Joe Gagliardi, representing FED Corp

After some discussion, the City Council directed staff to remove the barriers at Scott and Sutter Streets and to leave the barriers in place at Figueroa and Mormon Streets until Phase 1 of the Streetscape Project is complete.

Vice Mayor Starsky announced that New Business item 10b would be taken next, out of order.

- 10b. Resolution No. 8496 - A Resolution Denying the Bid Protest by Fuller Excavating & Demolition, Inc. and Authorizing the City Manager to Execute a Construction Contract with Double B. Demolition, Inc. for the Folsom City Zoo Sanctuary Old Operations Center Demolition Project

Parks and Recreation Director Goss presented the item and responded to questions from the City Council.

The representative from Fuller Excavating & Demolition declined to address the City Council.

**Motion by Council Member Howell, second by Council Member Morin to approve Resolution No. 8496. Motion carried with the following roll call vote:**

<b>AYES:</b>	<b>Council Members:</b>	<b>Howell, Morin, Sheldon, Starsky</b>
<b>NOES:</b>	<b>Council Members:</b>	<b>None</b>
<b>ABSENT:</b>	<b>Council Members:</b>	<b>Miklos</b>
<b>ABSTAIN:</b>	<b>Council Members:</b>	<b>None</b>

**PUBLIC HEARING:**

- 9a. Sheba Office Park - Mitigated Negative Declaration, Tentative Parcel Map, Planned Development Permit and Rezone (PN06-378)
- i. Resolution No. 8497 - A Resolution to Adopt the Mitigated Negative Declaration and Mitigation Monitoring Program for the Development of Sheba Office Park at 6609 Folsom-Auburn Road, to Approve a Tentative Parcel Map to Create an Office Park with Six Condominium Units, and to Approve a Planned Development Permit for the Development of Three Office Buildings with a Combined Area of 11,930 Square Feet **(Continued to June 9, 2009)**
  - ii. Ordinance No. 1121 - An Uncodified Ordinance to Amend the Zoning Designation for a 1.7-Acre Property Located East of Folsom-Auburn Road, Between Greenback Lane and Hillswood Drive from General Commercial District (C-3) to Neighborhood Business / Planned Development District (C-1 PD) (Introduction and First Reading)

Planning Manager Furness de Pardo made a presentation and responded to questions from the City Council.

Vice Mayor Starsky opened the Public Hearing at 9:04 p.m. The following speakers addressed the City Council:

- Applicant Richard Probst, Sheba Development Manager, addressed the City Council
- Jim Click, owner of adjacent property, expressed concern about fencing and potential loss of privacy.
- Mel Warren, resident near Del Norte, expressed his opinion that a U-turn should be allowed on Folsom-Auburn Road.

Hearing no further speakers, the Public Hearing was closed at 9:12 p.m.

- Applicant Richard Probst, Sheba Development Manager, agreed to build a six-foot fence in response to neighbor Jim Click's privacy concerns

**Motion by Council Member Howell, second by Council Member Sheldon to introduce Ordinance No. 1121 and to amend Condition of Approval #51(d) to specify that the open view fence along the joint boundary with the property at 6605 Folsom-Auburn Road shall include a 6-foot-high fence. Motion carried with the following roll call vote:**

<b>AYES:</b>	<b>Council Members:</b>	<b>Howell, Morin, Sheldon, Starsky</b>
<b>NOES:</b>	<b>Council Members:</b>	<b>None</b>
<b>ABSENT:</b>	<b>Council Members:</b>	<b>Miklos</b>
<b>ABSTAIN:</b>	<b>Council Members:</b>	<b>None</b>

**NEW BUSINESS:**

10a. Housing Element Study Session

- i. The Housing Element Study Session will Outline the Proposed (Revised and Expanded) Housing Policies and Programs and Quantified Objectives to Meet the Existing and Projected Housing Needs for the City of Folsom for Planning Period 2006 through 2013 and will Amend the 2002 Housing Element of the City of Folsom General Plan when Adopted

Planning Manager Furness de Pardo made a presentation and responded to questions from the City Council.

Speaker Dennis Rogers, North State Building Association, addressed the City Council regarding housing allocation and spoke of language in item 10i.

Kirk Bone, Parker Development, addressed the City Council regarding deed restricted property.

- 10b. Resolution No. 8496 - A Resolution Denying the Bid Protest by Fuller Excavating & Demolition, Inc. and Authorizing the City Manager to Execute a Construction Contract with Double B. Demolition, Inc. for the Folsom City Zoo Sanctuary Old Operations Center Demolition Project

Item 10b was discussed prior to the Public Hearing calendar.

**CITY MANAGER REPORTS:**

City Manager Miller invited residents to attend the Concert in the Park concert events beginning June 5 and thanked city staff for their work on Public Participation Day. Mr. Miller also spoke of the City's return to a Stage Two Water Warning.

**COUNCIL COMMENTS:**

Council Member Sheldon complimented staff for their work on the Run with Nature event.

Council Member Morin echoed compliments to staff for the Run with Nature and the Bike to Work day events. Mr. Morin congratulated high school graduates.

Council Member Howell reminded residents to drive carefully, and urged residents to water their lawns appropriately.

Vice Mayor Starsky complimented staff for their work on the Bike to Work day events and congratulated his daughter on her graduation.

**ADJOURNMENT:**

There being no further business to come before the Folsom City Council, the regular meeting was adjourned at 10:14 p.m.

ATTEST:

  
\_\_\_\_\_  
Jeffrey M. Starsky, Vice Mayor

  
\_\_\_\_\_  
Christa Schmidt, City Clerk